



**DEPARTMENT OF DEFENSE
OFFICE OF GENERAL COUNSEL
1600 DEFENSE PENTAGON
WASHINGTON, DC 20301-1600**

Ref: 21-F-0408
Case: 1:21-cv-00572-RC

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

October 7, 2022

Dear Mr. Sus:

The Department of Defense (“DoD”), Office of Information Counsel, is providing a fourteenth 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.”

Eighty (80) pages are enclosed, of which 7 pages are released in full. The remaining records contain information that has been withheld from release in part or in full under Title 5 U.S.C. § 552 (b)(5), which pertains to certain inter- or intra-agency communications protected by the deliberative process and/or attorney-client or attorney work product privileges; and (b)(6), which allows for withholding information, that if disclosed, would result in a clearly unwarranted invasion of the personal privacy of individuals.

In addition, we have conducted a foreseeable harm analysis under the FOIA Improvement Act of 2016 and, after consulting with appropriate subject matter experts, 1) we do not reasonably foresee that disclosure of some of this information would harm an interest that the FOIA's exemptions were designed to protect and/or 2) disclosure would not be prohibited by law. Therefore, we are releasing this information in part. Please be aware that our decision to release this information does not mean that we have waived our ability to invoke applicable FOIA exemptions for similar or related information in the future. For the remainder of this material, we reasonably foresee that disclosure would harm an interest protected by one or more of the nine exemptions to the FOIA’s general rule of disclosure and/or disclosure would be prohibited by law.

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 Lee Reeves at 202-616-0773 or lee.reeves2@usdoj.gov.



Sincerely,

A handwritten signature in black ink, appearing to read "Ben Irwin". The signature is written in a cursive style with a large initial "B" and a distinct "I".

Ben Irwin
Associate Deputy General Counsel

Enclosure: As stated

This record has been withheld in full pursuant to exemption permitted under FOIA.

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Message

From: Rapuano, Kenneth P HON OSD OUSD POLICY (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN= [REDACTED] B6

Sent: 1/18/2021 6:07:55 PM

To: Norquist, David HON SD [REDACTED] B6

CC: Henke, Robert J SES (USA) [REDACTED] B6 Verga, Peter SES SD [REDACTED] B6 LTC
SD [REDACTED] B6 CIV OSD OUSD POLICY (USA) [REDACTED] B6

Subject: Pelosi and USCP letters

Attachments: smime.p7m

Importance: High

DSD – attached are the edits we discussed. Please review, and let me know you’re good, or pass edits – and let me know how you’d like me to characterize your approval of these drafts. Thanks, Ken

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Message

From: Rapuano, Kenneth P HON OSD OUSD POLICY (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN= [REDACTED] B6

Sent: 1/18/2021 1:04:25 PM

To: 'Salesses, Robert G SES OSD OUSD POLICY (US) [REDACTED] B6
Walsh, Jennifer C SES OSD OUSD POLICY (USA) [/o=easf/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn= [REDACTED] B6

CC: [REDACTED] B6 CIV OSD OUSD POLICY (USA); [REDACTED] B6 CIV OSD OUSD POLICY (USA) [/o=easf/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn= [REDACTED] B6
[REDACTED] B6 COL USARMY OSD OUSD POLICY (USA) [/o=easf/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn= [REDACTED] B6 CAPT USN OSD OUSD POLICY (USA) [/o=easf/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn= [REDACTED] B6
CIV OSD OUSD POLICY (USA) [/o=easf/ou=exchange administrative group (fydibohf23spdlt)/cn=recipients/cn= [REDACTED] B6

Subject: FW: Policy Coordination on Responses to Rep Pelosi, USSS, and USCP

Attachments: smime.p7m

Jennifer, Bob – below/attached fysa. Please let me know if you have any questions, or recommended inputs for the 0900 A/SD call. Best, Ken

