



United States Government Accountability Office

Report to Congressional Requesters



February 2022

CAPITOL ATTACK

The Capitol Police Need Clearer Emergency Procedures and a Comprehensive Security Risk Assessment Process

Accessible Version

GAO Highlights

Highlights of [GAO-22-105001](#), a report to congressional requesters

Why GAO Did This Study

On January 6, 2021, thousands of demonstrators surrounded the U.S. Capitol Building. Demonstrators attacked and injured law enforcement officers and eventually breached the building. The Capitol Police is responsible for protecting the Congress, its Members, staff, visitors, and facilities. The Capitol Police Board oversees the Capitol Police.

GAO was asked to review the Capitol Police's physical security efforts for January 6. This report addresses the Capitol Police and the Board's: (1) physical security planning for January 6; (2) response to that day's events, including the procedures for obtaining outside assistance; and (3) process for assessing and mitigating physical security risks.

GAO reviewed Capitol Police plans, procedures, hearing statements, timelines, and other documents related to the planning and response on January 6 and how the Capitol Police assesses security risks. GAO also interviewed officials from the Capitol Police Board, the Capitol Police, the Architect of the Capitol, and other federal, state, and local agencies.

What GAO Recommends

GAO is making four recommendations to the Capitol Police Board and the Capitol Police, including finalizing and documenting procedures for obtaining outside assistance in an emergency, addressing security risks, and considering security recommendations. The Capitol Police Board did not take a position on GAO's recommendations. The Capitol Police agreed with GAO's recommendations.

View [GAO-22-105001](#). For more information, contact Catina Latham at (202) 512-2834 or LathamC@gao.gov.

February 2022

CAPITOL ATTACK

The Capitol Police Need Clearer Emergency Procedures and a Comprehensive Security Risk Assessment Process

What GAO Found

The U.S. Capitol Police's (Capitol Police) planning for January 6, 2021, did not reflect the potential for extreme violence aimed at the Capitol and did not include contingencies for support from other agencies. For example, although the Capitol Police had information protesters could be armed and were planning to target Congress, the Capitol Police's plans focused on a manageable, largely non-violent protest at the Capitol. The Capitol Police's Office of Inspector General previously recommended that the Capitol Police improve its operational planning.

Images of the Capitol Attack on January 6, 2021



Source: U.S. Capitol Police. | GAO-22-105001

On January 6, the Capitol Police and the Capitol Police Board, which oversees the Capitol Police, used various different authorities to obtain assistance from about 2,000 personnel from outside agencies. However, the Capitol Police and the Board lacked clear, detailed procedures to guide their decisions about which authority to use or the steps to follow in obtaining assistance. For example, neither the Capitol Police nor the Board had procedures in place describing whether or when approval from congressional leadership was needed for the use of outside assistance during an emergency. The Capitol Police and the Board are currently developing documented procedures, but they are not yet final. Without such procedures, the Capitol Police and the Board may be hampered in their ability to request aid quickly and effectively in future emergencies.

The Capitol Police's process for assessing and mitigating physical security risks to the Capitol complex is not comprehensive or documented. Also, how the Capitol Police Board considers and decides which physical security recommendations made by the Capitol Police should be implemented is unclear. Federal guidance is available to help agencies develop comprehensive processes for assessing physical security risks to facilities. Capitol Police officials stated that they have been informally applying this guidance for the past 5 to 7 years. While the Capitol Police's process incorporates parts of the guidance, its process is not as comprehensive or well documented as the guidance outlines. For example, the Capitol Police conducts regular security assessments of the Capitol complex and buildings, but it does so without a documented procedure to ensure completeness and consistency. In addition, while the Capitol Police makes security recommendations, it does not have the authority to implement them. The Capitol Police Board does not have a process for formally considering or making decisions on the recommendations. Without a comprehensive, documented process to assess and mitigate risks, there is no assurance that the Capitol Police and the Board are not overlooking potential security risks.

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Abbreviations

AOC	Architect of the Capitol
ATF	Bureau of Alcohol, Tobacco, Firearms and Explosives
CDU	Civil Disturbance Unit
Council	Metropolitan Washington Council of Governments
ISC	Interagency Security Committee
Manual	<i>Manual of Procedures</i>
MPD	Metropolitan Police Department
OIG	Office of Inspector General

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February 17, 2022

Congressional Requesters

On January 6, 2021, thousands of demonstrators surrounded the U.S. Capitol Building. Demonstrators also attacked and injured law enforcement officers and eventually broke into the building, leading to the lockdown of the Capitol complex and evacuation of lawmakers and staff.¹ Over the course of about 7 hours, the attack resulted in assaults on approximately 140 police officers, including about 80 U.S. Capitol Police (Capitol Police) officers, and about \$1.5 million in damages to facilities and infrastructure, according to information from the Department of Justice and the Capitol Police.

The Capitol Police is responsible for protecting the Congress, including Members, staff, visitors, and facilities, so that it can fulfill its constitutional and legislative responsibilities in a safe, secure, and open environment. The Capitol Police has a force of about 1,850 officers. To protect the Capitol complex, the Capitol Police conducts a range of activities including security planning for scheduled events and demonstrations and assessing physical security risks. Specifically, the Capitol Police conducts risk assessments (to identify security risks and countermeasures to mitigate those risks) on a regular basis as part of its risk management process.

We were asked to provide a broad and comprehensive overview of the events leading up to, during, and following the Capitol attack. This is the third in a series of reports looking at several aspects of January 6, including intelligence sharing and coordination, as well as use of force by Capitol Police officers.² This report: (1) describes the Capitol Police's physical security planning efforts leading up to January 6, 2021; (2) examines how the Capitol Police responded to the January 6, 2021

¹For the purposes of this report, the Capitol complex refers to any buildings, grounds, parks, and areas designated under the protection of the U.S. Capitol Police, including the Capitol Building, grounds surrounding the Capitol Building, and congressional offices.

²We have issued two prior reports on the January 6 attack. See GAO, *Capitol Attack: Special Event Designations Could Have Been Requested for January 6, 2021, but Not All DHS Guidance is Clear*, [GAO-21-105255](#) (Washington, D.C.: Aug. 9, 2021). We also issued a sensitive report, see *Capitol Attack: Federal Agencies' Use of Open Source Data and Related Threat Products Prior to January 6, 2021*, GAO-22-105256SU (Washington, D.C.: Feb. 16, 2022). We plan to issue a public version of this report in the spring of 2022.

events, including the processes for obtaining support from other agencies; and (3) evaluates the Capitol Police's process for assessing and mitigating physical security risks.

To describe the Capitol Police's planning efforts, including how those efforts evolved leading up to January 6, we reviewed documents specific to the expected January 6, 2021 event at the Capitol—such as the plan prepared by the Capitol Police's Civil Disturbance Unit (CDU). We also reviewed relevant reports, hearing statements, and other information related to the Capitol attack, such as reports produced by the Capitol Police Office of Inspector General (OIG).³ We also spoke to the agencies that provided assistance to the Capitol Police on January 6 about their involvement in planning for the day.

To examine the Capitol Police's response on January 6 and the process by which the Capitol Police can obtain support from other agencies, we reviewed Capitol Police and other agency documents—such as the Capitol Police's timeline of events and email records—to understand how the physical security posture of the Capitol changed on January 6, 2021. We also reviewed the processes provided in pertinent federal statutes, the *Manual of Procedures* for the Capitol Police Board (which oversees the Capitol Police), and a mutual aid agreement among law enforcement agencies in the National Capital Region in effect on January 6, 2021. We compared the Capitol Police's requests for outside assistance on January 6 to these processes and to principles included in *Standards for Internal Control in the Federal Government*.⁴ We interviewed officials from federal, state, and local agencies to determine how their support was requested, the number of personnel who responded, and the tasks they performed. See appendix I for a list of the agencies we interviewed for this and all other objectives of this work. We also conducted a site visit to the Capitol

³For example, see United States Capitol Police Office of Inspector General, *Review of the Events Surrounding the January 6, 2021, Takeover of the U.S. Capitol Flash Report: Operational Planning and Intelligence*, Investigative Number 2021-I-0003-A (Washington, D.C.: Feb. 2021).

⁴GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sep. 10, 2014). Specifically, we compared the Capitol Police's requests for outside assistance on January 6, 2021, to the principles of "Design Control Activities" and "Implement Control Activities." According to *Standards for Internal Control in the Federal Government*, agency management should design control activities to achieve an effective internal control system. Control activities are the policies, procedures, techniques, and mechanisms that enforce management's directives to achieve the entity's objectives and address related risks. Additionally, management should implement control activities through policies, and those policies should document the internal control responsibilities of the organization.

Building in July 2021 to observe Capitol Police operations and reviewed videos from Capitol Police cameras for January 6, 2021.

To assess the Capitol Police’s process for assessing and mitigating security risks, we compared documentation of the Capitol Police’s processes for assessing the physical security of the Capitol Building to physical security standards for non-military federal facilities developed by the Interagency Security Committee. The Interagency Security Committee is an interagency organization chaired by the Department of Homeland Security that produces *The Risk Management Process: An Interagency Security Committee Standard* (the “ISC standard”). The ISC standard defines a process to assist federal agencies in identifying security risks and countermeasures to mitigate those risks.⁵ Specifically, we reviewed the Capitol Police’s process for developing and documenting the “security surveys” it prepared for the Capitol Building in 2019 and 2021; these security surveys include recommendations to address security issues. We also reviewed the Capitol Police’s standard operating procedures, list of countermeasures, and other available documents. In addition, we interviewed Capitol Police officials about their processes.

We conducted this performance audit from February 2021 to February 2022 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions, based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

The U.S. Capitol Building in Washington, D.C., is the seat of the legislative branch of the federal government. In addition to its active use by Congress, the Capitol Building is a museum of art and history, visited by more than 3 million people every year. To keep Congress, its Members, staff, and visitors safe, the Capitol Police is charged with

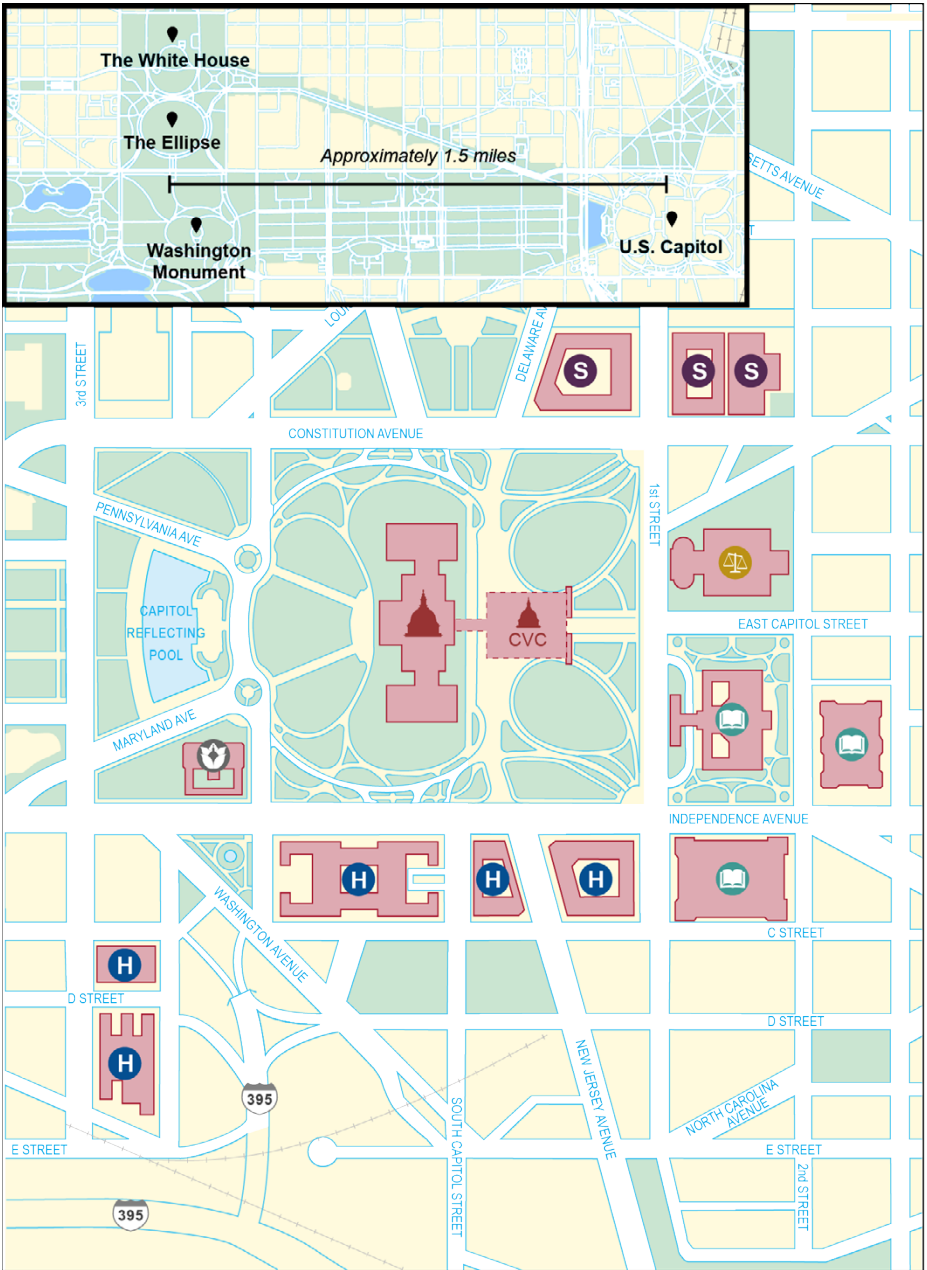
⁵U.S. Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, Interagency Security Committee, *The Risk Management Process: An Interagency Security Committee Standard*, (Washington, D.C.: 2021). Also, *Appendix A: The Design-Basis Threat Report* (Washington, D.C.: 2020). Also, *Appendix B: Countermeasures* (Washington, D.C.: 2020).

policing the Capitol complex (see fig. 1).⁶ By statute, the Capitol Police Board (the Board) is to oversee and support the Capitol Police.⁷

⁶2 U.S.C. § 1961(a). See also 2 U.S.C. § 1901.

⁷Pub. L. No. 108-7, div. H, tit. I, § 1014(a)(1), 117 Stat. 11, 361 (2003).

