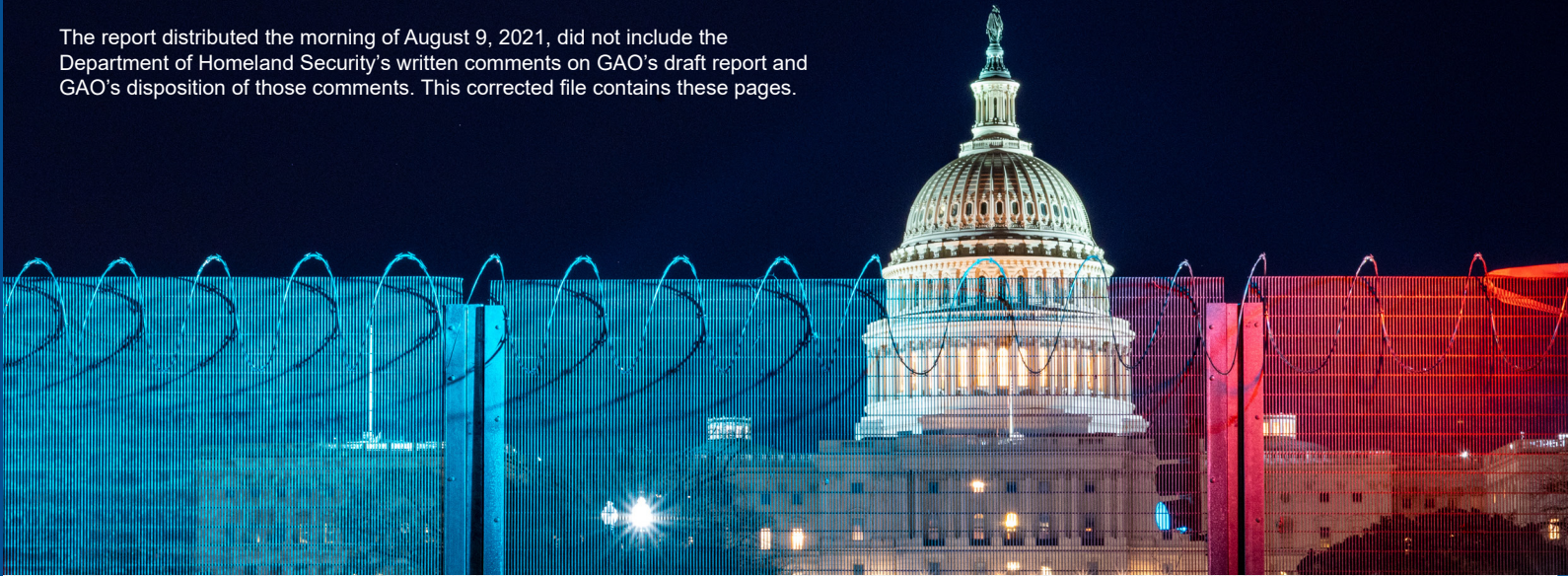


The report distributed the morning of August 9, 2021, did not include the Department of Homeland Security's written comments on GAO's draft report and GAO's disposition of those comments. This corrected file contains these pages.



CAPITOL ATTACK: SPECIAL EVENT DESIGNATIONS COULD HAVE BEEN REQUESTED FOR JANUARY 6, 2021, BUT NOT ALL DHS GUIDANCE IS CLEAR

August 2021

In the months leading up to the attack on the U.S. Capitol on January 6, 2021, there were reported efforts to organize large groups of protestors to travel to Washington, D.C., to dispute the outcome of the 2020 presidential election. Over the course of about 7 hours on January 6, the attack on the U.S. Capitol resulted in assaults on approximately 140 police officers, including about 80 U.S. Capitol Police and about 60 from the Metropolitan Police Department, and about \$1.5 million in damages, according to information from the Department of Justice and the U.S. Capitol Police. In addition, the events of the day led to at least seven deaths. Questions have been raised about the extent to which necessary steps were taken to adequately secure the Capitol Complex, and share intelligence information.

The Department of Homeland Security (DHS) has specific designations available for planned special events that bolster security-planning processes and coordination between federal, state, and local entities. For example, these designations enhance coordination of protective antiterrorism measures and counterterrorism assets, and restrict access. These designations include the National Special Security Event (NSSE) and the Special Event Assessment Rating (SEAR). These types of designations were not assigned to the events occurring on January 6.

We have a body of work underway that examines the preparation, coordination, and response on January 6, that we will begin issuing over the next several months, (see appendix III for additional details). We

FIGURE 1: U.S. CAPITOL BEHIND SECURITY FENCING IN APRIL 2021



Source: Stock.Adobe.com/demerzel21. | GAO-21-105255

were asked to review, among other things, coordination between federal and local entities for security and emergency support for events at the U.S. Capitol and surrounding areas on January 6, 2021 (see page 14 for the list of requesters). Specifically, this report examines the extent to which federal, state, and local government entities requested an NSSE or SEAR designation for the planned events of January 6, 2021 to include: (1) the definition of an NSSE and its designation process; (2) the definition of SEAR and its designation process; (3) the characteristics of past NSSE and SEAR events; (4) the applicability of NSSE and SEAR designations to the events of January 6 and the extent to which they were considered; and, (5) why NSSE and SEAR designations were not considered for the events of January 6.

To address the five questions below, we reviewed White House and DHS policy and processes for designating and determining security measures for NSSE and SEAR events and compared these with preoperational planning documents and processes for known events on January 6. We interviewed DHS officials from the U.S. Secret Service and the DHS Special Events Program located in the Office of Operations Coordination regarding their roles in the NSSE and SEAR designation and planning processes. We also interviewed representatives from the U.S. Capitol Police, the National Park Service (Park Service), and Washington, D.C.'s Homeland Security and Emergency Management Agency (D.C. HSEMA) to determine the extent to which they considered requesting an NSSE or SEAR designation for the events scheduled for January 6 and the rationale for their decision.¹

Additionally, we analyzed summary-level DHS data to identify events in the Washington, D.C., area that were designated as an NSSE or SEAR event from calendar years 2017 through May 2021. To assess the reliability of the data, we reviewed DHS documentation on the collection and reporting of the data, and interviewed DHS officials who oversee the event designation process and maintain the data. We determined that the data were sufficiently reliable for reporting the number of events that were designated as an NSSE or SEAR event.

