CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON,  
Attn: Nikhel S. Sus  
1101 K Street, NW, Suite 201  
Washington, DC 20005

Via Email: nsus@citizensforethics.org

July 30, 2021

Dear Mr. Sus:

The Department of Defense (“DoD”), Office of Information Counsel, is providing a first response to your January 10, 2021 Freedom of Information Act (“FOIA”) request to DoD. You requested, in part, “All records reflecting the parameters for the National Guard’s deployment to D.C. on January 6, 2021, including any limitations imposed on the number of personnel deployed, their movement within the District, or their use of force.”

110 pages are enclosed, of which all 110 pages are released in full. Additional monthly productions will be made as we continue to coordinate the review of the remaining responsive documents DoD has in its possession.

If you have any questions, please contact Bradley Craigmyle at 202-616-8101 or Bradley.t.craigmyle@usdoj.gov.

Sincerely,

/S/

Stuart Sparker
Associate Deputy General Counsel

Enclosure: As stated
MEMORANDUM FOR SECRETARY OF THE ARMY

SUBJECT: Employment Guidance for the District of Columbia National Guard

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Honorable Vice President Pence, Acting Secretary Miller, Secretary McCarthy, General Milley, General Hokanson, and Major General Walker:

We write you today in the aftermath of the worst assault on the Congress of the United States, the People’s House, in living memory. As the dust settles in the wake of this insurrection, our nation will look to its leaders, such as Members of Congress, the Administration, and state and local leaders, to preserve and restore democracy in this country. Now more than ever, our actions must be governed by an unwavering dedication to the pursuit of peace, freedom, and justice for all. The eyes of history will be watching.

Reports in several well-respected media outlets, citing Defense and Administration officials, indicate that the Vice President – not President Donald Trump – gave the order to deploy the Washington, D.C. National Guard to the Capitol Complex to end the assault.¹ These extremely
concerning reports raise numerous deeply disturbing questions. Many Americans are struggling to reconcile the substantially delayed response of the National Guard to an assault on the Capitol, the Vice President, Members of Congress, and numerous other public servants, by an unruly mob with the aggressive and violent repression of unarmed protestors marching in the streets of Washington last year.²

The American people and their Representatives who survived this coup attempt deserve immediate and thorough answers to the following questions to help the public gain a complete picture of the events that occurred on January 6, 2021 and an understanding of the current capabilities of the President to continue to lead this country:

1. Who gave the order to deploy the Washington, D.C. National Guard to the Capitol Complex once the request had been made by the bipartisan leadership of both the House of Representatives and the Senate?

2. If, as reports indicate, it is true that the Vice President gave the order, what were the circumstances that required him to do so and what was the exact time the order was given?

3. Was the President unable or unwilling to deploy the Washington, D.C. National Guard to the Capitol? If so, please describe for the American people the circumstances and/or reasoning that lead to his inability and/or unwillingness to do so.

4. Is the President mentally and physically capable of discharging the powers and duties of his office as prescribed by the Constitution?

5. If the President is unable to discharge the powers and duties of his office, why haven’t the Vice President the principal officers of the executive departments fulfilled their Constitutional duty to exercise their power under Section 4 of the 25th Amendment to the Constitution to remove the President from office?

6. Please describe to the best of your knowledge why the National Guard was not deployed to the Capitol Complex in advance of the January 6th protests, as it has been for past large-scale protest events?

7. What explains the contrasting tactics the Washington, D.C. National Guard deployed against Black Lives Matter and other unarmed, nonviolent protestors in 2020 and those deployed – or not deployed – against armed insurrectionists assaulting law enforcement officers and laying siege to the Capitol complex?

While we are so often divided into parties and factions, we firmly believe that we share a common love for the American people and a firm desire to see our imperfect, yet beautiful

Republic live on. We urge you to respond as quickly and thoroughly as possible to these critical questions and pray that you have the strength of will to do what is right and necessary to help us lead America out of this crisis.

Sincerely,

RASHIDA TLAIB
Member of Congress

NANETTE BARRAGÁN
Member of Congress

J. LUIS CORREA
Member of Congress

EARL BLUMENAUER
Member of Congress

SHARICE L. DAVIDS
Member of Congress

SUZANNE BONAMICI
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Dwight Evans
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YVETTE D. CLARKE
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JAHANA HAYES
Member of Congress

STEVE COHEN
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JARED HUFFMAN
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GERALD CONNOLLY
Member of Congress

HENRY C “HANK” JOHNSON, JR.
Member of Congress

JIM COOPER
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MONDAIRE JONES
Member of Congress
BARBARA LEE  
Member of Congress

DONALD M. PAYNE, JR.  
Member of Congress

ALAN LOWENTHAL  
Member of Congress

STACEY E. PLASKETT  
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JERRY MCNERNEY  
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DAVID E. PRICE  
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Honorable Vice President Pence, Acting Secretary Miller, Secretary McCarthy, General Milley, General Hokanson, and Major General Walker:

We write you today in the aftermath of the worst assault on the Congress of the United States, the People’s House, in living memory. As the dust settles in the wake of this insurrection, our nation will look to its leaders, such as Members of Congress, the Administration, and state and local leaders, to preserve and restore democracy in this country. Now more than ever, our actions must be governed by an unwavering dedication to the pursuit of peace, freedom, and justice for all. The eyes of history will be watching.