From: Rapuano, Kenneth P HON OSD OUSD POLICY (USA)
Sent: Monday, January 18, 2021 8:00 AM
To: McCarthy, Ryan D HON USARMY HQDA SECARMY (USA) [REDACTED] B6
Cc: Miller, Christopher C SES OSD OUSD POLICY (USA) [REDACTED] B6 Norquist, David HON SD [REDACTED] B6 Milley, Mark A GEN USARMY JS OCJCS (USA) [REDACTED] B6 Hyten, John E Gen USAF JS OCJCS (USA) [REDACTED] B6 McConville, James C GEN USARMY HQDA CSA (USA) [REDACTED] B6 Hokanson, Daniel R GEN USARMY NG OCNGB (USA) [REDACTED] B6 Ney, Paul C Jr HON OSD OGC (USA) [REDACTED] B6 Johnston, Ann G SES OSD OASD LA (USA) [REDACTED] B6 Hoffman, Jonathan R SES OSD OSD (USA) [REDACTED] B6 Patel, Kashyap SES SD [REDACTED] B6 'Fenton, Bryan LTG SD' [REDACTED] B6 Henke, Robert J SES (USA) [REDACTED] B6 Lyons, David Brig Gen SD [REDACTED] B6 Verga, Peter SES SD [REDACTED] B6 Poppas, Andrew P LTG USARMY JS ODJS (USA) [REDACTED] B6 Mingus, James J LTG USARMY JS J3 (USA) [REDACTED] B6 [REDACTED] B6 CIV SD [REDACTED] B6 Col SD [REDACTED] B6 [REDACTED] B6 Col SD [REDACTED] B6 COL USARMY JS OCJCS (USA) [REDACTED] B6 COL USARMY HQDA SECARMY (USA) [REDACTED] B6 [REDACTED] B6 COL USARMY HQDA CSA (USA) [REDACTED] B6 Verga, Peter SES SD [REDACTED] B6

Subject: Policy Coordination on Responses to Rep Pelosi, USSS, and USCP

Ryan - attached is my coordination on Army's four documents regarding support to the Inauguration.

[REDACTED] B5

Best,

Ken

*Kenneth P. Rapuano
Assistant Secretary of Defense for
Homeland Defense & Global Security*

Main: **B6**
Direct: **B6**

This record has been withheld in full pursuant to exemption permitted under FOIA.

Message

From: Rapuano, Kenneth P HON OSD OUSD POLICY (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN= [REDACTED] B6
Sent: 1/18/2021 12:50:48 PM
To: [REDACTED] B6 CIV OSD OUSD POLICY (USA) [REDACTED] B6
Subject: SA Approval of USCP RFA V. 1.8 w-OSD Policy Edits_kr
Attachments: smime.p7m

Final

This record has been withheld in full pursuant to exemption permitted under FOIA.

Message

From: Rapuano, Kenneth P HON OSD OUSD POLICY (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN= [REDACTED] **B6**
Sent: 1/18/2021 12:01:59 PM
To: [REDACTED] **B6**; CIV OSD OUSD POLICY (USA); [REDACTED] **B6**
Subject: FW: Version 2
Attachments: smime.p7m

Recommend you send the following to the Army.

—
Thank you for the opportunity to review and comment on the following draft correspondence:

- List docs
- ...

B5

This record has been withheld in full pursuant to exemption permitted under FOIA.

Message

From: [REDACTED] COL USARMY NG NGB ARNG (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[REDACTED]]
Sent: 1/13/2021 1:32:01 PM
To: [REDACTED] CAPT USN OSD OUSD POLICY (USA) [REDACTED]
Subject: Requests
Attachments: smime.p7m

[REDACTED]

Good morning. The attached seems to have gone full circle in my organization. Can you give me a read if this is a restaff by your office and if we have given you a thumbs up.

Respectfully

[REDACTED]
COL [REDACTED]
Chief, NG J55
Office- [REDACTED]
Mobile [REDACTED]

Email- [REDACTED]
SIPR- [REDACTED]
JWICS- [REDACTED]

Message

From: [B6] CIV DLSA (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[B6]
Sent: 1/17/2021 4:56:52 PM
To: [B6] CIV OSD OUSD POLICY (USA); [B6] COL USARMY OSD OUSD POLICY (USA); [B6] CIV OSD OUSD POLICY (USA); [B6] CAPT USN OSD OUSD POLICY (USA); [B6]
CC: [B6] CIV OSD OGC (USA); [B6]
Subject: FW: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs
Attachments: smime.p7m

Gents –

FYSA, attached and below.

[B6]

[B6]

DoD Office of General Counsel

Office - [B6]

Cell - [B6]

CAUTION: Information contained in this message may be protected by the attorney/client, attorney work product, deliberative process or other privileges. Do not disseminate further without approval from the DoD Office of General Counsel.