We conducted this performance audit from February to July 2021 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.

¹D.C. HSEMA is the agency responsible for leading the planning and coordination of D.C.'s homeland security and emergency management efforts and works closely with D.C., federal, and regional partners to ensure that D.C. is prepared to prevent, protect against, respond to, mitigate, and recover from all threats and hazards.

QUESTIONS AND ANSWERS RELATED TO DHS SPECIAL EVENT DESIGNATIONS' APPLICABILITY TO JANUARY 6

1. WHAT IS A NATIONAL SPECIAL SECURITY EVENT AND WHO IS RESPONSIBLE FOR THE DESIGNATION?

National Special Security Event (NSSE) Designation Factors

According to Department of Homeland Security (DHS) policy, multiple factors are considered when recommending whether a NSSE designation is appropriate, including, among others:

- anticipated attendance by U.S. officials and foreign dignitaries,
- size of the event
- significance of the event

Sources: GAO analysis of Department of Homeland Security (DHS) documentation. | GAO-21-105255

A National Special Security Event (NSSE) is a government or privately-sponsored event or gathering of national significance that receives special security provided by federal agencies. The Secretary of Homeland Security is responsible for designating an event as an NSSE.² According to DHS policy, the Secretary may make this designation in response to a request from a state governor or another federal official, if the event is federally sponsored. Generally, such NSSEs are designated if they warrant the full protective, incident management, and counterterrorism capabilities of the federal government, given the potential for the event to be a target by foreign or domestic terrorists. The NSSE Working Group—which is co-chaired by the Secret Service, Federal Bureau of Investigation (FBI), and Federal Emergency Management Agency—assists the Secretary of Homeland Security in the designation process by, for example, recommending whether a designation is appropriate. As outlined in Presidential Policy Directive 22, the Secretary of Homeland Security has designated the Secret Service as the agency with lead responsibility for the design, planning, and implementation of security operations at NSSEs.³

According to DHS policy, a state governor or a federal official requests an NSSE designation for an event from DHS. Upon receipt of an NSSE request, the Secret Service, at the direction of DHS provides a questionnaire to the requesting authority to learn more about the event and the availability of state and local law enforcement to support the event. In 2018, the Secretary of Homeland Security also began pre-designating certain recurring events as NSSEs—for example, presidential inaugurations and the State of the Union addresses.

²Pursuant to Presidential Policy Directive 22 (PPD-22), the Secretary of Homeland Security is responsible for designating NSSEs, after consultation with the National Security Council Staff. PPD-22 outlines certain NSSE designation factors that may include, but are not limited to: 1) Anticipated attendance by U.S. officials and foreign dignitaries; 2) Size of the event; 3) Location and duration of the event; 4) Availability of required security, incident management, and counterterrorism resources; and 5) National, international, or symbolic significance of the event.

³In addition, by statute, the Secret Service is authorized to participate, under the direction of the Secretary of Homeland Security, in the planning, coordination, and implementation of security operations at special events of national significance. See 18 U.S.C. § 3056(e)(1).

2. WHAT IS A SPECIAL EVENT ASSESSMENT RATING EVENT AND WHO IS RESPONSIBLE FOR THE DESIGNATION?

A Special Event Assessment Rating (SEAR) event is a special event that is typically preplanned by a state or local jurisdiction or a private entity and is not designated as an NSSE. SEAR levels measure the risk of a terrorist attack and other risks, as appropriate, on a special event. The Special Events Working Group—which is comprised of more than 60 federal agencies, components, and offices, including DHS, FBI, and the National Counterterrorism Center—is responsible for designating the SEAR level for events submitted by federal, state, or local entities.

The Special Events Working Group Co-Chairs assign a SEAR level from 1 (highest risk) to 5 (lowest risk) that corresponds to the risk score. Table 1 provides a summary of each SEAR level.⁴

TABLE 1: DEPARTMENT OF HOMELAND SECURITY (DHS) SPECIAL EVENT ASSESSMENT RATING (SEAR) LEVELS

SEAR Level	Event significance	Event requirements
Level 1	Events of significant national or international importance.	May require <i>extensive</i> federal interagency support and the Secretary of Homeland Security appoints a Federal Coordinator. ^a
Level 2	Events of significant national or international importance.	May require some federal interagency support and the Secretary of Homeland Security <i>may</i> appoint a Federal Coordinator.
Level 3	Events of national or international importance.	Requires only limited federal support.
Level 4	Events of limited national importance.	Managed at the state and local level.
Level 5	Events may be nationally recognized but generally have only state/local importance.	Normally managed at the local level.

Source: GAO analysis of DHS information. | GAO-21-105255

^aThe Secretary of Homeland Security appoints a Federal Coordinator for all SEAR 1 and most SEAR 2 level events. The Federal Coordinator is responsible for liaising with federal, state, and local officials, consulting with state and local authorities on the event security and response plans maintaining situational awareness of the event throughout the planning and execution phases and resolving any federal interagency conflicts that may arise.

Special Event Assessment Rating (SEAR) Risk Score Factors

A SEAR risk score is assigned for each event submission using an applied methodology that considers multiple factors including, among others:

- threat
- vulnerability
- consequence

Sources: Information from the DHS Special Events Program located in the Office of Operations Coordination. | GAO-21-105255

Unlike an NSSE, where the Secret Service assumes responsibility for the event’s security, the state or local jurisdiction where the SEAR event will occur has the primary responsibility of finalizing the security plan. Depending on the SEAR level, federal agencies may provide additional security measures to the state or local jurisdiction to properly secure the event, such as additional support to fill significant security shortfalls. Additionally, once a certain SEAR level is assigned to an event, the DHS Office of Intelligence and Analysis, the FBI, fusion centers, and any other appropriate parties may conduct a Joint Special Event Threat Assessment, which is used to identify necessary security measures to mitigate potential threats.

