

Questions for General Charles Flynn
Commanding General, U.S. Army Pacific

Questions from Chairwoman Carolyn B. Maloney

June 15, 2021, Hearing: “The Capitol Insurrection: Unexplained Delays and Unanswered Questions (Part II)”

In response to questioning from Rep. Jamie Raskin, you stated:

There are four things in planning that we could have done and should have done. The first one, there should have been clearly a lead federal agency designated. The second one is that we should have had an integrated security plan, and the third one is ... information and intelligence sharing on criminal activities before the 6th of January. And then the fourth one would have been we should have pre-federalized certain National Guard forces so that they could have been immediately moved to the Capitol and had those authorities in place before this happened.

1. Were similar steps taken in preparation for racial justice protests that occurred in the summer of 2020 following the death of George Floyd?

Answer: I am not aware of any advance planning for the May and June 2020 events, because the civil unrest escalated in response to George Floyd’s death on May 25, 2020. In both May and June 2020, violence in Washington, D.C. escalated over several days. Federal agencies, including the U.S. Park Police, U.S. Marshals Service, and the D.C. Homeland Security and Emergency Management Agency (HSEMA), requested support from the D.C. National Guard through long-established channels. The Department of Defense received these requests from May 30 through June 6, 2020, in response to the escalating violence, and the National Guard forces of several states, including the D.C. National Guard, provided Department of Defense-approved support in response to those requests.

In contrast, the protests on January 6, 2021 were known more than a week in advance. D.C. HSEMA requested limited unarmed support from the D.C. National Guard on December 31, 2020. As late as the morning of January 6, 2021, U.S. Capitol Police stated they required no additional DOD support beyond the December 31 request. On January 6th, violence escalated in hours, requiring all agencies, including the DOD, to respond significantly faster than in the summer of 2020.

2. Why did the Department of Defense (DOD) not take these steps prior to January 6?

Answer: The Department of Defense was not designated as the lead federal agency in the preparation for January 6. As such, the Department of Defense and the Department of the Army did not have authority to develop integrated security plans for the U.S. Capitol or any other non-DoD federal entity. However, in response to

repeated inquiries as to whether DOD support was required, the queried agencies responded that no support was needed. The only support requested was from Mayor Bowser and D.C. HSEMA, on 31 December 2020, for a limited mission that included manning 30 traffic control points, crowd control at six Metro stations, and a Civil Support Team.

3. Prior to January 6, were DOD or the Army provided, or did they have access to, any information or intelligence regarding potential criminal activity or violence targeting the Capitol?

Answer: The Department of the Army relies on civilian law enforcement agency criminal intelligence and reporting when providing domestic support. To my knowledge, the Department of Defense and the Department of the Army did not receive information that signaled potential criminal activity or violence targeting the Capitol prior to January 6, 2021.

During the June 15 hearing, Lt. Gen. Piatt was asked whether he used the term “optics” during the 2:30 p.m. conference call to describe a concern about sending the D.C. National Guard to the Capitol during the January 6 insurrection. In response to questioning by Rep. Quigley, he responded, “At the time, I don't recall using that word on 6 January, because at the time, the Capitol was clearly breached and overrun. It was an ugly sight to look at.”

In February, however, former U.S. Capitol Police Chief Steven Sund testified that on the 2:30 p.m. call, Lt. Gen. Piatt stated that he did not like the “visual of the National Guard standing a line with the Capitol in the background.”¹

In March, Major General Walker confirmed Chief Sund’s testimony and further testified that “who was talking about optics were General Flynn and General Piatt, and they both said it wouldn’t be in their best military advice to advise the Secretary of the Army to have uniformed Guard members at the Capitol during the election confirmation.”²

4. At any point during the 2:30 p.m. conference call or in other communication on January 6, did you observe Lt. Gen. Piatt express a concern about the visuals, image, or public perception of sending the D.C. National Guard to the Capitol even if he did not specifically use the term “optics”? What specifically did he state and when?

Answer: No, I did not observe LTG Piatt express concern about the visuals, image, or public perception of sending the D.C. National Guard to the U.S. Capitol at any point on January 6, 2021 or in the following days. In the few minutes that I listened to the 2:30 p.m. phone call,

¹ Senate Committee on Homeland Security and Governmental Affairs and Senate Committee on Rules and Administration, Testimony of Steven A. Sund, Former Chief of U.S. Capitol Police, *Hearing on Examining the January 6 Attack on the U.S. Capitol* (Feb. 23, 2021) (www.hsgac.senate.gov/imo/media/doc/Testimony-Sund-2021-02-23.pdf).

² Senate Committee on Homeland Security and Governmental Affairs and Senate Committee on Rules and Administration, *Hearing on Examining the January 6 Attack on the U.S. Capitol, Part II* (Mar. 3, 2021) (online at www.hsgac.senate.gov/examining-the-january-6-attack-on-the-us-capitol-part-ii).

LTG Piatt's demeanor was calm, that of that of a combat-experienced leader reacting to a violent, unpredictable event. It was in clear contrast to others on the call.

Specifically, I recall the first unidentified person ask, "are you denying our request?" To this, I remember LTG Piatt responded, "I'm not denying your request. I'm waiting for an answer from Secretary McCarthy, who is with the Acting Secretary of Defense presently. In the meantime, we should develop a plan." A second speaker asked, "To be clear, are you denying our request for National Guard forces?" LTG Piatt responded that he was not denying the request and he was awaiting an answer from the Secretary of the Army. LTG Piatt further stated the situation required the Army Staff to rapidly develop and execute a plan to respond to the lawful decisions of our appointed civilian leadership. I then left the room to begin planning and coordinating the Army Staff's support to events at the U.S. Capitol.

5. At any point during this call, or during any other communication on January 6, did you personally express a concern about the visuals, image, or public perception of sending the D.C. National Guard to the Capitol even if you did not specifically use the term "optics"? What specifically did you state and when?

Answer: No. I never expressed a concern about the visuals, image, or public perception of sending the D.C. National Guard to the U.S. Capitol. When the Army received the request for D.C. National Guard support, my focus was to facilitate the planning and execution of Secretary McCarthy's decisions and guidance regarding Army support on January 6, 2021.