Figure 1: The U.S. Capitol Complex



Capitol west side



Capitol east side

- Legend**
-  U.S. Capitol
 -  Capitol Visitor Center
 -  House office buildings
 -  Senate office buildings
 -  Library of Congress
 -  U.S. Supreme Court
 -  Other buildings
 -  U.S. Botanic Garden



Sources: National Park Service and GAO; GAO (photos). | GAO-22-105001

The Board is comprised of the Senate and House Sergeants at Arms, and the Architect of the Capitol, as well as the Chief of the Capitol Police as an ex-officio member:

- The Sergeant at Arms and Doorkeeper of the Senate (known as the Senate Sergeant at Arms) serves as the chief law enforcement, protocol, and executive officer for the Senate chamber. The Senate Sergeant at Arms is responsible for maintaining security in the Senate side of the Capitol and all Senate buildings, protecting Members, coordinating official events and visits, and enforcing all rules of the Senate.
- The Sergeant at Arms of the House of Representatives (known as the House Sergeant at Arms) serves as the chief law enforcement, protocol, and executive officer for the House chamber. The House Sergeant at Arms has similar responsibilities as the Senate Sergeant at Arms but for the House of Representatives.
- The Architect of the Capitol (AOC) manages the office responsible for the operations and care of Capitol complex facilities, including implementing security projects. Among the officials under AOC is the Chief Security Officer, who coordinates interagency emergency preparedness and supports the Capitol Police in its mission to protect the congressional community and its visitors.
- The Chief of the Capitol Police serves as a non-voting member of the Board.⁸

The Capitol Police, the Office of the AOC, and the Board each have a role in ensuring the physical security of the Capitol complex. Their various security responsibilities include overseeing and assessing physical security risks and installing physical security countermeasures.⁹

Examples of physical security countermeasures for the Capitol complex include upgraded door locks; shatter-resistant windows; permanent barriers; and video surveillance. The Capitol Police may augment its security for specific events with temporary countermeasures such as steel fencing used for crowd control. Capitol Police personnel are also used to

⁸Unless otherwise specified, when referring to the “Chief of the Capitol Police” we are referring to the Chief in place on January 6, 2021. The Chief of the Capitol Police resigned from his position shortly after the Capitol attack.

⁹Designated representatives from the Board (AOC, the House and Senate Sergeants at Arms, and the Capitol Police) participate in the “Security Working Group.” This Working Group, led alternatively by AOC and the Capitol Police, identifies and implements security improvements. AOC officials told us the process for prioritizing physical security projects includes input from congressional request letters, facility condition assessments, and Capitol Police requests. AOC proposes a prioritized list (based on the input received and projects not funded during the previous fiscal year) and presents it to the Working Group. An example of a security project includes the design of an offsite delivery screening center.

provide physical security, such as when officers conduct visitor screening at building entrances or form a line to establish a perimeter.

Because it is one of the most recognizable symbols of democracy, the Capitol Building is often the site of large public gatherings, such as annual Fourth of July concerts, as well as public demonstrations and marches.¹⁰ The Capitol Police plans for and provides security during these types of events. Several of the planned marches at or near the Capitol in 2020 were to protest the results of the November 2020 presidential election, including the “Make America Great Again” or “MAGA” marches held in November and December of that year.

On January 6, 2021, several marches or demonstrations were scheduled to take place at the Capitol Building with a focus on protesting the results of the 2020 presidential election. Some groups had publicly expressed a desire to stop the count of the Electoral College vote. Another large demonstration was planned at the Ellipse, near the White House and about 1.7 miles from the Capitol Building, where the President was scheduled to speak.

The Capitol Police’s Planning for January 6 Did Not Reflect the Potential for Extreme Violence Aimed at the Capitol and Did Not Include Contingencies for Support from Other Agencies

The Capitol Police’s Planning for January 6 Was Similar to Its Planning for Demonstrations Held in 2020

The Capitol Police’s planning for January 6 was similar to how it planned for the previous MAGA marches held in November and December 2020, which Capitol Police documents indicated had the potential to become violent but ultimately were largely non-violent within the Capitol complex. According to the Chief of the Capitol Police, both MAGA marches were

¹⁰According to Capitol Police officials, there were 104 permitted large-scale demonstrations, with more than 1,000 demonstrators each, at the Capitol complex from January 5, 2017 through January 5, 2021, such as recurring marches (e.g., Women’s March and March for Life); confirmation hearings; and rallies for various interest groups and causes.

successfully handled by the Capitol Police through the development of a CDU plan and the deployment of various countermeasures, such as bike rack steel fencing along the march routes.¹¹ According to the Chief of the Capitol Police, during both MAGA marches, there was a limited amount of violence and injuries to officers and a limited number of arrests.

Much as it did for the MAGA marches, different divisions within the Capitol Police prepared planning documents for January 6. The Capitol Police's Intelligence and Interagency Coordination Division—the Capitol Police unit tasked with gathering and reviewing intelligence—prepared multiple updates to a “special event assessment,” which presented information on threats relevant to upcoming events. In addition, three separate operational plans, which described planned roles and responsibilities for officers and Capitol Police units, were developed by different Capitol Police offices: CDU, Uniformed Services Bureau, and Hazardous Materials Response Team.¹²

Special Event Assessment

The Capitol Police's Intelligence and Interagency Coordination Division developed special event assessments.¹³ While the initial special event assessment started with drawing similarities to the MAGA marches of November and December 2020, the subsequent assessments evolved as more intelligence was gathered, and ultimately noted how January 6 may be different from those previous marches, particularly in regard to the potential for violence:¹⁴

- **December 16.** The initial special event assessment identified two groups of protesters and found that there were no specific, known threats to the Joint Session of Congress. According to Capitol Police

¹¹The CDU is an ad hoc unit within the Capitol Police's Operational Services Bureau's Special Operations Division with officers trained to respond to protests and demonstrations. CDU's mission is to “ensure the legislative functions of Congress are not disrupted by civil unrest or protest activity, while respecting the civil rights of all citizens.”

¹²The Hazardous Materials Response Team is a unit within the Capitol Police's Operational Services Bureau and, among other things, deploys to respond to explosives threats.

¹³The Capitol Police developed other threat products related to January 6, 2021. For this report, we focus on the Capitol Police's special event assessment because we found it specifically referred to in the Capitol Police's plans for January 6.

¹⁴In the coming months, we plan to report on information sharing and coordination among federal, state, and local agencies for both January 6, 2021, and for other large gatherings in Washington, D.C.

officials, this special event assessment was a preliminary draft and not distributed to Capitol Police leadership.

- **December 28.** This assessment contained the same language included in the previous version of the assessment about no specific information regarding disruptive actions or violence, while also not ruling out the potential for violence. Specifically, this special event assessment stated that there is “no information regarding specific disruptions or acts of civil disobedience targeting this function. Due to the tense political environment following the 2020 election, the threat of disruptive actions or violence cannot be ruled out.”
- **January 3.** The final special event assessment issued before January 6 contained new statements expressing the potential seriousness of the situation on that day. Specifically, the assessment stated that supporters of then-President Trump saw the January 6 count of the Electoral College vote as “the last opportunity to overturn the results of the presidential election. This sense of desperation and disappointment may lead to more of an incentive to become violent.” Additionally, the special event assessment stated that several social media posts have encouraged protesters to be armed.

Further, the assessment stated that Congress is the actual target of the protesters: “Unlike previous post-election protests, the targets of the pro-Trump supporters are not necessarily the counter-protesters as they were previously, but rather Congress itself is the target on the 6th.” Lastly, the assessment noted that unlike the previous MAGA marches, there were several more protests—including an unpermitted protest at which Members of Congress were expected to speak—scheduled for January 6 with the majority of them being on the Capitol complex. The assessment concluded that the circumstances on January 6 “may lead to a significantly dangerous situation for law enforcement and the general public alike.” According to Capitol Police officials, Capitol Police leadership received this special event assessment.

Operational Plans

The Capitol Police did not produce a comprehensive, department-wide operational plan for January 6, but instead produced three separate operational plans that were developed by different Capitol Police offices: the Uniformed Services Bureau, the Hazardous Materials Response Team, and CDU. The Capitol Police’s Uniformed Services Bureau and Hazardous Materials Response Team each produced an operational plan for officers within their respective offices. Both were limited in breadth and

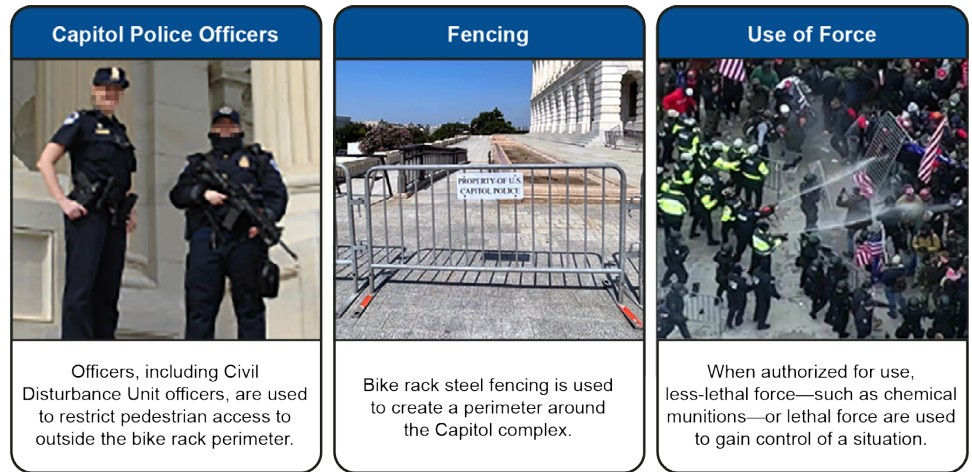
contained few details on the overall numbers of officers to be on duty on January 6, their responsibilities, or any contingencies in the event of an emergency.

The CDU plan—issued on January 5, 2021, after an initial draft—was the most detailed of the operational plans developed by the Capitol Police for January 6.¹⁵ The plan both specified the number of officers that were to be on duty that day and other physical security measures to be implemented or available. The final CDU plan included changes from the draft such as an increase in the number of Capitol Police personnel to provide security on January 6. However, it was still premised on a largely non-violent event within the Capitol complex. Although it referenced the Intelligence and Interagency Coordination Division’s January 3 special event assessment—that included statements about the potential seriousness of the situation and the potential for violence—the plan largely focused on a manageable protest similar to the previous MAGA marches.¹⁶ The key elements included in the CDU plan for providing physical security on January 6 on and around the Capitol complex are summarized below (see fig. 2).

¹⁵According to the Capitol Police, CDU is activated for demonstrations when certain criteria are met, for example the group demonstrating is known to cause civil disorder or violent acts toward others, the group demonstrating will draw counter groups to protests (even if peaceful), or intelligence gathered by the Capitol Police points to the potential for the group to violate their issued permit.

¹⁶For example, the plan provides instructions about how Capitol Police personnel should provide protection to protesters to prevent collisions with approaching traffic. Further, the CDU plan—unlike the two other Capitol Police plans developed for January 6—confirmed CDU’s awareness of multiple permitted and non-permitted events that were scheduled for January 6.

Figure 2: U.S. Capitol Police Physical Security Included in the Civil Disturbance Unit's Plan for January 6, 2021



Source: GAO and U.S. Capitol Police. | GAO-22-105001

- **Capitol Police Officers.** The Capitol Police adjusted schedules to have most officers working on January 6, including both “uniformed officers” (i.e., the “primary officers” seen around the Capitol complex) as well as specialized units within the Capitol Police, such as CDU. CDU’s final plan provided for 283 CDU personnel, to include 245 officers and 38 officials.¹⁷ The Capitol Police’s Containment and Emergency Response Team—an elite tactical team of officers—planned to provide a counter-assault ground team, located on elevated platforms to provide countersniper operations.
- **Fencing.** The Capitol Police approved the establishment of a perimeter using bike rack fencing (i.e., steel fencing about 3.5 feet high) around most of the Capitol complex. The location of the bike rack was revised in the days leading up to January 6, but generally surrounded the area around the Capitol Building.
- **Use of Force.** According to the Capitol Police, the department’s standard use of force policy was in effect on January 6.¹⁸ It is the policy of the Capitol Police to allow officers to use only the level of force that appears reasonably necessary to effectively accomplish their lawful objectives, like bringing a subject under control, while protecting the lives of officers and others. Types of force include less-

¹⁷The final CDU plan included three more platoons (106 officers) of CDU personnel than its original plan for 4 platoons.

¹⁸In the near future, we will be issuing a report on Capitol Police officer use of force on January 6, 2021.

lethal force such as empty-hand defense techniques, chemical spray, and impact weapons such as batons used to strike certain designated areas of the body; and lethal force such as the withdrawal or intentional discharge of a Department issued firearm. The CDU plan stated that all officers were to follow the Capitol Police's use of force policy and that unless exigent circumstances justify immediate action, officers were not to independently make arrests or employ force, including less-lethal force.

Since January 6, the Capitol Police has taken steps to change its operational planning process. The Capitol Police's actions are, in part, a response to findings by the Capitol Police Office of Inspector General (OIG). In February 2021, the OIG produced a report focused on the Capitol Police's operational planning for January 6.¹⁹ Among other things, the OIG found that the Capitol Police lacked a comprehensive operational plan for January 6 and that several Capitol Police officials were not familiar with the CDU plan. Further, the report stated that the Capitol Police disseminated conflicting intelligence regarding scheduled events for January 6. The OIG made several recommendations, including that the Capitol Police should develop comprehensive operational plans and ensure its intelligence products are supported by relevant intelligence and are internally consistent.²⁰

Capitol Police Coordination with Other Agencies Primarily Focused on the Inauguration, and Plans for January 6 Did Not Include Contingencies for Support from Other Agencies

In the lead up to January 6, the Capitol Police communicated regularly with other law enforcement agencies, but to the extent it discussed

¹⁹United States Capitol Police, Office of Inspector General, *Review of the Events Surrounding the January 6, 2021, Takeover of the U.S. Capitol Flash Report: Operational Planning and Intelligence*, Investigative Number 2021-I-0003-A (Washington, D.C.: February 2021).

²⁰According to a December 2021 OIG report, the recommendation to develop comprehensive operational plans has not yet been implemented. The recommendation to ensure that Capitol Police intelligence products are supported by relevant intelligence and are internally consistent has been implemented. United States Capitol Police Office of Inspector General, *Review of the Events Surrounding the January 6, 2021, Takeover of the U.S. Capitol Flash Report: Summary of Recommendations and Security Enhancements since January 6, 2021*, Investigative Number 2021-I-0003-H (Washington, D.C.: December 2021).

planning efforts with those agencies, it did so focused primarily on the upcoming inauguration on January 20, 2021. For example, Capitol Police officials provided us with copies of “daily demonstration reports” from the days before January 6. These reports were distributed via email and show law enforcement agencies sharing information with other agencies about events planned for January 6, including the location and anticipated size of the events. The reports, however, did not include information from the Capitol Police to others on its plans for January 6, such as the CDU plan. Separately, the Capitol Police participated in regular planning meetings held by the Metropolitan Police Department (MPD) of the District of Columbia, which included multiple law enforcement agencies in the National Capital Region.²¹ These planning meetings, according to several law enforcement agencies we spoke with, generally focused on the rally at the Ellipse or the upcoming presidential inauguration, not on the scheduled events at the Capitol complex on January 6.