⁴The Secretary’s role in assigning SEAR levels stems from Homeland Security Presidential Directive 5 (HSPD-5) and the Homeland Security Act of 2002, Pub. L. No. 107-296, 116 Stat. 2135. The purpose of HSPD-5 is to enhance the ability of the United States to manage domestic incidents by establishing a single, comprehensive national incident management system. HSPD-5 identifies the Secretary as the principal federal official for domestic incident management. In addition, as explained in HSPD-5, the Secretary is responsible for coordinating federal operations within the United States to prepare for, respond to, and recover from terrorist attacks, major disasters, and other emergencies. The White House, Management of Domestic Incidents, Homeland Security Presidential Directive (HSPD-5) (Washington, D.C.: February 28, 2003).

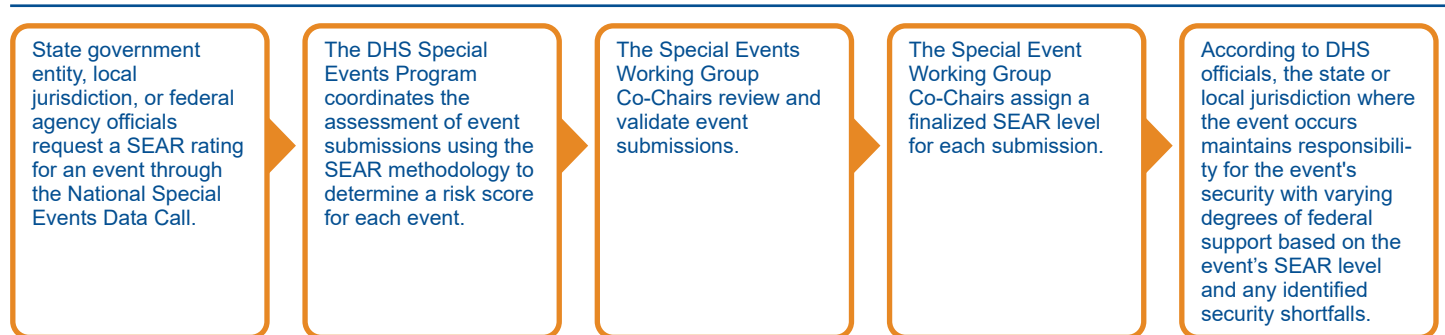
The SEAR process is most frequently initiated by a request from a state or local entity to DHS, although a federal entity may also submit an event for a rating. For an event taking place on federal property, several entities may request a SEAR, including a federal agency or a local government entity, if that entity believes that the event may have an impact on its own resources. A federal agency may also request a SEAR level if it has threat information that warrants an assessment, but this is a less common occurrence, according to DHS data. Most SEAR events are submitted to the DHS Special Events Program located in the Office of Operations Coordination through the annual National Special Events Data Call.⁵ DHS Office of Operations Coordination officials we spoke with said that they will assess and assign a SEAR level for any event that is submitted through the Data Call. Figure 2 illustrates the processes for designating an NSSE and assigning a SEAR level to an event.

FIGURE 2: DEPARTMENT OF HOMELAND SECURITY (DHS) SPECIAL EVENT DESIGNATION PROCESSES FOR REQUESTED EVENTS

NATIONAL SPECIAL SECURITY EVENT (NSSE) DESIGNATION PROCESS



SPECIAL EVENT ASSESSMENT RATING (SEAR) EVENT DESIGNATION PROCESS



Sources: DHS officials and GAO analysis of DHS policy. | GAO-21-105255

⁵The National Special Events Data Call refers to both the portal that state, local, and federal entities use to submit events for SEAR analysis and the annual 6-week open submission period during which these entities may submit events already planned for the following year for a SEAR designation.

3. WHAT ARE CHARACTERISTICS OF PAST NSSE AND SEAR EVENTS?

According to DHS documentation, NSSEs occur on an infrequent basis and require extensive federal planning, due to their national significance. In comparison, SEAR events happen more frequently and are typically preplanned by state and local entities. SEAR events can also be nationally significant, but they are considered lower risk than an NSSE and require less federal coordination and support.

From calendar year 2017 to 2021, DHS designated 13 total NSSE events, eight of which occurred in the Washington, D.C. area.

- Of these 13 total events, eight were pre-designated as recurring, such as the Republican and Democratic National Conventions and the opening period of the United Nations General Assembly.⁶
- Of the eight events that occurred in Washington, D.C., five were pre-designated by DHS, such as the inauguration and the State of the Union address.

From 2017 to 2021, DHS received 104,198 event submissions for SEAR levels, 1,717 of which were located in the National Capitol Region. According to DHS officials, approximately 64 percent of all SEAR events submitted for 2021 were recurring, such as a weekly movie at a state or local park. Examples of submitted events include the Super Bowl, Indianapolis 500, and the Kentucky Derby. Examples of recent NSSE and SEAR events from 2020 through 2021 are listed below in Figure 3.

FIGURE 3: EXAMPLES OF NATIONAL SPECIAL SECURITY EVENT (NSSE) AND SPECIAL EVENT ASSESSMENT RATING (SEAR) EVENTS FROM 2020 AND 2021

NSSE	SEAR
State of the Union address Democratic and Republican National Conventions Presidential inauguration	Super Bowl (<i>Miami Gardens, FL and Tampa, FL</i>) Presidential Rally-Trumpfest (<i>West Palm Beach, FL</i>) National Mall Independence Day parade and fireworks (<i>Washington, D.C.</i>) National Cherry Blossom Festival (<i>Washington, D.C.</i>) Presidential visit (<i>Phoenix, AZ</i>) Funeral of Supreme Court Justice Ruth Bader Ginsburg (<i>Washington, D.C.</i>)

Source: GAO analysis of DHS information. | GAO-21-105255

⁶The designation of recurring events as NSSEs began in 2018, when the Secretary of Homeland Security issued a memo designating recurring significant events, such as State of the Union addresses and presidential inaugurations, as NSSEs on an ongoing basis.

4. TO WHAT EXTENT WERE THE EVENTS ON JANUARY 6 CONSISTENT WITH FACTORS USED TO DESIGNATE EVENTS AS NSSE OR SEAR?

The events of January 6 included (1) a non-permitted protest at the U.S. Capitol, (2) a scheduled presidential rally at the Ellipse, and (3) a joint session of Congress to certify the 2020 election results. If a designation had been requested, the presidential rally and joint session of Congress could have been considered for a designation as an NSSE or SEAR because, for example, they were large events with presidential or vice presidential attendance. However, according to DHS officials, the non-permitted protest at the U.S. Capitol was not consistent with factors currently used for NSSE and SEAR designation. This non-permitted incident was not designated, even though there were other indications, such as social media posts, that additional security may have been needed at the Capitol Complex on January 6. We are covering this and other topics in ongoing work, see (see app. III).