From: [B6] CIV DLSA (USA)
Sent: Sunday, January 17, 2021 11:56 AM
To: [B6] TC USARMY HQDA OTJAG (USA); [B6]
Cc: [B6] MAJ USARMY HQDA OTJAG (USA); [B6] COL USARMY HQDA OTJAG (USA); [B6] COL USARMY HQDA OTJAG (USA); [B6] Charles A SES OSD OGC Allen (USA); [B6] [B6] CAPT USN OSD OGC (USA); [B6] [B6] LTC USARMY OSD OGC (USA); [B6] CIV OSD OGC (USA); [B6] OSD Pentagon OGC Mailbox IA Admin Team; [B6] [B6]

Subject: RE: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs

[B6]

DoD OGC coordination is by Mr. Ney, as revised in the attached. Do let me know if you have any questions or if there are subsequent substantive changes.

Thanks much

[B6]

[B6]

DoD Office of General Counsel

Office - [B6]

Cell - [B6]

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From: [B6] COL USARMY HQDA OTJAG (USA) [B6]
Sent: Saturday, January 16, 2021 6:35 PM
To: [B6] COL USARMY HQDA OTJAG (USA) [B6] CIV OSD OGC (USA)
[B6] CIV DLSA (USA) [B6]
[B6] CAPT USN OSD OGC (USA) [B6] [B6] TC USARMY HQDA OGC (USA)
[B6] Lacey, Michael O SES USARMY HQDA OGC (USA) [B6]
[B6] CIV USARMY HQDA OGC (USA) [B6] COL USARMY HQDA OGC (USA)
[B6] CIV USARMY HQDA OGC (USA)
[B6] TC USARMY NG DCARNG (USA) [B6]
[B6] Maj USAF NG NGB (USA) [B6] LTC USARMY NG DCARNG (USA);
[B6] CPT USARMY (USA) [B6]
[B6] COL USARMY NG DCARNG (USA) [B6] McMahan, Erin K BG USARMY NG NGB (USA)
[B6] LTC USARMY NG NGB (USA)
[B6] II COL USARMY NG NGB (USA) [B6]
[B6] COL USARMY NG NG JA (USA) [B6] Young, Charles Lee SES NG NGB (USA) <[B6] LTC USARMY JS OCJCS (USA) [B6]
[B6] CAPT USN JS OCJCS (USA) [B6] Col USAF JS OCJCS (USA)
[B6] COL USARMY JS OCJCS (USA) [B6]
Cc: [B6] COL USARMY HQDA OTJAG (USA) [B6] CIV USARMY (USA) [B6] COL USARMY HQDA OTJAG (USA) [B6]
[B6] SGT USARMY USAR LEGAL CMD (USA) [B6] MAJ USARMY HQDA TJAGLCS (USA) [B6] MAJ USARMY HQDA OTJAG (USA)
[B6] MAJ USARMY HQDA OTJAG (USA)
[B6] MAJ USARMY HQDA OTJAG (USA)
[B6] LTC USARMY HQDA (USA) [B6]
[B6] LTC USARMY HQDA DCS G-3-5-7 (USA) [B6]
[B6] MAJ USARMY HQDA OTJAG (USA) [B6] MAJ USARMY HQDA OTJAG (USA)
[B6] TC USARMY HQDA OTJAG (USA)
[B6] TC USARMY HQDA OTJAG (USA) [B6]
[B6] MAJ USARMY HQDA OTJAG (USA) [B6] MAJ USARMY HQDA OTJAG (USA) [B6]

Subject: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs

Team,

Attached is another draft letter for review and comment: **Approval Letter from the Secretary of the Army to the Acting Chief, U.S. Capitol Police.**

We request your feedback NLT 1200 tomorrow, Sunday, 17 January 2021.

B5, B6

The POC for your feedback is [B6] please cc [B6] To clarify any potential confusion, please use [B6] as the primary POC for feedback on the VOCO on NG numbers draft memo as well).

[B6] intent remains to have SA to sign these letters on Monday morning.

Thank you for your continued teamwork and assistance!