The Capitol Police also held or participated in planning meetings with others in the weeks leading up to January 6, and while some discussion of scheduled January 6 events did occur, according to the Capitol Police and other law enforcement agencies we spoke with, these meetings primarily focused on the upcoming inauguration. For example, the Capitol Police hosted a meeting on January 5 with police chiefs in the National Capital Region, the AOC, the Senate and House Sergeants at Arms, U.S. Secret Service, the FBI, and the D.C. National Guard. According to the Capitol Police and a law enforcement agency we spoke with, this meeting was primarily to discuss intelligence and planning for the upcoming presidential inauguration; plans for January 6 were briefly mentioned.

Although the Capitol Police initially decided it would not consider the use of D.C. National Guard assistance for the scheduled events of January 6, it later changed its position. Specifically, according to the Capitol Police’s timeline of events, Department of Defense staff asked Capitol Police staff on January 2 if the Capitol Police was considering the use of National Guard soldiers for January 6. Capitol Police staff responded on January 3 that a request for National Guard support would not be forthcoming. However, on January 4, according to the Capitol Police’s timeline, the Chief of the Capitol Police asked the Senate and House Sergeants at

²¹MPD took a variety of actions to provide security throughout Washington, D.C., in the lead up to January 6. According to MPD officials, based on the intelligence available at the time, MPD fully activated its police force for January 5 and 6, 2021.

Arms for authority to have the National Guard assist with security for the January 6 event.

In his written testimony statement, the Chief of the Capitol Police stated that heightened tension related to the Electoral College vote count, as well as the Capitol Police's decision to expand the security perimeter around the Capitol to allow for lawful demonstrations caused the Chief to believe that National Guard assistance might be necessary.²² According to the Chief's written testimony statement and his letter to the Speaker of the House, the two Sergeants at Arms did not approve this request.²³ According to the Chief of the Capitol Police, the House Sergeant at Arms stated that he was concerned about the "optics" of having the National Guard present and that the intelligence available about the scheduled events for January 6 did not support the National Guard's use.

While the Chief of the Capitol Police's request for National Guard assistance was not approved, the Senate Sergeant at Arms asked the Chief to contact the Commanding General of the D.C. National Guard to discuss the Guard's ability to support a request, if needed, on January 6. According to the Chief of the Capitol Police's letter to the Speaker of the House, the Chief did contact the Commanding General, who responded that 125 troops could be repurposed, if needed, from their current assignment of providing the District of Columbia with COVID-19-related assistance. This contingency, however, was not reflected in the Capitol Police's operational plans for January 6.

MPD took a different approach and more actively involved the National Guard and law enforcement agencies in its planning prior to the January 6 event. As discussed later in this report, as a result, some local law enforcement agencies were able to respond quickly to the Capitol on January 6. Specifically, MPD asked for assistance from the D.C. National Guard on December 31, 2020, to support MPD's planning for events on January 6 in Washington. Upon approval on January 4 from the Department of Defense, D.C. National Guard personnel were stationed

²²*Examining the January 6th Attack on the U.S. Capitol: Hearing Before the Senate Committee on Rules and Administration and the Senate Homeland Security and Governmental Affairs Committee, 117th Cong., (2021)* (statement of Steven A. Sund, Former Chief of Police – U.S. Capitol Police).

²³*Id.* See also Steven A. Sund, Former Chief of Police – U.S. Capitol Police, Letter to The Honorable Nancy Pelosi, Speaker of the House of Representatives, Feb. 1, 2021, accessed November 17, 2021, https://wr.perma-archives.org/public/8sav-brlw/20210301212700mp_/https://static.foxnews.com/foxnews.com/content/uploads/2021/02/Letter_to_Congressional_leaders_02012021.pdf.

starting on January 5 at traffic control points around the White House (to block vehicular traffic from driving into the city's core and the designated demonstration sites), and at certain Metro subway stations (to demonstrate a law enforcement presence, direct human and vehicular traffic, monitor crowd behavior, and intervene, only if required, in disturbances).

Separately, MPD made a mutual aid request for assistance from nearby law enforcement agencies in advance of January 6. Officials from Arlington County Police Department in Virginia, as well as Montgomery County Police Department and Prince George's County Police Department in Maryland told us that MPD requested their assistance from January 5 through 7. The requested assistance was to respond to potential civil unrest, manage crowds, and be available to provide support as may be needed at specifically identified locations in Washington, D.C.

The Capitol Police Reacted to Evolving Events on January 6, and It and the Capitol Police Board Faced Challenges in Obtaining Outside Assistance

The Capitol Police Took a Variety of Actions to Respond to the Events as They Occurred on January 6

Demonstrations at the Capitol Building on January 6 soon grew in scale and scope beyond what the Capitol Police planned for. According to the Chief of the Capitol Police's letter to the Speaker of the House, he and other Capitol Police officials were monitoring early crowds at the National Mall and Ellipse; the Chief stated these crowds did not raise any concerns.²⁴ However, as the morning progressed, crowds began arriving at the Capitol, and the actions of many in the crowd were unlike those the Chief of the Capitol Police had previously experienced.

²⁴Steven A. Sund, Former Chief of Police – U.S. Capitol Police, Letter to The Honorable Nancy Pelosi, Speaker of the House of Representatives, Feb. 1, 2021, accessed November 17, 2021, https://wr.perma-archives.org/public/8sav-brlw/20210301212700mp_/https://static.foxnews.com/foxnews.com/content/uploads/2021/02/Letter_to_Congressional_leaders_02012021.pdf.

Specifically, in his written testimony statement before the Senate Committee on Rules and Administration and the Senate Homeland Security and Governmental Affairs Committee, the Chief of the Capitol Police testified that upon arrival at the Capitol, the crowds “immediately began to fight violently with the officers.... It was immediately clear that their primary goal was to defeat our perimeter.... This mob was like nothing I have seen in my law enforcement career.... They had weapons, chemical munitions, protective equipment, explosives, and climbing gear” (see fig. 3).²⁵ According to the Chief of the Capitol Police’s testimony, it became clear to him at 12:50 p.m. that the situation at the Capitol was deteriorating rapidly.

Figure 3: Closeup and Aerial Photographs of Crowds Outside the Capitol Building on January 6, 2021



Source: U.S. Capitol Police. | GAO-22-105001

Given that the size and actions of the crowds at the Capitol on January 6 were vastly different from what the Capitol Police planned for, the Capitol Police had to react to events as they unfolded. As discussed below, the Capitol Police took a variety of actions to respond to the evolving events, including reinforcing physical security measures, protecting congressional Members and others, and using less-lethal and lethal force. It took the Capitol Police about 8 hours and support from many outside agencies to regain control and reopen the Capitol.

- **Reinforced physical security.** As the attack continued, the Capitol Police closed roads near the Capitol complex and deployed officers to

²⁵Examining the January 6th Attack on the U.S. Capitol: Hearing Before the Senate Committee on Rules and Administration and the Senate Homeland Security and Governmental Affairs Committee, 117th Cong., (2021) (statement of Steven A. Sund, Former Chief of Police – U.S. Capitol Police).

reinforce access points to the Capitol Building, including where attackers had shattered windows. For example, when explosive devices were found near the Republican National Committee headquarters building, which is adjacent to the Capitol complex, the Capitol Police closed nearby roadways to help block access. In addition, following breaches by attackers on the east, west, and north sides of the Capitol between 1:45 p.m. and 2:00 p.m., the Capitol Police ordered a lockdown of the Capitol Building. This lockdown was quickly expanded to the entire Capitol complex once the attackers breached the Rotunda steps. The Capitol Police also requested around 1:30 p.m. that AOC reinstall bike rack fencing between the Capitol Building and the Jefferson Building of the Library of Congress that had been removed the prior day at the Capitol Police's request.²⁶ According to AOC, the crowds in the area and road closures due to a suspicious package made it impossible to do this until late in the day.

- **Responded to suspicious packages.** While dealing with attackers throughout the Capitol complex, the Capitol Police and other law enforcement personnel also responded to at least 10 explosive devices and suspicious packages on or near the Capitol complex from 10:00 a.m. until 8:05 p.m. For example, Capitol Police personnel assisted Metro Transit Police officers at 10:00 a.m. in investigating a suspicious package at the Capitol South Metro station, which is near the Capitol building. Additionally, around 1:00 p.m., the Capitol Police deployed personnel to respond to explosive devices at both the Republican National Committee headquarters and the Democratic National Committee headquarters.
- **Protected congressional Members and others.** Capitol Police personnel took various actions to assist members of Congress, congressional staff, and others during the attack on the Capitol. For example, Capitol Police personnel were deployed to help Members of Congress and staff safely shelter or relocate from locations throughout the Capitol complex that were under threat by attackers.
- **Used force.** Capitol Police officers used less-lethal force to control the crowds and attempted to disperse them away from the Capitol Building. For example, according to the Capitol Police's timeline, officers were directed to launch chemical munitions (e.g., tear gas) at

²⁶According to a Capitol Police email, the reason the Capitol Police asked for removal of the bike rack fencing was due to "the shift in our posture to secure the Capitol Square [or the area around the Capitol Building], there will be no tie-in for the bike rack along First Street and no officers to stand fixed posts there; they will all be on Capitol Square." AOC's Chief Security Officer followed-up with a Capitol Police official via telephone to confirm the Capitol Police's request.

attackers at 1:06 p.m. Separately, at 2:06 p.m., Capitol Police personnel were deployed with shields to prevent attackers from entering the Rotunda, but the attackers were able to push through and enter. At 2:43 p.m., a Capitol Police officer used lethal force on one attacker who was with a crowd attempting to breach the area outside the House floor as members of Congress and their staff were being evacuated nearby.

- **Attempted to control crowds.** Throughout the course of the day, the Capitol Police deployed personnel to provide crowd control at various locations. For example, the Capitol Police deployed personnel to the East and West Fronts of the Capitol Building to respond to breaches in the perimeter. Other federal, state, and local agencies that arrived throughout the course of the day assisted the Capitol Police in responding to crowd movement, for example by clearing specific areas of protesters and moving protesters away from the Capitol Building.
- **Used outside assistance.** Under various authorities (discussed in more detail later), the Capitol Police obtained assistance from several outside agencies that played a critical role in helping the Capitol Police restore security at the Capitol. The Chief of the Capitol Police testified that around 1:00 p.m. on January 6, he began seeking assistance from outside agencies as more protesters arrived and the situation at the Capitol Building was rapidly deteriorating.²⁷ Ultimately, about 2,000 personnel from outside agencies arrived to assist the Capitol Police (see table 1). Some of the law enforcement agencies we spoke with stated that they were directed by points of contact at the Capitol Police to arrive at a staging location at the Capitol Building, where they were sworn in by the Capitol Police authorizing them to act on behalf of the Capitol Police.

Capitol Police staff then assigned the responding officers specific tasks and locations to help support the Capitol Police in responding to the attack on the Capitol. These tasks largely focused on protecting the physical security of the Capitol complex, including establishing a perimeter and removing attackers from the building. Officials with the three law enforcement agencies that were already assisting MPD said

²⁷ *Examining the January 6th Attack on the U.S. Capitol: Hearing Before the Senate Committee on Rules and Administration and the Senate Homeland Security and Governmental Affairs Committee, 117th Cong., (2021)* (statement of Steven A. Sund, Former Chief of Police – U.S. Capitol Police).

they did not go to the staging area but instead went with MPD to specific areas in the Capitol complex.

Table 1: Agencies and Approximate Number of Personnel That Provided Reinforcement to the U.S. Capitol Police on January 6, 2021

Category	Agency	Number of Personnel
Federal Agencies	na	677
Federal Agencies	Bureau of Alcohol, Tobacco, Firearms, and Explosives	
Federal Agencies	Department of Defense: D.C. National Guard	
Federal Agencies	Federal Bureau of Investigation	
Federal Agencies	Federal Protective Service	
Federal Agencies	Pentagon Force Protection Agency	
Federal Agencies	U.S. Marshals Service	
Federal Agencies	U.S. Park Police	
Federal Agencies	U.S. Secret Service	
State and Local Agencies	na	1,398
State and Local Agencies	Arlington County Police (Virginia)	
State and Local Agencies	Fairfax County Police (Virginia)	
State and Local Agencies	Maryland State Police	
State and Local Agencies	Metropolitan Police Department	
State and Local Agencies	Metropolitan Washington Airports Authority Police Department	
State and Local Agencies	Montgomery County Police (Maryland)	
State and Local Agencies	New Jersey State Police	
State and Local Agencies	Prince George's County Police (Maryland)	
State and Local Agencies	Prince William County Police (Virginia)	
State and Local Agencies	Virginia State Police	
State and Local Agencies	Washington Metropolitan Area Transit Authority – Metro Transit Police Department	
	Grand Total	2,075

Source: GAO analysis of U.S. Capitol Police information and information from listed agencies. | GAO-22-105001

Note: For sensitivity purposes, we have provided only totals and not numbers of personnel by individual agencies.

Table 2 below provides information on the timing of key actions taken by the Capitol Police throughout the day on January 6, 2021.

Table 2: Examples of Key Actions Performed by the U.S. Capitol Police in Responding to the January 6, 2021 Attack on the Capitol

Categories	Times and Key Actions
Reinforcing physical security	<ul style="list-style-type: none"> • <u>12:46 p.m.</u>: The U.S. Capitol Police (Capitol Police) shut down Constitution Avenue near the Capitol. • <u>1:09 p.m.</u>: Capitol Police personnel close Constitution Avenue due to nearby explosive devices. • <u>Approx. 1:14 p.m.</u>: Capitol Police personnel raise all south barricades. • <u>2:00 p.m.</u>: The Capitol Police Assistant Chief orders lockdown of the Capitol Building. • <u>2:08 p.m.</u>: The Capitol Police Assistant Chief orders Capitol Complex wide lockdown following breach of the Rotunda steps. • <u>2:18 p.m.</u>: Capitol Police personnel barricade Senate Chamber.
Responding to suspicious packages	<ul style="list-style-type: none"> • <u>10:00 a.m.</u>: The Capitol Police assists Metro transit personnel in investigating a suspicious package. • <u>12:44 p.m.</u>: Capitol Police personnel investigate explosive device at Republican National Committee headquarters. • <u>1:07 p.m.</u>: Capitol Police personnel investigate explosive device at Democratic National Committee headquarters.
Protecting congressional Members and others	<ul style="list-style-type: none"> • <u>12:52 p.m.</u>: The Capitol Police deploy personnel to clear residences and businesses near suspicious packages. • <u>Approx. 2:15 p.m.</u>: The Capitol Police evacuate House and Senate leadership. • <u>2:32 p.m. – Approx. 6:07 p.m.</u>: Capitol Police personnel deployed to escort Members and staff from offices. • <u>2:39 p.m.</u>: Capitol Police personnel begin evacuating Members inside the House Chamber.
Employing force	<ul style="list-style-type: none"> • <u>1:06 p.m.</u>: Capitol Police grenadiers directed to launch less-lethal chemical munitions. • <u>1:08 p.m.</u>: Capitol Police personnel deploy less-lethal chemical munitions. • <u>2:06 p.m.</u>: The Capitol Police deploys 10 units with shields to the Rotunda door. • <u>2:43 p.m.</u>: Capitol Police personnel shoots attacker attempting to breach area outside of House Floor. • <u>2:51 p.m.</u>: Capitol Police tactical team points firearms at attackers at House Chamber door. • <u>4:45 p.m.</u>: Capitol Police personnel deploy less-lethal munitions at Rotunda door where attackers are pushing in doors and breaking windows.
The Capitol Police and other law enforcement agencies attempting to control crowds	<ul style="list-style-type: none"> • <u>Approx. 6:00 a.m.</u>: The Capitol Police deploys counter surveillance agents to monitor and report back on demonstrators, including their numbers, attire, and packages/equipment they are carrying. • <u>12:55 p.m.</u>: The Capitol Police directs all available Capitol Police units to respond to West Front to assist with breaches along the perimeter. • <u>1:10 p.m.</u>: Metropolitan Police Department (MPD) units respond to South Side Upper West Terrace. • <u>1:34 p.m.</u>: Capitol Police Civil Disturbance Units report to Lower West Terrace. • <u>1:57 p.m.</u>: MPD platoons respond to Lower West Terrace door. • <u>Approx. 3:32 p.m.</u>: Department of Homeland Security officers and agents arrive to assist. • <u>Approx. 5:38 p.m.</u>: The Capitol Police and law enforcement partners push attackers away from the Capitol Building on the West Front. • <u>8:31 p.m.</u>: Capitol Police personnel and law enforcement partners complete sweep of Capitol Square, including the Inaugural Stage and the West Front.