A designation would likely have assured additional security to help respond to the January 6 attack on the Capitol. The events of January 6 included the following:

- **The non-permitted protest at the U.S. Capitol.** According to DHS officials, the non-permitted protest and subsequent attack on the Capitol would not meet the definition of a special event for an NSSE or SEAR designation. Park Service officials who managed the permitted rally at the Ellipse stated that they asked the permit holder whether there was a planned march to the Capitol, and the permit holder said there was not. According to Park Service officials, they asked the question because they typically ask an applicant if they anticipate the crowd moving to another location.
- **Scheduled presidential rally at the Ellipse.** As a sizeable preplanned gathering, the rally was consistent with some factors used to designate an NSSE or SEAR. The rally at the Ellipse shared elements of an NSSE, including federal participation, attendance by the President, a sizeable crowd, and anticipated media coverage.

DHS officials stated that the presidential rally at the Ellipse could also have been submitted for a SEAR designation. DHS data show that neither local nor federal authorities submitted SEAR requests for other recent presidential rallies in the Washington, D.C. area, such as the Make America Great Again (MAGA) events that occurred in November and December 2020. However, other local governments have requested SEAR designations for past presidential rallies, including a MAGA rally in Philadelphia in 2017 and “Trumpfest” in West Palm Beach in 2019 and 2020.

- **Joint session of Congress to certify the 2020 election results at the U.S. Capitol.** The joint session shared some factors of an NSSE, including attendance by the Vice President. The joint session also featured a significant event in the certification of election results, received media attention, and was the subject of threats

on social media. In May 2021, the Director of the Secret Service testified that what happened on January 6 was abhorrent, and those in law enforcement and public safety cannot let it happen again. In other parts of his testimony, he stated that designating the January 6 joint session of Congress to certify the election results as an NSSE would have put the Secret Service as the lead agency for operational security, and more security measures would have been seen around the Capitol. The Director also testified that federal officials may consider future joint sessions of Congress to certify election results for NSSE designations. However, Secret Service officials we spoke with stated that the joint session would not normally meet the criteria for an NSSE designation because it was considered routine congressional business, rather than a special event. Further, the Vice President's attendance was a routine part of that office's roles and responsibilities within the U.S. Senate.

While election certification by the Congress was a routine event in the past, the threat environment in 2021 was different from past elections. For example, an FBI report warned of calls for violence and for individuals traveling to Washington, D.C. to be ready for "war" at the Capitol on January 6.⁷ According to DHS's Risk Management Fundamentals, one of the key principles for effective risk management is adaptability. The principle of adaptability includes designing risk management actions, strategies, and processes to remain dynamic and responsive to change. The homeland security landscape is constantly evolving as priorities, threats, and circumstances change, requiring DHS to adapt to meet the nation's expectations and requirements. DHS and its homeland security partners must be flexible in their approach to managing risk. This means that homeland security solutions must be dynamic. While past Congressional certifications of election results were not designated NSSEs, and DHS officials considered this normal congressional business, the lack of consideration of other factors, such as the large rally at the Ellipse that mobilized to the Capitol, and the climate surrounding the 2020 election demonstrate a gap in the adaptability of how these events are considered.⁸

DHS officials we spoke with stated that a SEAR designation would not be applicable to the joint session of Congress to certify election results because it was considered routine congressional business, not a special event. As a result, DHS officials indicated that this designation was not considered because it was not submitted for a rating.

⁷Federal Bureau of Investigation, Norfolk Division, *Situational Information Report, Potential Activity Alert* (Norfolk, Virginia; Jan. 5, 2021).

⁸Risk Management Fundamentals, Homeland Security Risk Management Doctrine (Washington, D.C.: April 2011)

5. WHAT RATIONALE DID FEDERAL, STATE, AND LOCAL ENTITIES PROVIDE FOR NOT REQUESTING AN NSSE OR SEAR DESIGNATION?

Agencies had varying rationales for not requesting an NSSE or SEAR designation for the events of January 6. The Park Service and D.C. Homeland Security and Emergency Management Agency officials stated that a SEAR rating was not requested for the planned presidential rally because it was a First Amendment demonstration. Further, D.C. Homeland Security and Emergency Management Agency officials stated that D.C. Government did not request a SEAR because the rally occurred on federal property. While the certification of the 2020 presidential election results was ultimately impacted by the event, DHS officials stated that a SEAR rating was not requested because it was considered routine congressional business.

According to DHS officials, they did not receive a request for an NSSE designation for the planned rally at the Ellipse or the joint session of Congress to certify the election results on January 6. According to Secret Service officials, a request from the local government in Washington, D.C. would typically initiate consideration for an NSSE designation for events that occur on federal property in Washington, D.C. However, D.C. Homeland Security and Emergency Management Agency officials stated that they did not think the D.C. Government had the authority to request an NSSE designation for an event on federal property. Further, officials from the D.C. Homeland Security and Emergency Management Agency stated that DHS predesignated all NSSE events that occurred in Washington, D.C., between 2017 and 2021.⁹ Other federal agencies, such as the Park Service and Capitol Police, stated that they do not play any role in the NSSE designation process or indicated that they expect DHS or another agency to initiate this process. For example, Capitol Police officials told us that they thought only a governor or mayor can request an NSSE. Further, Capitol Police officials said that they only become aware of a request for an NSSE that requires their support for security planning after DHS has approved the request.

According to DHS's Risk Management Fundamentals, homeland security risk management is an enterprise-wide process and should promote integration and synchronization with entities that share responsibility for managing risks. Risk management efforts should be coordinated and integrated among all partners with shared or overlapping risk management responsibilities, to include federal, state, local, tribal, and territorial governments, as well as the private sector, nongovernmental organizations, and international partners.