Reports in several well-respected media outlets, citing Defense and Administration officials, indicate that the Vice President – not President Donald Trump – gave the order to deploy the Washington, D.C. National Guard to the Capitol Complex to end the assault.1 These extremely

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concerning reports raise numerous deeply disturbing questions. Many Americans are struggling to reconcile the substantially delayed response of the National Guard to an assault on the Capitol, the Vice President, Members of Congress, and numerous other public servants, by an unruly mob with the aggressive and violent repression of unarmed protestors marching in the streets of Washington last year.  

The American people and their Representatives who survived this coup attempt deserve immediate and thorough answers to the following questions to help the public gain a complete picture of the events that occurred on January 6, 2021 and an understanding of the current capabilities of the President to continue to lead this country:

1. Who gave the order to deploy the Washington, D.C. National Guard to the Capitol Complex once the request had been made by the bipartisan leadership of both the House of Representatives and the Senate?

2. If, as reports indicate, it is true that the Vice President gave the order, what were the circumstances that required him to do so and what was the exact time the order was given?

3. Was the President unable or unwilling to deploy the Washington, D.C. National Guard to the Capitol? If so, please describe for the American people the circumstances and/or reasoning that lead to his inability and/or unwillingness to do so.

4. Is the President mentally and physically capable of discharging the powers and duties of his office as prescribed by the Constitution?

5. If the President is unable to discharge the powers and duties of his office, why haven’t the Vice President the principal officers of the executive departments fulfilled their Constitutional duty to exercise their power under Section 4 of the 25th Amendment to the Constitution to remove the President from office?

6. Please describe to the best of your knowledge why the National Guard was not deployed to the Capitol Complex in advance of the January 6th protests, as it has been for past large-scale protest events?

7. What explains the contrasting tactics the Washington, D.C. National Guard deployed against Black Lives Matter and other unarmed, nonviolent protestors in 2020 and those deployed – or not deployed – against armed insurrectionists assaulting law enforcement officers and laying siege to the Capitol complex?

While we are so often divided into parties and factions, we firmly believe that we share a common love for the American people and a firm desire to see our imperfect, yet beautiful
Republic live on. We urge you to respond as quickly and thoroughly as possible to these critical questions and pray that you have the strength of will to do what is right and necessary to help us lead America out of this crisis.

Sincerely,

[Signature]
RASHIDA TLAIB
Member of Congress

NANETTE BARRAGÁN
Member of Congress

J. LUIS CORREA
Member of Congress

EARL BLUMENAUER
Member of Congress

SHARICE L. DAVIDS
Member of Congress

SUZANNE BONAMICI
Member of Congress

DWIGHT EVANS
Member of Congress

YVETTE D. CLARKE
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JAHANA HAYES
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STEVE COHEN
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JARED HUFFMAN
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GERALD CONNOLLY
Member of Congress

HENRY C “HANK” JOHNSON, JR.
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JIM COOPER
Member of Congress

MONDAIRE JONES
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Crew v. DoD, No. 21-572 00000034
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101 Army Pentagon  
Washington, DC 20310-0101  

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Crew v. DoD, No. 21-572 00000053
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Honorable Vice President Pence, Acting Secretary Miller, Secretary McCarthy, General Milley, General Hokanson, and Major General Walker:

We write you today in the aftermath of the worst assault on the Congress of the United States, the People’s House, in living memory. As the dust settles in the wake of this insurrection, our nation will look to its leaders, such as Members of Congress, the Administration, and state and local leaders, to preserve and restore democracy in this country. Now more than ever, our actions must be governed by an unwavering dedication to the pursuit of peace, freedom, and justice for all. The eyes of history will be watching.

Reports in several well-respected media outlets, citing Defense and Administration officials, indicate that the Vice President – not President Donald Trump – gave the order to deploy the Washington, D.C. National Guard to the Capitol Complex to end the assault.¹ These extremely

concerning reports raise numerous deeply disturbing questions. Many Americans are struggling to reconcile the substantially delayed response of the National Guard to an assault on the Capitol, the Vice President, Members of Congress, and numerous other public servants, by an unruly mob with the aggressive and violent repression of unarmed protestors marching in the streets of Washington last year.²

The American people and their Representatives who survived this coup attempt deserve immediate and thorough answers to the following questions to help the public gain a complete picture of the events that occurred on January 6, 2021 and an understanding of the current capabilities of the President to continue to lead this country:

1. Who gave the order to deploy the Washington, D.C. National Guard to the Capitol Complex once the request had been made by the bipartisan leadership of both the House of Representatives and the Senate?

2. If, as reports indicate, it is true that the Vice President gave the order, what were the circumstances that required him to do so and what was the exact time the order was given?