Categories	Times and Key Actions
Obtaining outside assistance	<ul style="list-style-type: none"> <u>12:58 p.m. – 2:03 p.m.</u>: On nine occasions, the Chief of the Capitol Police asks and reiterates requests to Senate and House Sergeants at Arms for a determination of an emergency for National Guard support. <u>12:58 p.m.</u>: Chief asks for and receives assistance from MPD. <u>1:08 p.m.</u>: Chief requests assistance from U.S. Secret Service's Uniformed Division. <u>1:51 p.m.</u>: Chief requests activation of law enforcement mutual aid within the National Capital Region through the Metropolitan Washington Council of Governments. <u>Approx. 2:08 p.m.</u>: The Capitol Police Board issues verbal determination of an emergency. <u>2:30 p.m.</u>: The Capitol Police drafts formal written request for D.C. National Guard support.

Source: GAO analysis of U.S. Capitol Police, *United States Capitol Police Timeline of Events for January 6, 2021 Attack* (Washington, D.C.: Mar. 10, 2021). | GAO-22-105001

The Capitol Police and the Capitol Police Board Faced Challenges in Quickly and Effectively Using Their Authorities to Obtain Outside Assistance

The Capitol Police and the Capitol Police Board can—and did on January 6—use several different authorities to obtain assistance from other agencies, but both faced issues in implementing some of the authorities, potentially slowing the arrival of assistance. The authorities available to the Capitol Police and the Capitol Police Board and how they were used on January 6 are described below.²⁸ Some of these authorities did not require any involvement of the Capitol Police Board while the use of other authorities did require the Board's involvement.

Shared Jurisdiction

Shared Jurisdiction

Three law enforcement agencies—the Washington, D.C. Metropolitan Police Department; U.S. Park Police; and U.S. Secret Service's Uniformed Division—share authority with the Capitol Police to, for example, make arrests for crimes committed in their presence on the Capitol grounds.

Source: 2 U.S.C. § 1961(a); D.C. Code Ann. § 5-201 (Aug. 5, 1882, 22 Stat. 243, ch. 389, § 1; Dec. 5, 1919, 41 Stat. 364, ch. 1, § 3).¹⁸ U.S.C. § 3056A(b)(1)(C)(2), respectively. | GAO-22-105001

According to a senior Capitol Police official, MPD, U.S. Park Police, and U.S. Secret Service's Uniformed Division work with the Capitol Police on a routine basis, and the Chief of the Capitol Police may obtain their assistance pursuant to their existing authority to operate at the Capitol

²⁸Since January 6, 2021, some of these authorities have been amended, although the general statutory framework for obtaining outside assistance is still in place, as discussed in more detail below.

complex.²⁹ The Chief of the Capitol Police is able to request assistance from these three agencies by directly contacting staff at those agencies, for example through a telephone call.

On January 6, the Chief of the Capitol Police requested and received assistance from MPD, U.S. Secret Service's Uniformed Division, and the U.S. Park Police. According to the Capitol Police's timeline of events, the Chief requested assistance from MPD and U.S. Secret Service's Uniformed Division around 1:00 p.m. MPD personnel arrived at the Capitol at 1:10 p.m. and ultimately provided about 40 percent of all outside assistance, approximately 850 personnel, to the Capitol Police on January 6. U.S. Secret Service's Uniformed Division personnel began arriving at about 3:15 p.m. U.S. Park Police officials told us that they also responded to the Capitol on January 6 at the request of both the Capitol Police and MPD.

The Capitol Police also received assistance from local law enforcement who were already providing assistance to MPD at various locations in Washington, D.C. for crowd control. Specifically, officials from Arlington County Police Department in Virginia, as well as from Montgomery County and Prince George's County Police Departments in Maryland told us that MPD instructed them to report to the Capitol instead of their original staging locations. Upon arrival at the Capitol, personnel performed a variety of tasks, such as establishing a perimeter and moving attackers away from the Capitol complex. While Capitol Police officials told us that it was their understanding that on January 6 all responding officers were sworn in to act on behalf of the Capitol Police, officials from Arlington County, Montgomery County, and Prince George's County Police Departments told us that they were not sworn in by the Capitol

²⁹See 2 U.S.C. § 1961(a) (providing that the Metropolitan Police Department is authorized to make arrests within the United States Capitol buildings and grounds for any violation of federal, state, or D.C. laws or regulations, but must have the consent or request of the Capitol Police Board to enter Capitol buildings to make arrests in response to complaints or to serve warrants or to patrol the United States Capitol buildings and grounds). Members of both the United States Secret Service's Uniformed Division and the United States Park Police respectively "shall possess privileges and powers similar to those of the members of the Metropolitan Police of the District of Columbia" and "shall have and perform the same powers and duties as the Metropolitan Police of the District." See 18 U.S.C. § 3056A(b)(1)(C)(2); D.C. Code Ann. § 5-201 (Aug. 5, 1882, 22 Stat. 243, ch. 389, § 1; Dec. 5, 1919, 41 Stat. 364, ch. 1, § 3), respectively. The statutory authorization for the Metropolitan Police force of the District of Columbia with respect to the Capitol buildings and grounds is also reflected in the Capitol Police Board's *Manual of Procedures*.

Police and performed their functions at the Capitol under the direction of MPD.

Mutual Aid Agreement

Mutual Aid Agreement

Mutual aid agreements, such as the National Capital Region Mutual Aid Agreement, are authorized by the Intelligence Reform and Terrorism Protection Act of 2004. In general, under the National Capital Region Mutual Aid Agreement, the request for assistance may be made by signatories to the agreement (e.g., federal, state, and local law enforcement agencies) and communicated in any manner, unless indicated otherwise in the operations plan. Verbal requests should be confirmed in writing as soon as practicable under the circumstances.

Source: Pub. L. No. 108-458, § 7302, 118 Stat. 3638, 3840; National Capital Region Mutual Aid Agreement (2005), as effectuated by the Greater Metropolitan Washington Area Police Mutual Aid Operation Plan (2021). | GAO-22-105001

Under the authority of the National Capital Region Mutual Aid Agreement, the Capitol Police is a signatory agency to the Metropolitan Washington Council of Governments' (Council) police mutual aid operational plan.³⁰

This plan establishes procedures for agencies to request assistance during an emergency or a planned event, including that requests for personnel or equipment can be made verbally and then verified in writing. The plan does not detail the authority under which responding personnel would operate under once deployed in affected locations, such as the Capitol complex.

At 1:51 p.m., the Chief of the Capitol Police contacted officials at the Council to request assistance from law enforcement agencies within the National Capital Region. According to Council staff, the Council sent emails to its members relaying the Capitol Police's request for assistance. The Capitol Police also transmitted its request through a radio system that, according to officials from a local law enforcement agency we spoke with, is not frequently used, signifying the seriousness of the situation at the Capitol. The Capitol Police requested that the responding agencies provide civil disturbance units, meaning personnel who are equipped with riot gear. According to Council staff, the Capitol Police's initial request was appropriate but not sufficiently detailed and required Council staff to step in to provide operational coordination to support the request. For example, Council staff asked the Capitol Police to clarify its requests for

³⁰Mutual aid agreements such as the National Capital Region Mutual Aid Agreement are authorized by the Intelligence Reform and Terrorism Protection Act of 2004. Pub. L. No. 108-458, § 7302, 118 Stat. 3638, 3840. The Metropolitan Washington Council of Governments is an independent, nonprofit association, with a membership of 300 elected officials from 24 local governments, the Maryland and Virginia state legislatures, and U.S. Congress.

officers and then relayed that information—including potential tasks for the officers and the timing of their deployment to the Capitol—to mutual aid agreement members to enable them to determine the extent to which they could respond.

Local law enforcement agencies—such as the Metropolitan Washington Airports Authority Police Department and the Metro Transit Police Department of the Washington Metropolitan Area Transit Authority—responded to the mutual aid request. Three law enforcement agencies we spoke with—Arlington County Police Department in Virginia and Montgomery County Police Department and Prince George’s County Police Department in Maryland—were aware the mutual aid agreement had been activated but, as discussed above, arrived to the Capitol to assist the Capitol Police based on their prior commitments to MPD.

Section 1970

Version of Section 1970 in Effect on January 6, 2021

Upon advance written request by the Capitol Police Board, Executive departments and agencies—such as the Department of Defense, to include the National Guard—are authorized to assist the Capitol Police in the performance of its duties by providing services (including personnel), equipment, and facilities. This assistance may be temporary or permanent and, in some cases, is reimbursable.

Source: 2 U.S.C. § 1970, in effect on January 6, 2021. | GAO-22-105001

Capitol Police officials told us that the section 1970 statutory authority was not used on January 6 to request and receive assistance from Executive agencies.³¹ A provision reflecting section 1970 was included in the Board’s *Manual of Procedures* (Manual) in effect on January 6, 2021, which the Board used to, among other things, oversee the Capitol Police and describe the authorities available for requesting assistance during emergencies.³² The provision in the Manual noted that a Board Order or other written request from the Board was needed to request assistance under section 1970, including personnel, equipment, facilities, and

³¹2 U.S.C. § 1970, in effect on January 6, 2021. This provision was amended on December 22, 2021 by the Capitol Police Emergency Assistance Act of 2021, Pub. L. No. 117-77, § 2(a), 135 Stat. 1522.

³²Capitol Police Board, *Manual of Procedures*, June 17, 2013. The Capitol Police Board issued an updated *Manual of Procedures* on December 21, 2021 and noted that some provisions in the Manual may change due to amendments to statutory provisions by the then-pending Capitol Police Emergency Assistance Act of 2021.

services.³³ The Manual—reflecting federal statute in effect on January 6, 2021—further required the Board to consult with Senate and House leadership prior to making such a request, except in an emergency.

Section 1974

Version of Section 1974 in Effect on January 6, 2021

In the event of an emergency, as determined by the Capitol Police Board or in a concurrent resolution of Congress, the Chief of the Capitol Police may appoint any law enforcement officer from any federal, state, or local government agency that is made available by that agency to serve as a special officer of the Capitol Police. Subject to certain approvals, the Chief, under this authority, may also appoint any member of the uniformed services, including members of the National Guard, made available by appropriate authority to serve as a special officer of the Capitol Police.

Source: 2 U.S.C. § 1974, in effect on January 6, 2021. | GAO-22-105001

According to a senior Capitol Police official, the section 1974 authority was used on January 6 to obtain assistance from the D.C. National Guard, which arrived to support the Capitol Police shortly before 6:00 p.m. Recognizing the deteriorating situation at the Capitol, the Chief of the Capitol Police, according to the Capitol Police’s timeline, verbally asked the Senate or House Sergeants at Arms nine times between 12:58 p.m. and 2:03 p.m. to make the section 1974 determination of an emergency.

According to written testimony statements of both the Chief of the Capitol Police and the House Sergeant at Arms, in response to the Chief’s requests, the House Sergeant at Arms took the step of consulting with congressional leadership prior to determining an emergency. The testimony statements do not indicate if the Sergeant at Arms was seeking approval from congressional leadership to make a determination of an emergency, or to approve of appointing outside officers to assist the Capitol Police. According to the version of section 1974 in place on January 6, 2021, such appointments of special officers assisting the

³³In December 2021, section 1970 was amended by the Capitol Police Emergency Assistance Act of 2021 to authorize the Chief of the Capitol Police to request such assistance in an emergency if the Chief of the Capitol Police determines that the provision of assistance is necessary to prevent the significant disruption of governmental function and public order within the United States Capitol Buildings and Grounds. Prior to amendment, only the Capitol Police Board and the House and Senate Sergeants at Arms were authorized to make a request for assistance in an emergency under section 1970. In addition, the Capitol Police Emergency Assistance Act of 2021 amended the requirement that Capitol Police Board requests for assistance under section 1970 be via an “advance written request” by removing the requirement that such requests be in “advance.”

Capitol Police were subject to final approval by specified members of congressional leadership,³⁴ but the statute did not indicate when this approval was required: that is, before or after the Board made a determination of an emergency.³⁵

Once the Capitol Police Board made the determination of an emergency, the Chief of the Capitol Police contacted the D.C. National Guard for support under section 1974 through a written request to the Department of Defense at 2:30 p.m. On the afternoon of January 6, Defense officials—including the acting Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Secretary of the Army, and the Commanding General of the D.C. National Guard—held various meetings to discuss the situation at the Capitol.³⁶

At 3:04 p.m., the acting Secretary of Defense authorized the activation of the D.C. National Guard, instructing personnel to first convene at the D.C. Armory to get outfitted with the appropriate equipment and be briefed on their mission. According to the Department of Defense’s timeline of events, the D.C. National Guard redeployed personnel from various positions, including those already supporting MPD at Metro stations.

³⁴The Capitol Police Emergency Assistance Act of 2021 amended section 1974 by eliminating the requirement that such appointments be subject to initial approval by the Capitol Police Board and final approval by specified congressional leadership positions. Pub. L. No. 117-77, § 2(b), 135 Stat. 1522, 1523.

³⁵U.S.C. § 1974, in effect on January 6, 2021. As previously noted, this provision was amended on December 22, 2021 by the Capitol Police Emergency Assistance Act of 2021, Pub. L. No. 117-77, § 2(b), 135 Stat. 1522, 1523. While acknowledging that the Board was not required to consult with congressional leadership prior to determining an emergency under section 1974, the Board noted that the version of section 1974 in place on January 6, 2021 should be read as a whole given that final appointments of special officers of the Capitol Police, which follow the Board’s determination of an emergency, required approval by specified congressional leadership positions.