While DHS policy specifies that the NSSE designation process can be initiated by the governor of the state hosting the event or a federal agency, it does not state who, if anyone, has that authority for Washington, D.C. For federal property outside of D.C., the request process would be the same, either initiated by the governor of the state or a federal agency. However, DHS policy does not clearly identify who

⁹Of the eight NSSEs that occurred in Washington, D.C. between 2017 and 2021, DHS data identified five of these as predesignated recurring events.

can request an NSSE designation on federal property in Washington, D.C.¹⁰

Clarifying and communicating the DHS policy for requesting an NSSE designation for events on federal property in Washington, D.C. will help ensure that responsible entities are aware of their ability to make such a request. An NSSE designation confirms an event's significance and enhances security planning. For example, in May 2021, the Director of the Secret Service testified that designating the joint session of Congress on January 6 as an NSSE would have resulted in more security measures in place around the Capitol. An NSSE designation places the Secret Service as the operational lead for security for the event.

CONCLUSION

DHS has special designations available for events that may require security planning and preparation. While DHS has developed factors for designating an event an NSSE, it is not clear whether they are adaptable to the current environment of emerging threats. The level of readiness to address the events of January 6, 2021, suggests that the factors may need to be revisited. Not considering the joint session of Congress to certify the election results demonstrates a lack of adaptability in changing threat environments. Being able to be dynamic and responsive to change would enable federal entities to implement better security planning.

Additionally, clarifying DHS policy as to which entity or agency can request an NSSE designation for an event on federal property in Washington, D.C., would strengthen the process. Moreover, clarifying whether certain agencies have the authority to initiate this request is also very important. Updating its policy for requesting an NSSE designation will help DHS ensure that relevant agencies are aware of, and understand, the process for requesting such event designations and may help to better secure the Capitol Complex and other federal properties in the future.

¹⁰U.S. Secret Service Dignitary Protective Division (DPD) Directive DPD-02(01). The NSSE designation process is initiated by a formal request from the governor of the state hosting the event to the Secretary of Homeland Security. In certain circumstances, an official of the Federal government may initiate the request if the event is federally sponsored (i.e., presidential summits, presidential inauguration, state funerals, etc.).

RECOMMENDATIONS FOR EXECUTIVE ACTION

We are making two recommendations to DHS:

The Secretary of Homeland Security should consider whether additional factors, such as the context of the events and surrounding circumstances in light of the current environment of emerging threats, are needed for designating NSSE events. (Recommendation 1)

The Secretary of Homeland Security should update the Department of Homeland Security's policy to clarify and communicate the process for requesting an NSSE designation for an event held on federal property in Washington, D.C. to all relevant stakeholders, including relevant federal and local entities (Recommendation 2).

AGENCY COMMENTS AND OUR EVALUATION

We provided a draft of this report to DHS, the Capitol Police, the Park Service, and the D.C. Homeland Security and Emergency Management Agency for review and comment. DHS did not concur with our recommendations and provided technical comments, which we incorporated as appropriate. Capitol Police provided technical comments, which we incorporated as appropriate. The written comments of DHS and the D.C. Homeland Security and Emergency Management Agency are reproduced in appendices I and II.

In the draft report, we make two recommendations to the Secretary of Homeland Security that, 1) DHS should consider whether additional factors, such as the current environment of emerging threats, are needed for designating NSSE events, and 2) to clarify and communicate the process for requesting an NSSE designation for an event held on federal property in Washington, D.C.

In its comments on our first recommendation, DHS disagreed that the existing designation process does not allow the Secretary of Homeland Security to take the context of the event such as the current environment of emerging threats into consideration. DHS officials said that context, current environment, and emerging threats are evaluated when determining whether to designate an event as an NSSE. They noted that the process is proactive and involves months of organization and collaboration with law enforcement partners and others.

While we recognize that the NSSE process is complex and can take months to coordinate, our recommendation addresses the need for the process to remain dynamic and responsive to change. Secret Service officials we spoke with stated that the joint session of Congress to certify the election results would not normally meet the criteria for an NSSE designation because it is considered routine Congressional business, rather than a special event. Further, the Vice President's attendance is a routine part of that office's roles and responsibilities within the U.S. Senate. The view that the events on January 6, 2021 were routine business seems to ignore the context surrounding the November 2020

election, including potential emerging threats and protests. In May 2021, the Director of the Secret Service testified that federal officials may consider future joint sessions of Congress to certify election results for NSSE designations. This recognizes that, in the current environment, as on January 6, the certification of election results may no longer be viewed as routine business. While the NSSE process usually takes months to implement, DHS adapted an NSSE in 2015 during the Papal visit when changes to the schedule were made, highlighting the potential for DHS to exercise flexibility in the process when needed. Considering whether additional factors, such as the current environment of emerging threats, are needed for designating NSSE events can help DHS adapt its process to help meet security needs. We continue to believe that, in light of the changing security environment, DHS should formally review the factors including whether additional events should be designated.

With regard to our second recommendation, DHS disagreed that its designation process needs clarification for events held on federal property in Washington, D.C.¹¹ Specifically, DHS noted that a change to an internal policy would not clarify the process for requesting an NSSE to outside entities. Further, DHS believes the current D.C. Mayor was aware of how to request an NSSE because, on January 9, 2021, she requested to change the start date of the already approved NSSE for the Inauguration from January 19 to January 11. However, the D.C. Mayor requested the extension of the NSSE period due to the chaos, injury, and death experienced at the Capitol on January 6. The D.C. Mayor did not need to request the inauguration be designated an NSSE because it was a predesignated event. As stated in its comment letter and as learned during the course of our audit, D.C. Homeland Security and Emergency Management Agency officials believe that the District Government does not have the authority to make such a request on federal property. The D.C. Homeland Security and Emergency Management Agency said that they have worked with DHS to support the operations of prior NSSEs, but did not have the authority to request an NSSE on federal property.