3. Was the President unable or unwilling to deploy the Washington, D.C. National Guard to the Capitol? If so, please describe for the American people the circumstances and/or reasoning that lead to his inability and/or unwillingness to do so.

4. Is the President mentally and physically capable of discharging the powers and duties of his office as prescribed by the Constitution?

5. If the President is unable to discharge the powers and duties of his office, why haven’t the Vice President the principal officers of the executive departments fulfilled their Constitutional duty to exercise their power under Section 4 of the 25th Amendment to the Constitution to remove the President from office?

6. Please describe to the best of your knowledge why the National Guard was not deployed to the Capitol Complex in advance of the January 6th protests, as it has been for past large-scale protest events?

7. What explains the contrasting tactics the Washington, D.C. National Guard deployed against Black Lives Matter and other unarmed, nonviolent protestors in 2020 and those deployed – or not deployed – against armed insurrectionists assaulting law enforcement officers and laying siege to the Capitol complex?

While we are so often divided into parties and factions, we firmly believe that we share a common love for the American people and a firm desire to see our imperfect, yet beautiful

Republic live on. We urge you to respond as quickly and thoroughly as possible to these critical questions and pray that you have the strength of will to do what is right and necessary to help us lead America out of this crisis.

Sincerely,

RASHIDA TLAIB
Member of Congress

NANETTE BARRAGÁN
Member of Congress

J. LUIS CORREA
Member of Congress

EARL BLUMENAUER
Member of Congress

SHARICE L. DAVIDS
Member of Congress

SUZANNE BONAMICI
Member of Congress

Dwight Evans
Member of Congress

YVETTE D. CLARKE
Member of Congress

JAHANA HAYES
Member of Congress

STEVE COHEN
Member of Congress

JARED HUFFMAN
Member of Congress

GERALD CONNOLLY
Member of Congress

HENRY C “HANK” JOHNSON, JR.
Member of Congress

JIM COOPER
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MONDAIRE JONES
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Vice President of the United States  
The White House  
Office of the Vice President  
1600 Pennsylvania Ave, NW  
Washington, D.C. 20500

General Mark A. Milley  
Chairman of the Joint Chiefs of Staff  
9999 Joint Staff Pentagon  
Washington, DC 20318-9999

Ryan D. McCarthy  
Secretary of the Army  
101 Army Pentagon  
Washington, DC 20310-0101

Honorable Chris Miller  
Acting Secretary of Defense  
1000 Defense Pentagon  
Washington, DC 20310-1000

General Daniel R. Hokanson  
Chief of the National Guard Bureau  
National Guard Bureau  
111 S. George Mason Dr.  
Arlington, VA 22204

Major General William J. Walker  
Commanding General  
District of Columbia National Guard  
2001 E Capitol St SE,  
Washington, DC 2000

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The White House  
Office of the Vice President  
1600 Pennsylvania Ave, NW  
Washington, D.C. 20500

Honorable Chris Miller  
Acting Secretary of Defense  
1000 Defense Pentagon  
Washington, DC 20301-1000

General Mark A. Milley  
Chairman of the Joint Chiefs of Staff  
9999 Joint Staff Pentagon  
Washington, DC 20318-9999

General Daniel R. Hokanson  
Chief of the National Guard Bureau  
111 S. George Mason Dr.  
Arlington, VA 22204

Ryan D. McCarthy  
Secretary of the Army  
101 Army Pentagon  
Washington, DC 20310-0101

Major General William J. Walker  
Commanding General  
District of Columbia National Guard  
2001 E Capitol St SE,  
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SUBJECT: Employment Guidance for the District of Columbia National Guard

This memorandum responds to your January 4, 2021 memorandum regarding the District of Columbia request for District of Columbia National Guard (DCNG) support in response to planned demonstrations from January 5-6, 2021. You are authorized to approve the requested support, subject to my guidance below and subject to consultation with the Attorney General, as required by Executive Order 11485.

Without my subsequent, personal authorization, the DCNG is not authorized the following:

- To be issued weapons, ammunition, bayonets, batons, or ballistic protection equipment such as helmets and body armor.
- To interact physically with protestors, except when necessary in self-defense or defense of others, consistent with the DCNG Rules for the Use of Force.
- To employ any riot control agents.
- To share equipment with law enforcement agencies.
- To use Intelligence, Surveillance, and Reconnaissance (ISR) assets or to conduct ISR or Incident, Awareness, and Assessment activities.
- To employ helicopters or any other air assets.
- To conduct searches, seizures, arrests, or other similar direct law enforcement activity.
- To seek support from any non-DCNG National Guard units.

At all times, the DCNG will remain under the operational and administrative command and control of the Commanding General of the DCNG, who reports to the Secretary of Defense through the Secretary of the Army.

You may employ the DCNG Quick Reaction Force (QRF) only as a last resort and in response to a request from an appropriate civil authority. If the QRF is so employed, DCNG personnel will be clearly marked and/or distinguished from civilian law enforcement personnel, and you will notify me immediately upon your authorization.

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