³⁶According to a Senate staff report, the Department of Defense issued a pair of memorandums; they were issued by the acting Secretary of Defense and the Secretary of the Army on January 4 and 5, 2021, respectively. Among other things, the memorandums required approval from the acting Secretary of Defense to authorize the D.C. National Guard to be issued weapons and interact physically with protesters. Memorandum from Christopher Miller, Acting Secretary, Department of Defense, to Ryan McCarthy, Secretary, Department of the Army, Department of Defense (Jan. 4, 2021). Letter from Ryan McCarthy, Secretary, Department of the Army, Department of Defense, to Major General William Walker, Commanding General, District of Columbia National Guard (Jan. 5, 2021). See United States Senate, Committee on Homeland Security and Governmental Affairs and Committee on Rules and Administration, *Examining the U.S. Capitol Attack: A Review of the Security, Planning, and Response Failures on January 6*.

Shortly after 5:00 p.m., D.C. National Guard personnel left the D.C. Armory for the Capitol and arrived at approximately 5:47 p.m.

The section 1974 statutory authority can be used to obtain assistance from Executive agencies such as federal law enforcement agencies or the National Guard in an emergency. As noted above, however, several actions must be taken for the Capitol Police to obtain assistance under this statute, including the appointment (or “swearing in”) of assisting law enforcement personnel to act on behalf of the Capitol Police.³⁷ Several provisions reflecting section 1974 were included in the Board’s Manual in effect on January 6, 2021. To use the section 1974 authority in place on January 6, 2021, an emergency was first required to be determined, either by the Board or in a concurrent resolution of Congress.³⁸

According to a senior Capitol Police official, the Chief of the Capitol Police was able to ask the Board to determine an emergency, and such a request could be made verbally or in writing. Per the version of section 1974 in place on January 6, 2021, the Board was not required to consult with congressional leadership to do so. Once the Board determined that an emergency exists, the statutory language authorized the Chief of the Capitol Police to appoint officers to serve as special officers of the Capitol Police to provide law enforcement support in the policing of the Capitol complex.

Less clear are the procedures to have been followed for the respective actions outlined in the version of section 1974 in place on January 6, 2021. Specifically, neither the statute nor the Manual included a step-by-step procedure for how the Chief of the Capitol Police should have made

³⁷Under this authority, in the event of an emergency, the Chief of the Capitol Police may appoint, as special officers of the Capitol Police, (1) any law enforcement officer from any Federal agency or State or local government agency made available by the agency, and (2) any member of the uniformed services, including members of the National Guard, made available by the appropriate authority. 2 U.S.C. § 1974(a). The Capitol Police refers to this appointment process as the swearing process.

³⁸As noted earlier, amendments by the Capitol Police Emergency Assistance Act of 2021 to section 1970 authorize the Chief of the Capitol Police to request such assistance in an emergency if the Chief of the Capitol Police determines that the provision of assistance is necessary to prevent the significant disruption of governmental function and public order within the United States Capitol Buildings and Grounds. The 2021 legislation additionally incorporates this authority by reference into section 1974 whereby the Chief of the Capitol Police, in addition to the Board or a concurrent resolution of Congress, is authorized to make a determination of an emergency leading to the Chief of the Capitol Police being able to appoint law enforcement officers and members of the uniformed services as special officers of the Capitol Police. Pub. L. No. 117-77, § 2(b), 135 Stat. 1522, 1523.

such a request for a determination of an emergency, how and when an emergency should have been determined, and how the Board or congressional leadership should have approved the appointment of special officers.

The Capitol Police and the Capitol Police Board Lacked Clear Procedures for Obtaining Outside Assistance

While the Board's Manual included general information about some of the authorities available for obtaining outside assistance, neither the Board nor the Capitol Police had clear procedures or guidance for when and how to use the different authorities to obtain outside assistance.

- The Capitol Police did not have standard operating procedures or a similar policy document in place to describe the procedure for making requests for assistance under its mutual aid agreement with the Metropolitan Washington Council of Governments. For example, the Capitol Police did not have a policy in place to provide the Council with the appropriate level of detail for the Capitol Police's request. Council staff stated that this lack of procedural detail resulted in Council staff having to become involved in operational coordination, which it does not typically do, and that may have slowed the Capitol Police's request being sent to the law enforcement agencies participating in the mutual aid agreement.
- The Capitol Police did not have a procedure in place to ensure that all outside officers responding to assist the Capitol Police were sworn in. While Capitol Police officials told us that it was their understanding that on January 6 all responding officers were sworn in to act on behalf of the Capitol Police, officials from the three law enforcement agencies that responded with MPD told us that they were not sworn in.
- Neither the Capitol Police nor the Board had documented procedures in place describing the emergency determination process, including how and when it should be determined, and whether or when approval from congressional leadership must be obtained for the use of outside assistance during an emergency.
- The Capitol Police Board's Manual did not include information on the types of circumstances under which the use of authorities should be considered to obtain assistance (i.e., scenarios in which to use section 1970 versus section 1974 in obtaining assistance).

As a result of the events of January 6, both the Capitol Police and the Board have been evaluating their policies and procedures for responding to emergency incidents in the Capitol complex. In November 2021, the Capitol Police shared with us its newly developed “Critical Incident Response Plan” outlining procedures for requesting and receiving outside assistance, including during an emergency, at the Capitol complex. According to the plan, the goal of this document is to help resolve emergency incidents and prepare for planned events as efficiently as possible. The plan addresses some of the operational concerns we identified that occurred on January 6 but does not fully address the approval process for obtaining outside assistance. For example, the plan states that the decision to activate the plan will be done in consultation with the Capitol Police Board, but it does not include details on the process for that consultation.

The plan also states that the Capitol Police can enact the plan with prior authorization from the Board, but the plan does not include information on how to receive authorization or what steps to take in an emergency without prior authorization. Further, the plan was approved by Capitol Police leadership in October 2021, but Capitol Police officials told us that it must still be shared with and approved by several parties, including the Capitol Police Board and relevant congressional committees. Therefore, it is not yet clear whether the Critical Incident Response Plan will be finalized and to what extent it or other documents will address the process for obtaining outside assistance.

Regarding the Capitol Police Board, the Board issued an updated version of its *Manual of Procedures* in December 2021. The updated manual includes additional information about the roles and responsibilities of the Board and others in regard to obtaining outside assistance during emergencies. However, in reviewing the updated Manual, we did not identify clearly detailed procedures for obtaining outside assistance in an emergency.

According to *Standards for Internal Control in the Federal Government*, agency management should design control activities (i.e., policies, procedures, techniques, and mechanisms) that enforce management’s directives to achieve the entity’s objectives and address related risks.³⁹ Additionally, these standards state that management should implement control activities through policies, and that those policies should

³⁹GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sep. 10, 2014).

document the internal control responsibilities of the organization. In this context, control activities could include relevant procedures for the Capitol Police and the Board to follow when obtaining outside assistance.

Notwithstanding the December 2021 amendments to several statutory provisions that authorize outside assistance for the Capitol Police, without clear, documented procedures for all steps involved in obtaining outside assistance—such as clearly defining the types of circumstances under which the different authorities should be considered, or the various procedures that the Capitol Police or the Board must follow in order to obtain outside assistance—the Capitol Police and the Board may be hampered in their ability to obtain aid quickly and effectively in the event of a future emergency. Learning from the events of January 6, these procedures should include detailed information such as describing the process for determining an emergency, whether to consult with congressional leadership in determining an emergency, and when final approval for special officer appointments must be obtained. Further, given that they each have a role in obtaining outside assistance, the Capitol Police and the Board should consult with one another in developing these procedures.

The Capitol Police's Process for Assessing and Mitigating Physical Security Risk Is Not Comprehensive or Documented, and Decisions about Security Recommendations Are Unclear

The Capitol Police's Approach to Assessing Risks and Identifying Countermeasures to Mitigate Risks Is Not Comprehensive or Documented

In addition to planning and providing security for specific events, the Capitol Police is responsible for ensuring the day-to-day physical security of the Capitol. A critical aspect of this is conducting regular and comprehensive assessments to identify security risks and countermeasures to mitigate those risks. To assist agencies in doing this, the Interagency Security Committee (ISC) has established standards to enhance the quality and effectiveness of security in and protection of federal facilities.⁴⁰ Specifically, the ISC's *Risk Management Process: An Interagency Security Committee Standard* outlines (1) the approach necessary to identify, assess, and prioritize the physical security risks to federal facilities, and (2) a coordinated application of countermeasures to minimize, monitor, and control the probability of an undesirable event and its associated impact.⁴¹ The ISC standard gives agencies flexibility to design their own method for assessing risk and implementing countermeasures, though the chosen method must be reproducible and documented.

⁴⁰The ISC, which was created pursuant to an executive order, is housed within the Department of Homeland Security and includes a membership of senior level executives from over 60 federal agencies and departments. Executive Order 12977, 60 Fed. Reg. 54411 (Oct. 19, 1995), as amended by Executive Order 13286, 68 Fed. Reg. 10619 (Mar. 5, 2003). The standard was developed in collaboration with public and private homeland security partners. The standard also includes two appendices, U.S. Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, Interagency Security Committee, *Appendix A: The Design-Basis Threat Report* (Washington, D.C.: 2020). U.S. Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, Interagency Security Committee, *Appendix B: Countermeasures* (Washington, D.C.: 2020). The standard was updated in 2021; the prior edition was published November 2016, while the appendices are updated annually.

⁴¹U.S. Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, Interagency Security Committee, *The Risk Management Process: An Interagency Security Committee Standard*, (Washington, D.C.: 2021).

The Capitol Police's process for assessing and mitigating physical security risks incorporates elements of the ISC risk management process, but it is not as comprehensive or well documented as the standard calls for. More specifically, and as discussed in greater detail below, we found that while the Capitol Police identified and assessed the risk of undesirable events, it did not document its rationale for not assessing some undesirable events. In addition, its process for assessing the risk of undesirable events is not based on a clear, documented methodology. We also found that the Capitol Police does not use a comprehensive, documented approach for identifying relevant countermeasures to mitigate risk; instead, the Capitol Police relies on the expertise of officers who conduct the Capitol Police's facility security assessments.

While not required to follow the ISC risk management process outlined in the standard, Capitol Police officials acknowledge the standard as a good practice and expressed their intent to revise their process to align with the standard.⁴² Capitol Police officials told us that they believe they apply the intent of the ISC standard and have been doing so informally for the past 5 to 7 years. Capitol Police officials also told us that following the January 6 attack on the Capitol, Capitol Police staff had conversations about moving toward more formally adopting a risk management process for the physical security of the Capitol complex.⁴³ However, the Capitol Police has not established a timeline to do so.

Identification and Assessment of Physical Security Risks Is Not Comprehensive or Documented

The ISC standard states that the risk of undesirable events to a facility must first be identified and assessed in order to determine appropriate countermeasures. Undesirable events are defined by ISC as incidents directed toward a federal facility that could adversely affect operations, the mission of the agency, or personnel. ISC identifies 33 undesirable events in the standard, such as civil disturbance, active shooter, and explosive device. The ISC develops this comprehensive list of undesirable events based on intelligence information and crime statistics

⁴²While non-military executive branch departments and agencies are required to comply with ISC policies and recommendations by the executive order establishing the ISC, the Capitol Police, as a legislative branch entity, is not.

⁴³Capitol Police officials told us officers participated in a training session with ISC in October 2021 to better understand the standard.

and updates this list annually.⁴⁴ After considering the 33 undesirable events, the standard provides that agencies may customize the events they assess to their specific situations. Agencies are to use a methodology to assign risk levels to assessed events by combining the three factors of risk—threat, vulnerability, and consequence—to yield a measurable level of risk for each undesirable event.⁴⁵ The standard additionally provides that agencies should document their determinations and justifications for excluding any undesirable event from their assessment, as well as any changes in the risk level assigned compared to previous risk assessments.

The Capitol Police has developed a process in which its physical security specialists “walk through” the Capitol complex to conduct biennial physical security assessments. The results of these assessments are reported in “security surveys.” The security surveys include the undesirable events considered, identified vulnerabilities, and recommended countermeasures to mitigate the vulnerabilities.⁴⁶ We did not find justification or documentation for how or why the Capitol Police identified those specific undesirable events as relevant and if they considered the other ISC specified undesirable events; and if so, how, or why they determined them not to be relevant.

In the March 2019 security survey for the Capitol Building, the Capitol Police identified nine undesirable events, which included events such as civil disturbances and improvised explosive devices. The March 2021 survey identified 14 undesirable events, which did not include all nine from the March 2019 survey. There was no indication in the 2021 survey as to why the Capitol Police dropped some undesirable events and added others from the prior survey. When asked, a Capitol Police official explained that the agency revised the list of undesirable events it assesses during security surveys in December 2019 and that this list was used for the Capitol Building assessment. While both the 2019 and 2021

⁴⁴U.S. Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, Interagency Security Committee, *Appendix A: The Design-Basis Threat Report* (Washington, D.C.: 2020).

⁴⁵ISC defines risk as a measure of potential harm from an undesirable event that encompasses (1) threat (the intention and capability of an adversary to initiate an Undesirable Event); (2) vulnerability (a weakness in the design or operation of a facility that can be exploited by an adversary); and (3) consequence (the level, duration, and nature of the loss resulting from an undesirable event).

⁴⁶Based on our review of the security surveys, we determined they are similar to facility security assessments, as described by the ISC standard.

surveys for the Capitol Building clearly show the undesirable events that were assessed, there was no documentation for the rationale behind the changes in which events were assessed. As of November 2021, the official confirmed that the agency has not reevaluated its list of undesirable events or their risk levels after January 6, 2021.

The Capitol Police assigned levels of risk to the undesirable events it included in its surveys, as called for by the ISC standard, but officials acknowledged that the Capitol Police has not developed a methodology to determine how risk levels should be assessed. Relatedly, the Capitol Police was unable to provide information for how each of the three risk factors included in the standard—threat, vulnerability, and consequence—were combined to yield a measurable level of risk for each undesirable event. Capitol Police officials told us they review open-source intelligence from various sources to identify risk levels to the Capitol Building rather than systematically considering the risks identified by the ISC standard.

While the Capitol Police's identification of undesirable events and risk-level determinations might have been appropriate, the lack of documentation of the range of potential undesirable events it considered and its rationale for what it included and excluded raises questions about the quality and comprehensiveness of its assessments. In addition, without clearly assessing the risk of each undesirable event, the Capitol Police lacks reasonable assurance that it is appropriately identifying the highest risks. As discussed later in this report, the Capitol Police does not have the authority to unilaterally implement the recommendations it develops through the security survey process. Thus, it is particularly important that the Capitol Police adopt a methodology that provides decision makers confidence that the recommended countermeasures will appropriately mitigate the assessed risks of the undesirable events.