As noted in this report and indicated above, there is a gap in DHS's policy and in the awareness of relevant partners regarding the process. Our recommendation is to clarify and communicate the policy, recognizing that it is important to both establish in policy who is responsible for requesting NSSE designations for events on federal property in Washington D.C. and to make sure those entities have access to that information. While the D.C. Mayor did ask DHS to change the date of an NSSE for the inauguration after January 6, 2021, she did not make the initial request for the designation as it was predesignated by the Secretary of Homeland Security. Asking for a change in the date of an existing NSSE is not the same process as requesting the designation of an event as an NSSE and does not demonstrate an understanding of that process. Other federal agencies, such as the Park Service and Capitol Police, stated that they do not play any role

¹¹In our draft report, we directed the second recommendation to the Director of the Secret Service. In technical comments, DHS requested that we direct the recommendation to the Secretary of Homeland Security. While we made this change in the reported recommendation, DHS did not reflect this change in its letter.

in the NSSE designation process, and indicated that they expect DHS or another agency to initiate this process. Updating and communicating DHS's policy for requesting an NSSE designation will help DHS ensure that key agencies are aware of, and understand, the process for requesting such event designations and may help to better secure the Capitol Complex and other federal properties in the future. We continue to believe that action should be taken to assure that all entities have a clear understanding of the process and procedures. Taking this action would address the confusion identified in our work.

We are sending copies of this report to the appropriate congressional committees, the Secretary of Homeland Security, 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 concerning this report, please contact me at (202) 512-8777 or McNeilT@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs and a list of GAO staff who made key contributions to this report are listed on the last page of this report.

List of congressional 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
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 Mary Gay Scanlon
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 Eleanor Holmes Norton
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 Barbara Lee
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 Ann McLane Kuster
House of Representatives

The Honorable Mike Levin
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 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 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: AGENCY COMMENTS

DEPARTMENT OF
HOMELAND SECURITYU.S. Department of Homeland Security
Washington, DC 20528Homeland
Security

August 6, 2021

Triana McNeil
Director, Homeland Security and Justice
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Re: Management Response to Draft Report GAO-21-105255, "CAPITOL ATTACK:
Special Event Designations Could Have Been Requested for January 6, 2021, But
Not All DHS Guidance is Clear"

Dear Ms. McNeil:

Thank you for the opportunity to comment on this draft report. The U.S. Department of Homeland Security (DHS or the Department) appreciates the U.S. Government Accountability Office's (GAO) work in planning and conducting its review and issuing this report.

Senior DHS leadership believes it is important to recognize that the U.S. Capitol Police is the lead law enforcement agency for all events, whether designated as a National Special Security Event (NSSE) or not, occurring on the grounds of the U.S. Capitol. In addition, leadership is concerned that the GAO's discussion of NSSE's in this draft report and its recommendations could create misunderstandings for Congress and the public (including the media) regarding:

- the general timing and nature of actions taken to designate certain events as NSSEs and respond to those designations; and
- how an NSSE designation might have been obtained and the appropriateness of such a designation for the scheduled events of January 6, 2021.

In short, designating an event as an NSSE is a deliberate process. It is designed to be proactive with adequate time for the U.S. Secret Service (Secret Service) to effectively collaborate with law enforcement partners and others to:

- formally determine whether an event should be designated as an NSSE; and, if so designated,

- design a structure that analyzes needs and capabilities to delineate roles and responsibilities for the development of security plans for the event.

When an event is designated by the Secretary of Homeland Security as an NSSE, the Secret Service assumes its designated role as the lead agency for the design, planning, and coordination of the operational security plan. The Secret Service has a core strategy to carry out its security operations, which rely heavily on the Service's established partnerships with law enforcement and public safety officials at the state, local, tribal, territorial (SLTT) government and federal levels. There is a tremendous amount of advance planning and coordination in preparation for these events, particularly in the areas of venue and motorcade route security, communications, credentialing and training.

The goal of the cooperating agencies is to provide a safe and secure NSSE environment for Secret Service protectees, other dignitaries, the event participants and the general public. It is important to emphasize, however, that the NSSE process is a lengthy process and not something achieved in only a few days or weeks, even in the face of emergent intelligence or other information necessitating a quick response or adaptation to previously developed plans. In these situations, SLTT and federal law enforcement and public safety officials can, and do, respond and adapt security postures in the near term, as appropriate, without the need to designate an event an NSSE.

The draft report contains two recommendations with which the Department non-concurs. Attached find our detailed response to each recommendation. DHS previously submitted technical comments addressing several accuracy, contextual, sensitivity, and other issues under a separate cover for GAO's consideration.

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions.

Sincerely,

JIM H CRUMPACKER
Digitally signed by JIM H
CRUMPACKER
Date: 2021.08.06 09:33:08 -04'00'
JIM H. CRUMPACKER, CIA, CFE
Director
Departmental GAO-OIG Liaison Office

Attachment

**Attachment: Management Response to Recommendations
Contained in GAO-21-105255**

GAO recommended that the Secretary of Homeland Security:

Recommendation 1: Consider whether additional factors, such as context of the events and surrounding circumstances in light of the current environment of emerging threats, are needed for designating NSSE events.

Response: Non-Concur. This recommendation appears to be based on a flawed premise, i.e., that the existing designation process does not allow the Secretary of Homeland Security to take “the context of the event and surrounding circumstances” and “the current environment of emerging threats” into account when making NSSE designation decisions. To the contrary, these factors—context, current environment, and emerging threats—are evaluated when determining whether to designate an event as an NSSE. The NSSE process is designed to be deliberate and proactive, and involves months of organization and collaboration with law enforcement partners and others. The purpose is to design a structure that analyzes needs and capabilities to delineate the roles and responsibilities for the development of security plans for an event utilizing the full availability of federal government resources, as appropriate.

The draft report asserts the need to remain flexible in the approach to managing risks and cites emerging factors that should have been considered, such as a Federal Bureau of Investigation (FBI) report, dated January 5, 2021, that warned of individuals traveling to Washington, D.C. for “war” at the Capitol on January 6, 2021. However, local, state, and federal law enforcement and public safety officials can, and do, respond to emerging factors and adapt security postures in the near term without the need to designate an event an NSSE. This occurs regularly throughout the National Capital Region (NCR) (i.e., the District of Columbia, Maryland, and Virginia). The simple fact is that sufficient time would not have been available to address this or any other intelligence received on January 5, 2021, through the NSSE process. The most effective approach would have been for the U.S. Capitol Police (i.e., the lead law enforcement agency for all events, whether designated as an NSSE or not, occurring on the grounds of the U.S. Capitol) to use the standard approach of law enforcement adapting to newly identified information, as appropriate. In order for information contained within the FBI’s report to have informed the planning process for an NSSE, the event would have had to have been designated as such months earlier.