Identification of Relevant Countermeasures to Mitigate Risks Is Not Comprehensive or Documented

Once the risks of undesirable events are determined, the ISC standard states that agencies should consider a comprehensive set of countermeasures to mitigate those risks. The ISC standard provides a list of countermeasures, organized by undesirable events to assist agencies

in choosing the countermeasures that best mitigate the identified risks.⁴⁷ Countermeasures can be adjusted (i.e., made more or less stringent) to meet the level of assessed risk. Specifically, levels of risk determined for each undesirable event should be mitigated by countermeasures that provide a commensurate level of protection (i.e., a high level of risk must be mitigated by implementing countermeasures that provide a high level of protection). According to the standard, if agencies deviate from the standard when recommending certain countermeasures, such as when countermeasures cannot be implemented at a level commensurate with risk, agencies should document the rationale for the deviation.

Capitol Police officials told us that they identify countermeasures when conducting walk through security assessments and consulting an internally developed list of countermeasures.⁴⁸ The Capitol Police's walk through security assessments of the Capitol Building primarily rely on the physical security specialists' knowledge, training, and experience. During these assessments, the security specialist identifies the countermeasures currently in place, their condition, and security vulnerabilities, if any, that remain and need to be addressed. As part of the security survey documenting the assessment findings, the security specialist recommends countermeasures to address the identified vulnerabilities. Capitol Police officials explained that they developed a list of available security countermeasures to help in the development of these recommendations.

Capitol Police officials explained the value of their expertise and training in conducting the security assessments and identifying countermeasures, noting that many of the security specialists have years of experience as Capitol Police officers. In addition, Capitol Police staff stated that those performing the walk through assessments are in and out of the Capitol Building daily and are also made aware of security issues or vulnerabilities by on-duty officers.

We found that the Capitol Police's process for conducting physical security assessments is not guided by documented procedures to ensure they are reproducible, as called for by the standard. The Capitol Police

⁴⁷U.S. Department of Homeland Security, Cybersecurity and Infrastructure Security Agency, Interagency Security Committee, *Appendix B: Countermeasures* (Washington, D.C.: 2020).

⁴⁸The Capitol Police is responsible for recommending appropriate countermeasures to address security risks but, as discussed later, is not responsible for deciding which recommendations will be implemented.

does not specify the locations to visit within the Capitol Building to ensure that all areas are covered, steps on how to test existing countermeasures, or ways to identify new vulnerabilities that may warrant new or enhanced countermeasures. While individual Capitol Police security specialists' expertise and knowledge can provide valuable insight, relying primarily on that expertise has limitations. For example, it is difficult to ensure that similar results will be produced when security walk-through assessments are conducted by different people. This is particularly true given the size of the U.S. Capitol—roughly 1.5 million square feet—and its complexity.

We also found that the Capitol Police's internal list of countermeasures is high-level and not as comprehensive as the list ISC includes in its standard. The Capitol Police's list is a high-level categorization of countermeasures (e.g., the list includes "window protection," "locks," and "fencing"). It does not include information about the level of protection that should be in place (e.g., the type of window protection, lock, or fencing that would be needed to mitigate the risk of the undesirable event) for different levels of risk, as is in the standard.

More specifically, the standard's list of countermeasures is organized by undesirable event and provides different levels of implementation for each countermeasure to match the risk of the undesirable event. This allows for countermeasures to be (1) clearly linked to undesirable events and (2) implemented at a level that is commensurate with the risk posed to the facility. For example, if there is a high risk of civil disturbance, the standard suggests detailed specifications for access points.⁴⁹ The Capitol Police's list of countermeasures does not have a similar level of specificity. Further, using officers' expertise and knowledge without also using a comprehensive set of countermeasures to identify countermeasures that meet the level of assessed risk does not provide the Capitol Police with reasonable assurance that the most appropriate countermeasures have been identified.

Given the importance and visibility of the Capitol Building, it is essential that the Capitol Police maintain a focused effort and move quickly to bolster its risk assessment process. Adopting a comprehensive, documented process is essential to provide reasonable assurance that the Capitol Police is not overlooking potential risks to the Capitol Building,

⁴⁹ISC defines level of protection as the degree of security provided by a particular countermeasure or set of countermeasures.

which has now been shown to be a target by some, and that the Capitol Police is identifying appropriate steps to mitigate those risks.

The Decision-Making Process for Implementing Recommended Security Countermeasures Is Unclear

According to the ISC standard, after countermeasures are identified, the next step is to decide which countermeasures to implement. For those countermeasures not implemented, agencies are to consider alternative measures or accept unmitigated risk—a regular part of risk management—and document their decisions, including the rationale for accepting risk.⁵⁰ Rationales could include, for example, that implementing a countermeasure would be cost-prohibitive or would conflict with a building’s historic preservation requirements.

In its two most recent surveys for the Capitol Building, the Capitol Police made a number of security recommendations as a result of its risk assessment process. For example, the Capitol Police’s 2019 security survey included 18 security recommendations and the 2021 survey included 27 recommendations. According to the Capitol Police’s Standard Operating Procedure for its security surveys (which include the recommended countermeasures), surveys are signed by the Assistant Chief of Police and then delivered to the House and Senate Sergeants at Arms Offices.

Capitol Police officials we interviewed told us that after they finalize their security surveys, they do not have visibility into whether and how the Capitol Police Board or its members consider the recommendations. For example, Capitol Police officials said that in the past, the Capitol Police were told to remove or not include recommended countermeasures in certain instances. Capitol Police officials said their security surveys had consistently included recommendations to install certain perimeter countermeasures and it is their understanding that the Capitol Police was told not to include these countermeasures in future security surveys because there was no interest in their installation. Capitol Police officials told us they had no further information, because those who had knowledge of this were no longer in their positions.

⁵⁰The ISC standard includes a template for accepting risk called the “Risk Acceptance Justification Form.” According to the standard, it is important to document the rationale for accepting risk, including alternate strategies considered or implemented and opportunities in the future to implement the countermeasure at a level commensurate with risk.

We found no requirement in the Capitol Police's Standard Operating Procedure or the Board's *Manual of Procedures* in effect on January 6, 2021 that the security surveys be provided to the Board as a single entity, which would include both Sergeants at Arms and the AOC. This is despite the fact that the Board has responsibility for overseeing the Capitol Police in the policing, protection, and security of Congress and the Capitol complex.⁵¹ Although the Board's Manual did call for the Chief of the Capitol Police to report on security procedures at every Board meeting, including proposed changes to physical security, the Manual did not include an explicit policy or process for the Board to engage in a deliberative process and document decisions on the Capitol Police's recommended countermeasures.⁵² Indeed, AOC officials told us that the Board does not formally make decisions on the security recommendations in the Capitol Police's security surveys.⁵³ Board officials said the individual Board members have received the surveys for their respective facilities and the Board as a group considers a wide variety of security matters in the process of deciding how best to protect the Capitol complex.⁵⁴

Similarly, we found there is no formal process by which the Board reviews or makes decisions about whether to accept or reject the Capitol Police's security recommendations.⁵⁵ Thus, there is no documentation for decisions, including the consideration and rationale for accepting or

⁵¹2 U.S.C. § 1961(a); Pub. L. No. 108-7, div. H, tit. I, § 1014(a)(1), 117 Stat. at 361. AOC officials told us that the security surveys are available to AOC. We found no requirement that the surveys be provided to AOC, who as noted above is responsible for implementing security projects.

⁵²Capitol Police officials told us they do not have the authority to install physical security countermeasures on their own; in general, officials said the Capitol Police must seek approval from the Capitol Police Board.

⁵³The Security Working Group, also identifies and implements security improvements and may but is not required to, consider Capitol Police security recommendations. According to AOC officials, the Capitol Police security surveys have not been provided to the working group in the past, but they were provided to some of the individual members of the working group.

⁵⁴Following the Capitol attack, in collaboration with the Board, AOC contracted with the Army Corps of Engineers to conduct a one-time physical security assessment, in alignment with ISC and other standards, to obtain accurate and comprehensive threat and physical security assessments of the Capitol complex. AOC staff expect this security assessment to be completed in late 2021.

⁵⁵In 2017, we made recommendations to the Board to enhance accountability, transparency, and communication, see GAO, *Capitol Police Board: Fully Incorporating Leading Governance Practices Would Help Enhance Accountability, Transparency, and External Communication*, [GAO-17-112](#) (Washington, D.C.: Feb. 7, 2017).

rejecting recommendations. Officials from neither the Board, the Capitol Police, nor AOC could provide us with documentation showing which, if any, recommended countermeasures they accepted as being necessary and should be implemented or the rationale rejecting the recommended countermeasures and accepting the risk of those decisions. When asked about directing the Capitol Police to remove recommended countermeasures from security surveys, Board officials told us that they are new in their positions and are not aware of such actions.

Board officials told us that, as of November 2021, they are revising the process of how the Board considers recommended countermeasures in security surveys. Until explicit procedures are in place for making and documenting decisions regarding recommended countermeasures, including the rationale for rejecting recommended countermeasures, there is no acknowledgment or accountability of the risks being accepted, potentially leaving the Capitol Building less secure. Capitol Police officials told us there are challenges to agreeing on the implementation of security countermeasures for the Capitol Building in that (1) there are many parties involved in physical security issues (i.e., the House and Senate Sergeants at Arms, the AOC, congressional committees, and individual Members of Congress all play a role) and (2) the desire to keep the Capitol Building open to visitors. As the ISC standard makes clear, thoroughly documenting the rationale for accepting risk, including alternate strategies considered or implemented, and opportunities in the future to implement the necessary levels of protection is critical to a sound and deliberate physical security risk management process.

Conclusions

The events of January 6, 2021, raise important questions about whether the Capitol Police and the Capitol Police Board are adequately prepared to respond effectively and efficiently in the current threat environment. As the Capitol Police and the Capitol Police Board focus on mitigating events such as those that occurred on January 6, it is essential to ensure that procedures for obtaining outside assistance in an emergency are sound and well documented. Without clear, documented procedures from both of these entities for obtaining outside assistance in, or in anticipation of, an emergency, outside agencies may be unable to respond quickly.

Further, although the Capitol Police has articulated its intention to better incorporate the ISC standard, until it does so, there is no assurance that the Capitol Police is properly and comprehensively assessing risks to the

Capitol Building and identifying appropriate countermeasures to mitigate those risks. Moreover, without a procedure for the Board to decide whether countermeasures from the Capitol Police's security surveys should be implemented—including documenting the rationale when countermeasures are not implemented—the Board is not fulfilling its responsibility in overseeing the Capitol Police's protection of Congress and the Capitol Building.

Recommendations for Executive Action

We are making a total of four recommendations, including two to the Capitol Police Board and two to the Capitol Police. Specifically:

The Capitol Police Board should finalize and document its procedures for obtaining outside assistance in an emergency that, for example, clearly detail roles and responsibilities. (Recommendation 1)

The Capitol Police Board should finalize and document its procedures for considering recommended countermeasures from the Capitol Police's security surveys, including documenting the rationale for accepting risk when recommendations are not implemented. (Recommendation 2)

The Chief of the Capitol Police should finalize and document its procedures for obtaining outside assistance in an emergency that, for example, clearly detail roles and responsibilities. (Recommendation 3)

The Chief of the Capitol Police should finalize the development of a comprehensive, documented risk management process that includes elements called for by the ISC standard, such as clearly assessing the risk of each applicable undesirable event and considering a comprehensive list of countermeasures. (Recommendation 4)

Agency Comments and Our Evaluation

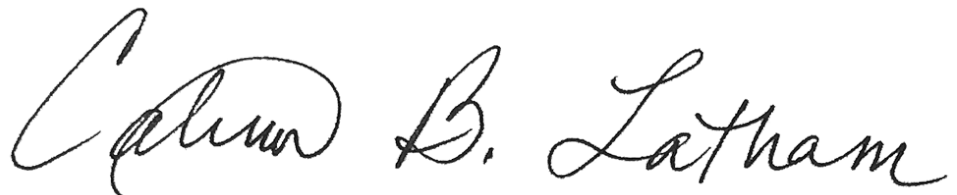
We provided a draft of this report to the Capitol Police Board and the Capitol Police for review and comment. In comments provided by the Capitol Police Board, reproduced in appendix III, the Board did not take a position on our recommendations. The Board said that it is committed to implementing any physical security upgrades that will ensure the safety of the Capitol complex and that it can revisit if changes are necessary during the next *Manual of Procedures* revision. The Board also said that it will

document any physical security changes as required by the Board's *Manual of Procedures*. While the updated Manual issued in December 2021 requires the Board to document decisions related to physical security changes, our recommendation also includes the Board documenting when it chooses to not implement countermeasures and the rationale for accepting the risk of that decision, as called for by the ISC standard. In comments provided by the Capitol Police, reproduced in appendix IV, the Capitol Police agreed with our recommendations. The Capitol Police also provided technical comments, which we incorporated as appropriate.

We also provided excerpts of this report to the Department of Defense for review and to provide technical comments. In its technical comments, the Department of Defense referenced two pieces of guidance—the National Response Framework and the Emergency Management Assistance Compact—that may be helpful to the Board and the Capitol Police as they develop procedures related to obtaining outside assistance.

We are sending copies of this report to the appropriate congressional committees, members of the Capitol Police Board, the Chief of the Capitol Police, and other interested parties. In addition, the report is available at no charge on the GAO website at <https://www.gao.gov>.

If you or your staff have any questions about this report, please contact Catina Latham at (202) 512-2834 or LathamC@gao.gov. Contact points for our offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix V.

A handwritten signature in black ink that reads "Catina B. Latham". The signature is written in a cursive, flowing style.

Catina Latham
Acting Director
Physical Infrastructure

List of Requesters

The Honorable Gary C. Peters
Chairman
The Honorable Rob Portman
Ranking Member
Committee on Homeland Security and Governmental Affairs
United States Senate

The Honorable Charles E. Grassley
Ranking Member
Committee on the Judiciary
United States Senate

The Honorable Amy Klobuchar
Chairwoman
The Honorable Roy Blunt
Ranking Member
Committee on Rules and Administration
United States Senate

The Honorable Steny H. Hoyer
Majority Leader
House of Representatives

The Honorable Bennie G. Thompson
Chairman
Committee on Homeland Security
House of Representatives

The Honorable Zoe Lofgren
Chairperson
The Honorable Rodney Davis
Ranking Member
Committee on House Administration
House of Representatives

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
House of Representatives

The Honorable Michael F. Bennet

United States Senate

The Honorable Jake Auchincloss
House of Representatives

The Honorable Cindy Axne
House of Representatives

The Honorable Nanette Diaz Barragán
House of Representatives

The Honorable Ami Bera, M.D.
House of Representatives

The Honorable Donald S. Beyer, Jr.
House of Representatives

The Honorable Sanford Bishop
House of Representatives

The Honorable Lisa Blunt Rochester
House of Representatives

The Honorable Suzanne Bonamici
House of Representatives

The Honorable Carolyn Bourdeaux
House of Representatives

The Honorable Jamaal Bowman
House of Representatives

The Honorable Anthony G. Brown
House of Representatives

The Honorable Cheri Bustos
House of Representatives

The Honorable Salud Carbajal
House of Representatives

The Honorable Tony Cárdenas
House of Representatives

The Honorable André Carson
House of Representatives

The Honorable Sean Casten
House of Representatives

The Honorable David N. Cicilline
House of Representatives

The Honorable Yvette D. Clarke
House of Representatives

The Honorable Steve Cohen
House of Representatives

The Honorable Gerald E. Connolly
House of Representatives

The Honorable Jim Cooper
House of Representatives

The Honorable Joe Courtney
House of Representatives

The Honorable Angie Craig
House of Representatives

The Honorable Jason Crow
House of Representatives

The Honorable Sharice L. Davids
House of Representatives

The Honorable Danny K. Davis
House of Representatives

The Honorable Madeleine Dean
House of Representatives

The Honorable Peter A. DeFazio
House of Representatives

The Honorable Diana DeGette

House of Representatives

The Honorable Suzan DelBene
House of Representatives

The Honorable Mark DeSaulnier
House of Representatives

The Honorable Debbie Dingell
House of Representatives

The Honorable Lloyd Doggett
House of Representatives

The Honorable Dwight Evans
House of Representatives

The Honorable Lizzie Fletcher
House of Representatives

The Honorable Lois Frankel
House of Representatives

The Honorable Bill Foster
House of Representatives

The Honorable Ruben Gallego
House of Representatives

The Honorable John Garamendi
House of Representatives

The Honorable Jimmy Gomez
House of Representatives

The Honorable Al Green
House of Representatives

The Honorable Raúl M. Grijalva
House of Representatives

The Honorable Jahana Hayes
House of Representatives

The Honorable Brian Higgins
House of Representatives

The Honorable Chrissy Houlahan
House of Representatives

The Honorable Jared Huffman
House of Representatives

The Honorable Sheila Jackson Lee
House of Representatives

The Honorable Sara Jacobs
House of Representatives

The Honorable Pramila Jayapal
House of Representatives

The Honorable Henry C. "Hank" Johnson, Jr.
House of Representatives

The Honorable Mondaire Jones
House of Representatives

The Honorable Kai Kahele
House of Representatives

The Honorable Ro Khanna
House of Representatives

The Honorable Daniel T. Kildee
House of Representatives

The Honorable Derek Kilmer
House of Representatives

The Honorable Andy Kim
House of Representatives

The Honorable Raja Krishnamoorthi
House of Representatives

The Honorable Ann McLane Kuster

House of Representatives

The Honorable Barbara Lee
House of Representatives

The Honorable Mike Levin
House of Representatives

The Honorable Ted W. Lieu
House of Representatives

The Honorable Alan Lowenthal
House of Representatives

The Honorable Elaine G. Luria
House of Representatives

The Honorable Stephen F. Lynch
House of Representatives

The Honorable Tom Malinowski
House of Representatives

The Honorable Doris Matsui
House of Representatives

The Honorable A. Donald McEachin
House of Representatives

The Honorable James P. McGovern
House of Representatives

The Honorable Jerry McNerney
House of Representatives

The Honorable Grace Meng
House of Representatives

The Honorable Seth Moulton
House of Representatives

The Honorable Grace F. Napolitano
House of Representatives

The Honorable Marie Newman
House of Representatives

The Honorable Eleanor Holmes Norton
House of Representatives

The Honorable Tom O'Halleran
House of Representatives

The Honorable Frank Pallone, Jr.
House of Representatives

The Honorable Jimmy Panetta
House of Representatives

The Honorable Donald M. Payne, Jr.
House of Representatives

The Honorable Ed Perlmutter
House of Representatives

The Honorable Scott H. Peters
House of Representatives

The Honorable Dean Phillips
House of Representatives

The Honorable Stacey E. Plaskett
House of Representatives

The Honorable Katie Porter
House of Representatives

The Honorable Jamie Raskin
House of Representatives

The Honorable Kathleen M. Rice
House of Representatives

The Honorable Raul Ruiz, M.D.
House of Representatives

The Honorable Bobby L. Rush

House of Representatives

The Honorable Linda T. Sánchez
House of Representatives

The Honorable Mary Gay Scanlon
House of Representatives

The Honorable Kim Schrier, M.D.
House of Representatives

The Honorable Terri A. Sewell
House of Representatives

The Honorable Mikie Sherrill
House of Representatives

The Honorable Albio Sires
House of Representatives

The Honorable Elissa Slotkin
House of Representatives

The Honorable Darren Soto
House of Representatives

The Honorable Abigail D. Spanberger
House of Representatives

The Honorable Haley Stevens
House of Representatives

The Honorable Mark Takano
House of Representatives

The Honorable Rashida Tlaib
House of Representatives

The Honorable Paul Tonko
House of Representatives

The Honorable Norma J. Torres
House of Representatives

The Honorable David Trone
House of Representatives

The Honorable Lauren Underwood
House of Representatives

The Honorable Nydia Velázquez
House of Representatives

The Honorable Debbie Wasserman Schultz
House of Representatives

The Honorable Bonnie Watson Coleman
House of Representatives

The Honorable Peter Welch
House of Representatives

The Honorable Nikema Williams
House of Representatives

The Honorable Frederica S. Wilson
House of Representatives

The Honorable John Yarmuth
House of Representatives

Appendix I: List of Federal, State, and Local Agencies Interviewed by GAO

Below is a list of federal, state, and local agencies we interviewed during the course of our work to inform all of our objectives.

Table 3: Federal, State, and Local Agencies Interviewed by GAO

Federal Agencies	State and Local Agencies
<ul style="list-style-type: none">Architect of the CapitolCapitol Police BoardDepartment of Defense: D.C. National GuardDepartment of Homeland SecurityDepartment of JusticeDepartment of the InteriorHouse Sergeant at ArmsSenate Sergeant at ArmsU.S. Capitol Police	<ul style="list-style-type: none">Arlington County Police (Virginia)Fairfax County Police (Virginia)District of Columbia Homeland Security and Emergency Management AgencyMaryland State PoliceMetropolitan Police DepartmentMetropolitan Washington Airports Authority Police DepartmentMontgomery County Police (Maryland)Prince George's County Police (Maryland)Prince William County Police (Virginia)Virginia State PoliceWashington Metropolitan Area Transit Authority – Metro Transit Police Department

Source: GAO. | GAO-22-105001

Appendix II: Key Actions and Decisions Made by the U.S. Capitol Police

The following tables identify the key actions and decisions made by the U.S. Capitol Police (Capitol Police) in preparation for the events to be held at the Capitol on January 6, 2021, and during the attack on the Capitol. Table 4 includes information on planning actions taken by the Capitol Police prior to January 6. Table 5 includes actions taken by the Capitol Police on January 6 to change the physical security posture of the Capitol.

**Appendix II: Key Actions and Decisions Made
by the U.S. Capitol Police**

Table 4: Planning Actions Taken by the U.S. Capitol Police in Preparation for the Events to Take Place at the Capitol on January 6, 2021

Key Actions	Additional Information
<p>U.S. Capitol Police (Capitol Police) developed and revised its Special Event Assessment for January 6, 2021, demonstrations several times.</p>	<ul style="list-style-type: none"> • <u>December 16, 2020</u>: The Capitol Police learns of demonstrations planned for January 6, drafts initial assessment. Finds “no information regarding specific disruptions or acts of civil disobedience targeting this function.” According to Capitol Police officials, this special event assessment was a preliminary draft and was not distributed within the Capitol Police. • <u>December 30, 2020</u>: This assessment contained more specific information about the potential for violence on January 6. For example, the assessment stated that “there have been several social media posts encouraging protesters to be armed.” According to Capitol Police officials, this special event assessment was distributed among Capitol Police leadership. • <u>January 3, 2021</u>: The final revision contained similar bottom-line messages as previous assessments, but also contained new statements expressing the potential seriousness of the situation on January 6. The assessment also states that Congress—and not counter-protesters, as was the case in previous protests—is the actual target of the protesters. The assessment also notes: “There has been a worrisome call for protesters to come to these events armed and there is the possibility that protesters may be inclined to become violent.” According to Capitol Police officials, this special event assessment was distributed among Capitol Police leadership.
<p>The Capitol Police’s Civil Disturbance Unit (CDU) developed and revised its Operational Plan for January 6 event to specify location of perimeter fencing and level of CDU support.</p>	<ul style="list-style-type: none"> • <u>December 18, 2020</u>: Drafting of CDU plan began. • <u>January 5, 2021</u>: CDU issues final version of its operational plan, which references the most recent (January 3, 2021) special event assessment, but is still largely focused on a manageable, non-violent protest within the Capitol complex. • <u>January 5, 2021</u>: The Capitol Police revised its final perimeter around the Capitol complex, based on feedback from the Senate and House Sergeants at Arms, to restrict access to the Capitol using “bike rack” fencing along with Capitol Police CDU personnel. The House Sergeant at Arms approved the revised perimeter. • <u>January 5, 2021</u>: The Capitol Police Assistant Chief of Police for Protective and Intelligence Operations coordinated movement of physical barriers with the Capitol Police’s Security Services Bureau and the Architect of the Capitol to conform to the new perimeter.
<p>The Capitol Police adjusts resources for January 6, 2021.</p>	<ul style="list-style-type: none"> • <u>December 30, 2020</u>: The Capitol Police adjusted schedules to have most officers working on January 6, 2021, including both “uniformed officers” (i.e., the “primary officers” seen around the Capitol complex) as well as specialized units within the Capitol Police, such as the Civil Disturbance Unit. • <u>January 3, 2021</u>: The Capitol Police increases and extends coverage for Dignitary Protection (e.g., 24/7 coverage, detail includes assault weapons, etc.). • <u>January 3, 2021</u>: The Capitol Police adds a staff member from the National Capital Region Threat Intelligence Consortium (which conducts regional analysis and shares information on terrorism, crime, and natural hazards) to its Intelligence and Interagency Coordination Division. • <u>January 5, 2021</u>: Between 7:00 p.m. and 8:00 p.m., a Capitol Police task force agent working with the FBI emailed the Capitol Police’s Intelligence Operations Section a memorandum from the FBI Norfolk office regarding online discussions of violence directed at Congress on January 6, 2021.

**Appendix II: Key Actions and Decisions Made
by the U.S. Capitol Police**

Key Actions	Additional Information
Discussions about potential for requesting National Guard support.	<ul style="list-style-type: none">• <u>January 2, 2021</u>: Department of Defense staff member texts the Capitol Police Deputy Chief, Protective Services Bureau, to determine whether the Capitol Police is considering a request for National Guard soldiers for January 6, 2021.• <u>January 3, 2021</u>: The Capitol Police Deputy Chief, Protective Services Bureau, replies to Department of Defense via text that a request for National Guard support is not forthcoming at this time after consultation with the then-Chief of the Capitol Police.• <u>January 4, 2021</u>: A discussion was held among the Chief of the Capitol Police, the Senate Sergeant at Arms, and the House Sergeant at Arms. The Chief asked the Sergeants at Arms for authority to have the National Guard assist with security at the Capitol based on a briefing with law enforcement partners and a revised intelligence assessment. The Sergeants at Arms deny the Chief's request and ask him to contact the Commanding General of the D.C. National Guard to discuss the guard's ability to support a request if needed. The Chief and Commanding General meet, and the Commanding General advises the Chief that the D.C. National Guard could repurpose 125 troops from their current assignment of providing the District of Columbia with COVID-19-related assistance.

Source: GAO analysis of U.S. Capitol Police, *United States Capitol Police Timeline of Events for January 6, 2021 Attack* (Washington, D.C.: Mar. 10, 2021). | GAO-22-105001

**Appendix II: Key Actions and Decisions Made
by the U.S. Capitol Police**

Table 5: Actions Taken by the U.S. Capitol Police on January 6, 2021, to Change the Physical Security Posture of the Capitol

Key Actions	Additional Information	Times
U.S. Capitol Police (Capitol Police) sent personnel to investigate multiple suspicious packages and explosive devices on or near the Capitol complex.	The Capitol Police and other law enforcement personnel responded to multiple suspicious packages throughout the day on January 6, from 10:00 a.m. until 8:05 p.m. For example, Capitol Police personnel responded to suspicious packages at the Capitol South Metro station, the Supreme Court of the United States, and streets surrounding the Capitol complex. Additionally, Capitol Police personnel responded to two explosive devices found at the headquarters of the Republican National Committee and Democratic National Committee, both of which are near the Capitol Building.	<ul style="list-style-type: none"> • <u>10:00 a.m.</u>: Metro transit personnel investigate suspicious package at Capitol South Metro. Capitol Police personnel respond to assist. • <u>11:14 a.m.</u>: Capitol Police personnel investigate suspicious package at the Supreme Court of the United States, 100 block of East Capitol Street. • <u>12:44 p.m.</u>: Capitol Police personnel investigate explosive device at Republican National Committee headquarters. • <u>1:07 p.m.</u>: Capitol Police personnel investigate explosive device at Democratic National Committee Headquarters. • <u>2:06 p.m.</u>: The Capitol Police prepares to disrupt a suspicious package in the 400 block of Canal Street NE. • <u>2:40 p.m.</u>: FBI personnel assisting the Capitol Police investigate an explosive device in the 600 Block of Independence Avenue. • <u>3:26 p.m.</u>: The Capitol Police deploys K9 unit for sweep at New Jersey and Independence Avenue to assist D.C. Fire. • <u>5:46 p.m.</u>: The Capitol Police deploys Hazardous Devices Section to sweep Senate floor. • <u>6:06 p.m.</u>: The Capitol Police investigates a suspicious package at First Street from Constitution Avenue to East Capitol. • <u>7:45 p.m.</u>: Capitol Police personnel investigate a suspicious package at Lower West Terrace doors. • <u>8:05 p.m.</u>: Capitol Police personnel investigate a suspicious package at Peace Circle reflecting pool.