Additionally, evaluations to help inform the designation of NSSEs are generally conditioned on the Department receiving a request for an evaluation, which was not received for any of the events of January 6, 2021. The premise that D.C. Mayor Muriel Bowser was unaware of how to request an NSSE appears to be factually inaccurate, as it

3

was the Mayor who requested in a letter to then-DHS Acting Secretary Chad Wolf on January 9, 2021—just a few days after the events of January 6, 2021—to begin the already approved Inauguration NSSE period early on January 11, 2021, as opposed to January 19, 2021. In a reply dated January 11, 2021, Acting Secretary Wolf agreed to begin the period on January 13, 2021, demonstrating the Department’s flexibility in its approach to managing emergent risks and other factors.

D.C. Mayors also previously requested an NSSE designation for other events in D.C. For example, then-Secretary Jeh Johnson received a written request from Mayor Vincent Gray for the 2014 U.S. – African Leaders’ Summit. The U.S. Capitol Police also previously requested an NSSE designation in 2005 for the State of the Union address, prior to when these addresses were designated as recurring NSSEs on September 24, 2018, by then-Secretary Kirstjen M. Nielsen. These examples demonstrate the NCR local governments’ and federal agencies’ understanding of the NSSE designation process.

DHS requests that GAO consider this recommendation resolved and closed.

GAO recommended that the Director of the U.S. Secret Service:

Recommendation 2: Update Secret Service’s policy to clarify and communicate the process for requesting an NSSE designation for an event held on federal property in Washington, D.C.

Response: Non-Concur. Secret Service policy is internal to the Secret Service and necessarily follows Presidential Policy Directive 22, “National Special Security Events,” dated March 28, 2013, regarding NSSEs, as delineated by former-President Barack Obama. An internal Secret Service policy change would not clarify to any outside entity the process for requesting an NSSE on federal property in Washington, D.C.

In addition, senior DHS leadership does not believe that the NSSE designation process needs clarification given the: (1) Secret Service responds to all requests for NSSE evaluations, regardless of the source of the request; (2) demonstrated understanding of relevant partners in the NCR of the NSSE designation process, and (3) ongoing engagement of the DHS Office of Partnership and Engagement (OPE) and others with SLTT governments, including the D.C. Homeland Security and Emergency Management Agency.

More specifically, OPE coordinates DHS’ outreach efforts with critical stakeholders nationwide to ensure a unified approach to external engagement, including SLTT governments, SLTT elected officials, SLTT law enforcement, the private sector, and colleges and universities. OPE advocates for and represents the interests of these stakeholders through the Department’s policy-making process and also serves as a conduit for the Secretary of Homeland Security to engage with stakeholders or share

information on a variety of topics. This can include partnering with the Secret Service and/or others through OPE's Office of Intergovernmental Affairs to respond to SLTT questions about the NSSE request and designation process, as needed.

In addition to these efforts, the DHS Office of Operations Coordination (OPS) fulfills a unique response and facilitation role within the Department by serving as the bridge for sharing critical information between DHS Components, across the interagency community, and among homeland security partners. For example, the DHS Special Events Program, within OPS, manages the annual National Special Events Data Call (NSED) process extended to 56 states and territories to collect information on events occurring in their jurisdictions. The NSED is conducted using the Special Events Working Group Community of Interest on the Homeland Security Information Network and engages Homeland Security Advisors or their proxies, including the D.C. Homeland Security and Emergency Management Agency. Information collected and resulting analyses are used to help inform decisions on support to special events.

DHS requests that GAO consider this recommendation resolved and closed.

APPENDIX II: AGENCY COMMENTS

DISTRICT OF COLUMBIA
HOMELAND SECURITY
AND EMERGENCY
MANAGEMENT AGENCYGOVERNMENT OF THE DISTRICT OF COLUMBIA
HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY

Muriel Bowser

Mayor

Dr. Christopher Rodriguez

Director

July 26, 2021

Ms. Triana McNeil
Director
Homeland Security and Justice
U.S. Government Accountability Office

SENT VIA EMAIL

Dear Ms. McNeil,

On July 19, 2021, your team provided me with a draft of the report, "*Capitol Attack: DHS Special Events Designations Were Not Considered for January 6th 2021, and Agency Guidance Remains Unclear* (GAO-21-105255SP)" and asked for written comments by July 26. Below is HSEMA's feedback on the report:

-Any First Amendment activity, including on January 6, on federal property is not under the authority, command, or control of the Government of the District of Columbia. Only the permitting entities, as owners/holders of the required submission information are appropriate contributors for DHS special event designation requests. Based on information from DHS, "SEAR events are voluntarily submitted special events, which are sent to the Department of Homeland Security's (DHS) Office of Operations Coordination (OPS) by state, local, and federal officials for a risk assessment." Therefore, the appropriate entities for submitting SEAR designation requests for events on federal properties would be federal agencies.

-The Government of the District of Columbia is not the permitting entity, nor the entity with any decision-making or command and control authority, for events on federal property. These authorities lie exclusively with the federal agencies. As an example, the federal government submits information for the SEAR rating for the 4th of July fireworks on the National Mall, as this is an event led and permitted by the federal government.

- As such, the Government of the District of Columbia did not submit a request for a DHS special event designation for the First Amendment activity on January 6 because District Government lacks the authority to do so. Furthermore, District Government was not the owner of the information required for a submission of a designation request; had no decision-making authority (i.e., approvals, denials, logistics, parameters, etc.) relative to the event or the production of the event; had no command and control for the event; and, therefore, was not the appropriate entity to make a

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GOVERNMENT OF THE
DISTRICT OF COLUMBIA
DC MURIEL BOWSER, MAYOR

submission for a designation. The Metropolitan Police Department is the agency responsible for permitting First Amendment activities on public space under the jurisdiction of the District of Columbia.

We appreciate your effort to provide our agency with a copy of the draft report to review. If you have any additional questions, please contact HSEMA's Chief of External Affairs, Nicole Peckumn, nicole.peckumn@dc.gov or 202-497-4726.

Sincerely,



Dr. Christopher Rodriguez
Director of HSEMA

Cc: Mr. Kevin Heinz, Assistant Director, U.S. Government Accountability Office
Ms. Imoni H. Timberlake, Analyst-in-Charge, U.S. Government Accountability Office
Mr. Declan Kingland, Deputy Director - Mayor's Office of Federal & Regional Affairs,
Government of the District of Columbia

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WE ARE
DISTRICT OF COLUMBIA
DC MURIEL BOWSER, MAYOR

APPENDIX III: GAO CAPITOL ATTACK WORK

CAPITOL ATTACK
INTELLIGENCE SHARING
AND COORDINATION

We were asked to review issues related to the coordination, preparation, and response to the protests on January 6 and the resulting attack on the Capitol. The following describes the ongoing GAO engagements that respond to this request.

Contact: Triana McNeil, Director, Homeland Security and Justice, McNeilT@gao.gov

(1) How and to what extent did federal, state, and local agencies identify, coordinate, and share intelligence and other threat information prior to the events of January 6, 2021?

(2) How and to what extent did federal, state, and local agencies identify, coordinate, and share intelligence and other threat information during the events of January 6, 2021?

(3) How did intelligence and other threat information inform the preparation and coordination of the response to other large gatherings in Washington, D.C. in the past four years compared with the protests on January 6, 2021?

(4) To what extent was a National Special Security Event (NSSE) or Special Event Assessment Rating (SEAR) designation considered for the events of January 6, 2021?

This work will review intelligence collected and shared by the Department of Homeland Security (DHS) the Department of Justice (DOJ), and the U.S. Capitol Police (USCP), among others, prior to and during the attack on the Capitol. GAO will review roles and responsibilities, protocols, and policies for sharing and coordinating intelligence among federal, state, and local partners. GAO will review intelligence products pertaining to January 6 including situational awareness documents, Joint Intelligence Bulletins, and other information shared on platforms such as the Homeland Security Information Network and the Law Enforcement Enterprise Portal. GAO will review information-sharing plans in place, such as Regional Integration and Coordination Plans, and assess the extent to which departments used available intelligence to coordinate the response to the protests at the Capitol and how they shared intelligence during other large events at or near the Capitol over the last four years.

Planned Products and Estimated Time Frames for Reporting:

Summer 2021: The first product plans to focus on Department of Homeland Security special event protocols, including the extent to which these protocols apply to the events of January 6.

Fall 2021: The second product will focus on the information available through social media and other platforms indicating planned violence at the Capitol on January 6 and the extent to which law enforcement and intelligence agencies were aware of the information and acted upon it in accordance with policies and procedures.

Fall 2021: The third product will focus on the extent to which the policies and processes in place for sharing intelligence and threat related information among state, local, and federal partners were followed in sharing information and intelligence related to January 6 among stakeholders.

CAPITOL POLICE PHYSICAL SECURITY PREPARATIONS

Contact: Catina Latham, Acting Director, Physical Infrastructure, LathamC@gao.gov

(1) To what extent does USCP's risk management process align with federal standards?

(2) What were USCP's physical security planning efforts specific to the expected January 6, 2021 event, including the participation of other entities?

(3) To what extent did USCP follow processes for requesting support from other entities and how did the physical security posture of the Capitol change on January 6, 2021?

This work will review documentation of USCP's risk management process for the Capitol building and grounds and compare it to federal standards to assess the extent to which it incorporates those standards. GAO will review documentation of how USCP implemented its process, including how it assessed risks and implemented countermeasures. GAO will review USCP planning documents and interview USCP officials to identify the physical security preparations specific to January 6 and USCP's outreach to other entities to supplement existing physical security efforts. Lastly, by reviewing USCP documents and interviewing officials from entities that provided support on January 6, GAO will analyze the extent to which USCP followed processes for requesting support from other entities and how the physical security posture of the Capitol changed on January 6.

Summer 2021 Technical Assistance: We will provide technical assistance that summarizes USCP's process for requesting assistance and general information on the National Guard's role in civil disturbances and the process for requesting its assistance.

Estimated Time Frame for Reporting: Early 2022.



**CAPITOL POLICE USE
OF FORCE DURING THE
ATTACK ON THE CAPITOL**

**Contact: Gretta Goodwin, Director, Homeland Security and Justice,
GoodwinG@gao.gov**

- (1) To what extent does USCP have policies, procedures, and training regarding use of force for its officers during incidents such as the attack on the U.S. Capitol Complex on January 6, 2021?
- (2) Based on USCP reporting, to what extent did officers adhere to policies, procedures, and training regarding use of force during the attack on the U.S. Capitol Complex?
- (3) What are the perspectives of USCP officers regarding the agency's use of force during the attack on the U.S. Capitol Complex?
- (4) What changes, if any, has USCP made to its policies, procedures, and training regarding use of force for its officers since the attack on the U.S. Capitol Complex?

This review will focus on the use of force by USCP officers during the January 6 attack on the Capitol. GAO will review USCP policies, procedures, and training for use of force and crowd control tactics. GAO will also review use of force reports and after action reports for January 6, 2021. GAO will conduct a short electronic survey of USCP officers deployed on January 6, 2021 to understand their perspectives on (1) training prior to the events of that day, (2) their ability to apply use of force, (3) guidance they received on use of force that day, and (4) any suggestions they have to improve officers' ability to respond to future events such as what occurred on January 6, 2021. GAO will also interview USCP management to gather information on challenges they faced that day; areas for improvement; and any actions taken or planned to address lessons learned.

Estimated Time Frames for reporting: Winter 2021

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U.S. Government Accountability Office,
441 G Street NW, Washington, DC 20548

This document is based on GAO audit products and is subject to update. For more information about this Fact Sheet, contact:

Triana McNeil, Director, Homeland Security and Justice, McNeilT@gao.gov

In addition to the contact named above Kevin Heinz, (Assistant Director); Imoni Hampton Timberlake, (Analyst-in-Charge); Khaki LaRiviere, Kathryn Lenart, Jan Montgomery, Willie Commons III, Amanda Miller, S. Andrew Stavisky, Dominick Dale, Susan Hsu, and Eric Hauswirth made key contributions to this work.

Source: CRAIG/stock.adobe.com (cover photo).