**Appendix II: Key Actions and Decisions Made
by the U.S. Capitol Police**

Key Actions	Additional Information	Times
The Capitol Police sent personnel to provide protection and control crowds.	<p>On January 6, there were about 1,200 Capitol Police officers at the Capitol complex. Throughout the course of the day, the Capitol Police deployed personnel to:</p> <ul style="list-style-type: none"> • Monitor and report back on demonstrators at the Ellipse and other areas; • Protect and evacuate Senators and Representatives from various locations; • Respond to breaches along the perimeter and contain attackers; • Use the level of force that appeared reasonably necessary. Such levels of force include less-lethal force (i.e., chemical munitions) and lethal force under authorized circumstances pursuant to Capitol Police policy. 	<ul style="list-style-type: none"> • <u>Approx. 6:00 a.m.</u>: The Capitol Police deploys counter surveillance agents to monitor and report back on demonstrators at the Ellipse and other areas. • <u>Approx. 6:00 a.m.</u>: The Capitol Police deploys Dignitary Protection Division agents to the Ellipse as protection for Members in the event of any threats. • <u>12:55 p.m.</u>: The Capitol Police directs all available Capitol Police units to respond to the West Front of the Capitol to assist with breaches along the perimeter. • <u>12:56 p.m.</u>: The Capitol Police directs units to respond to Upper West Terrace area to contain attackers. • <u>1:08 p.m.</u>: Capitol Police personnel deploy less-lethal munitions on Upper West Terrace. • <u>2:06 p.m.</u>: The Capitol Police deploys 10 units with shields up to the Rotunda door. • <u>2:11 p.m.</u>: Capitol Police personnel and U.S. Secret Service escort Vice President from Senate Chambers. • <u>Approx. 2:15 p.m.</u>: Capitol Police Dignitary Protection Division units evacuate Senate and House Leadership. • <u>2:22 p.m.</u>: Three Civil Disturbance Unit (CDU) Platoons deployed to House side of U.S. Capitol; four CDU platoons deployed to Rotunda. • <u>2:28 p.m.</u>: Remaining Members evacuated from Senate floor. • <u>2:39 p.m.</u>: Capitol Police personnel begin evacuating Members inside the House Chamber. • <u>2:43 p.m.</u>: Capitol Police personnel shoots attacker attempting to breach area outside of House Floor. • <u>2:44 p.m.</u>: Assistant Chief of Police orders Capitol Police tactical team to respond to House Floor. • <u>2:44 p.m.</u>: Officers barricade in third floor gallery of House floor, with 12 to 15 Members and staff ordered to shelter-in-place. • <u>2:50 p.m. - Approx. 6:07 p.m.</u>: Capitol Police personnel deploys to extract Members and staff in offices. • <u>3:04 p.m.</u>: The Capitol Police deploys additional CDU platoon to Rotunda. • <u>4:45 p.m.</u>: Capitol Police personnel deploy munitions at Rotunda door where attackers are pushing in doors and breaking windows. • <u>4:48 p.m.</u>: Capitol Police personnel deploy chemical munitions on Lower West Terrace to disperse attackers. • <u>Approx. 5:20 p.m.</u>: The Capitol Police deploys canine teams to sweep Senate and House Chambers.

**Appendix II: Key Actions and Decisions Made
by the U.S. Capitol Police**

Key Actions	Additional Information	Times
<p>The Capitol Police bolstered the physical security of the Capitol complex by closing roads, evacuating buildings, etc.</p>	<p>During the course of the attack, the Capitol Police made decisions to address the physical security of the Capitol complex, such as:</p> <ul style="list-style-type: none"> • Closing roads near the Capitol Building as demonstrators arrived; • Instructing personnel to lock entry points and raise barricades; • Evacuating buildings; • Initiating lockdowns of buildings, the Senate and House Chambers, and the full Capitol complex; • Deploying officers to serve as reinforcement at every access point, to include windows that were shattered. 	<ul style="list-style-type: none"> • <u>12:39 p.m.</u>: Roads near the Capitol are shut down due to demonstration activity. • <u>12:46 p.m.</u>: Capitol Police personnel shut down Constitution Avenue due to approach of large group of demonstrators. • <u>12:55 p.m.</u>: Capitol Police personnel instructed to lock Lower West Terrace door and south side. • <u>1:01 p.m.</u>: Capitol Police personnel evacuates Madison Building due to explosive device at the Republican National Committee headquarters. • <u>1:09 p.m.</u>: Capitol Police personnel closes roadways due to explosive devices at the Republican National Committee headquarters. • <u>1:11 p.m.</u>: Capitol Police personnel evacuates Cannon Building due to explosive devices at the Republican and Democratic National Committee headquarters buildings. • <u>Approx. 1:14 p.m.</u>: Capitol Police personnel raise all south barricades. • <u>2:00 p.m.</u>: Assistant Chief of Police orders lockdown of U.S. Capitol Building. • <u>2:08 p.m.</u>: Assistant Chief of Police orders Capitol complex-wide lockdown. • <u>2:15 p.m.</u>: The Capitol Police orders lockdown of Senate and House Chambers. • <u>2:18 p.m.</u>: Capitol Police personnel barricade Senate Chamber. • <u>2:19 p.m.</u>: Capitol Police CDU platoon deployed to Rotunda. • <u>4:28 p.m.</u>: Officers reinforcing access points, to include the windows that were shattered.

**Appendix II: Key Actions and Decisions Made
by the U.S. Capitol Police**

Key Actions	Additional Information	Times
<p>Chief of the Capitol Police requested assistance from multiple agencies to provide support.</p>	<p>The Capitol Police began requesting assistance from multiple law enforcement agencies starting at 12:58 p.m., when the Chief of Police requested and received assistance from the Metropolitan Police Department (MPD) of the District of Columbia. A total of about 2,000 law enforcement officers from federal, state, and local agencies responded to the Capitol Police's request for assistance. The Chief requested support pursuant to various statutory authorities and a mutual aid agreement. According to the Capitol Police's timeline of events, the Chief asked the Senate and House Sergeants at Arms 9 times to determine an emergency, which would allow the Chief to obtain assistance from the D.C. National Guard and others.</p>	<ul style="list-style-type: none"> • <u>12:58 p.m., 1:05 p.m., 1:21 p.m., 1:28 p.m., 1:34 p.m., 1:39 p.m., 1:45 p.m., 2:01 p.m., 2:03 p.m.</u>: Chief of the Capitol Police asks and reiterates requests to Senate and House Sergeants at Arms for a determination of an emergency for National Guard support. • <u>12:58 p.m.</u>: Chief of the Capitol Police requested and received assistance from MPD. • <u>1:08 p.m.</u>: Chief requests assistance from U.S. Secret Service's Uniformed Division. • <u>1:40 p.m.</u>: Chief of the Capitol Police requests and receives confirmation of support from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). • <u>1:49 p.m.</u>: Chief of the Capitol Police requests National Guard support from Commanding General of the D.C. National Guard. The Chief advises the Commanding General that a Capitol Police Board determination of an emergency is forthcoming. • <u>1:51 p.m.</u>: Chief of the Capitol Police calls Metropolitan Washington Consortium of Governments to activate law enforcement mutual aid within the National Capital Region. • <u>Approx. 2:08 p.m.</u>: The Capitol Police Board issues a verbal determination of an emergency and gives authority for the Chief of the Capitol Police to request assistance from the D.C. National Guard.

**Appendix II: Key Actions and Decisions Made
by the U.S. Capitol Police**

Key Actions	Additional Information	Times
The Capitol Police directed responding agencies to secure the Capitol Complex.	Responding officers performed a variety of tasks that largely focused on protecting the physical security of the Capitol complex, including establishing a perimeter and sweeping the building to remove attackers. According to several local law enforcement agencies' officers we spoke with who responded to the Capitol Police's request for assistance, the Capitol Police designated a point of contact and location for responding personnel to use when arriving on January 6 to support the Capitol Police.	<ul style="list-style-type: none"> • <u>12:58 p.m.</u>: Chief of the Capitol Police received assistance from MPD. • <u>1:08 p.m.</u>: Chief of the Capitol Police received assistance from U.S. Secret Service's Uniformed Division. • <u>1:21 p.m.</u>: Additional MPD units respond to U.S. Capitol Building. • <u>1:40 p.m.</u>: Chief of the Capitol Police receives confirmation of support from ATF. • <u>1:57 p.m.</u>: MPD personnel respond to Lower West Terrace door. • <u>3:07 p.m.</u>: ATF and Federal Bureau of Investigation personnel arrive at Speaker's lobby. • <u>3:09 p.m.</u>: Montgomery County Police Department enter the Capitol Building. • <u>Approx. 3:32 p.m.</u>: Department of Homeland Security officers and agents begin arriving to assist. • <u>3:51 p.m.</u>: Armed squad of Arlington County Police Department arrive and deploy to Lower West Terrace. • <u>Approx. 4:08 p.m.</u>: Fairfax County Police Department and Virginia State Troopers arrive. • <u>5:47 p.m.</u>: D.C. National Guard buses arrive at the Capitol. • <u>5:56 p.m.</u>: Metropolitan Washington Airports Authority Police Department officers arrive and are deployed. • <u>8:31 p.m.</u>: The Capitol Police and law enforcement partners complete sweep of entire Capitol Building, including the Inaugural Stage and the entire West Front, and confirm it is clear.

Source: GAO analysis of U.S. Capitol Police, *United States Capitol Police Timeline of Events for January 6, 2021 Attack* (Washington, D.C.: Mar. 10, 2021). | [GAO-22-105001](#)

Appendix III: Comments from the Capitol Police Board

**Appendix III: Comments from the Capitol
Police Board**



CAPITOL POLICE BOARD
H-124 The Capitol
WASHINGTON, DC 20515
PHONE (202) 225-2456



WILLIAM J. WALKER, Chairman
KAREN H. GIBSON, Member
J. BRETT BLANTON, P.E., Member
J. THOMAS MANGER, Ex-Officio Member

February 1, 2022

Ms. Catina Latham
Acting Director
Physical Infrastructure Team
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Ms. Latham:

The Board is committed to implementing any physical security upgrades that will ensure the safety of the Capitol complex. As such, the Board will work with the U.S. Capitol Police to ensure that the requests for emergency assistance are well-coordinated and effective for the requested purposes in accordance with 2 U.S.C. §1970 and 2 U.S.C. §1974. In addition, the Board will document any physical security changes as required by the Board's Manual of Procedures.

If there are additional policies and procedures that are necessary to ensure coordination and effectiveness after the new statutory changes are implemented, the Board can revisit this matter during the next Manual of Procedures revision pursuant to Section 2.1.30.

Sincerely,

**William J.
Walker**
Digitally signed by William
J. Walker
Date: 2022.02.01
12:35:55 -05'00'

William J. Walker
Chairman

**Karen H.
Gibson**
Digitally signed by Karen
H. Gibson
Date: 2022.02.01
10:21:29 -05'00'

Karen H. Gibson
Member

Blanton, Brett
Digitally signed by
Blanton, Brett
Date: 2022.02.01
11:20:17 -05'00'

J. Brett Blanton, P.E.
Member



Chief J. Thomas Manger
Ex-Officio Member

Accessible Text for Appendix III: Comments from the Capitol Police Board

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U.S. Government Accountability Office
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Sincerely,

William J. Walker
Chairman

Karen H. Gibson
Member

J. Brett Blanton, P.E.
Member

**Accessible Text for Appendix III: Comments
from the Capitol Police Board**

Chief J. Thomas Manger
Ex-Officio Member

Appendix IV: Comments from the U.S. Capitol Police

Appendix IV: Comments from the U.S. Capitol Police



PHONE: 202-224-9806

UNITED STATES CAPITOL POLICE

OFFICE OF THE CHIEF
119 D STREET, NE
WASHINGTON, DC 20510-7218

January 31, 2022

COP 220148

Ms. Catina Latham
Acting Director, Physical Infrastructure Team
Government Accountability Office
Homeland Security and Justice
Washington, DC 20226

Dear Ms. Latham:

This letter is in response to the recommendations made within the draft report titled *Capitol Attack: The Capitol Police Needs Clearer Emergency Procedures and a Comprehensive Security Risk Assessment Process*. The Department agrees with the recommendations made within this report we are currently taking steps to implement the below recommendations. Specifically, GAO recommended that the United States Capitol Police (USCP):

1. The Chief of the Capitol Police should finalize and document its procedures for obtaining outside assistance in an emergency that, for example, clearly detail roles and responsibilities. (Recommendation 3 within the report)
2. The Chief of the Capitol Police should finalize the development of a comprehensive, documented risk management process that includes elements called for by the ISC standard, such as clearly assessing the risk of each applicable undesirable event and considering a comprehensive list of countermeasures. (Recommendation 4 within the report)

Below is the current status of each of the two recommendations.

Recommendation 1: The Chief of the Capitol Police should finalize and document its procedures for obtaining outside assistance in an emergency that, for example, clearly detail roles and responsibilities. (Recommendation 3 within the report)

Department Response January 31, 2022: the Department's Critical Incident Response Plan provides information regarding on how we would request assistance in a planned or emergency event from our local, state, federal and DoD partners. Additionally, we will be creating a Standard Operating Procedure to document it as well.

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Appendix IV: Comments from the U.S. Capitol Police

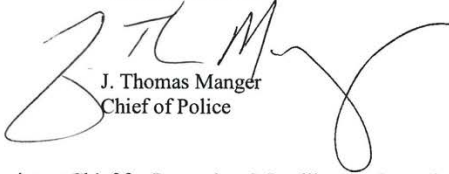
USCP Response to GAO Report titled Capitol Attack: The Capitol Police Needs Clearer Emergency Procedures and a Comprehensive Security Risk Assessment Process.

Recommendation 2: The Chief of the Capitol Police should finalize the development of a comprehensive, documented risk management process that includes elements called for by the ISC standard, such as clearly assessing the risk of each applicable undesirable event and considering a comprehensive list of countermeasures. (Recommendation 4 within the report)

Department Response January 31, 2022: The Department utilizes the ISC standard as a baseline. The Department is currently in the process of standing up a new division, the Security Coordination Division that will fully integrate the RMP to include the use of Threat, Vulnerability and Consequence analysis to measure risk and then apply Legislative Branch created standards with regards to countermeasures to mitigate the identified risk.

Thank you for the opportunity to respond to the GAO's recommendations and to provide information on the actions taken in response to the recommendations contained in the report.

Very respectfully,



J. Thomas Manger
Chief of Police

cc: Yogananda D. Pittman, Assistant Chief for Protective & Intelligence Operations
Sean P. Gallagher, Acting Assistant Chief of Police for Uniformed Operations
Richard L. Braddock, Chief Administrative Officer
Carol A. Absher, Program Manager / Audit Liaison

Accessible Text for Appendix IV: Comments from the U.S. Capitol Police

COP 220148

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Acting Director, Physical Infrastructure Team
Government Accountability Office
Homeland Security and Justice
Washington, DC 20226

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Chief of Police

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Sean P. Gallagher, Acting Assistant Chief of Police for Uniformed Operations
Richard L. Braddock, Chief Administrative Officer
Carol A. Absher, Program Manager / Audit Liaison

Appendix V: GAO Contact and Staff Acknowledgments

GAO Contact

Catina Latham, (202) 512-2834 or LathamC@gao.gov

Staff Acknowledgments

In addition to the individual named above, Maria Edelstein (Assistant Director); Daniel Paepke (Analyst in Charge); James Arp; Taiyshawna Battle; Willie Commons III; Andrew Curry; Roshni Davé; Michelle Everett; Brett Fallavollita; Gretta Goodwin; Geoffrey Hamilton; Nicole Harris; Kevin Heinz; Delwen Jones; Khaki LaRiviere; Kathryn Lenart; Diana Maurer; Triana McNeil; Amanda Miller; Jan Montgomery; Erin O'Brien; Malika Rice; Jodie Sandel; Andrew Stavisky; Janet Temko-Blinder; and Imoni Hampton Timberlake made key contributions to this report.

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