Respectfully,

[B6]

[B6]

COL, JA
Deputy Chief

National Security Law Division
Office of The Judge Advocate General
2200 Army Pentagon, Room [B6]

B6

OTJAG COVID-19 Portal: <https://www.milsuite.mil/book/community/spaces/armyjag/covid-19>

This record has been withheld in full pursuant to exemption permitted under FOIA.

Message

From: Salesses, Robert G SES OSD OUSD POLICY (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6]
Sent: 1/17/2021 11:19:54 PM
To: B6 CTR OSD OUSD POLICY (USA) B6 CIV OSD OUSD POLICY (USA) B6 COL USARMY OSD OUSD POLICY (USA) B6 CAPT USN OSD OUSD POLICY (USA) B6
Subject: FW: REQUEST: Coordination of Proposed Approvals by the Secretary of the Army of USSS and USCP Requests for Assistance
Attachments: B5

From: B6 COL USARMY HQDA OTJAG (USA) B6
Sent: Sunday, January 17, 2021 6:19 PM
To: Salesses, Robert G SES OSD OUSD POLICY (USA) B6 CIV OSD OUSD POLICY (USA) B6 CAPT USN OSD OUSD POLICY (USA) B6 B6 CIV OSD OUSD POLICY (USA) B6 COL USARMY OSD OUSD POLICY (USA) B6 Poppas, Andrew P LTG USARMY JS ODJS (USA) B6 B6 Byrne, William D Jr RADM USN JS ODJS (USA) B6 B6 B6 Col USAF JS ODJS (USA) B6 Staudenraus, Randolph J Maj Gen USAF NG NG J5 (USA) B6
Cc: Piatt, Walter E LTG USARMY HQDA DAS (USA) B6 LaNeve, Christopher Charles BG USARMY HQDA DCS G-3-5-7 (USA) B6 Smith, Matthew D BG USARMY HQDA DCS G-3-5-7 (USA) B6 COL USARMY HQDA DCS G-3-5-7 (USA) B6 COL USARMY HQDA SECARMY (USA) B6 B6 Pede, Charles N LTG USARMY HQDA OTJAG (USA) B6 Risch, Stuart W MG USARMY HQDA OTJAG (USA) B6 Ney, Paul C Jr HON OSD OGC (USA) B6 B6 CAPT USN OSD OGC (USA) B6 LTC USARMY OSD OGC (USA) B6 French, Christopher C RDML USN JS OCJCS (USA) B6 COL USARMY JS OCJCS (USA) B6 B6 Young, Charles Lee SES NG NGB (USA) B6 McMahon, Erin K BG USARMY NG NGB (USA) B6 COL USARMY HQDA OTJAG (USA) B6 B6 B6 LTC USARMY HQDA OTJAG (USA) B6 COL USARMY HQDA DAS (USA) B6 CIV USARMY HQDA OGC (USA) B6 B6 COL USARMY HQDA OGC (USA) B6 B6 Lacey, Michael O SES USARMY HQDA OGC (USA) B6 CIV USARMY HQDA OGC (USA) B6 B6 CIV OSD OGC (USA) B6 B6 B6 CIV DLSA (USA) B6
Subject: REQUEST: Coordination of Proposed Approvals by the Secretary of the Army of USSS and USCP Requests for Assistance

Gentlemen:

BLUF: HQDA requests your organization's review of the attached documents:

B5

REQUESTED SUSPENSE: 2200 tonight, Sunday 17 January 2021. We intend to have Secretary McCarthy sign these documents tomorrow morning.

DISCUSSION:

B5, B6

Please let me know if you have any questions. Thank you.

v/r **B6**

B6

COL, JA
Chief, National Security Law Division
OTJAG, HQDA

B6

JAG COVID-19 Portal: <https://www.milsuite.mil/book/community/spaces/armyjag/covid-19>

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Message

From: [B6] CIV OSD OUSD POLICY (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[B6]
Sent: 1/18/2021 12:00:01 PM
To: [B6] COL USARMY OSD OUSD POLICY (USA) [B6] CAPT USN OSD OUSD POLICY (USA) [B6]
Subject: Fwd: Version 2
Attachments: [B5]

[B5] I sent the ASD the below. I only CCd Bob and [B6] I didn't need you to loose anymore sleep.

From: [B6] CIV OSD OUSD POLICY (USA)" [B6]
Date: Sunday, January 17, 2021 at 10:37:27 PM
To: "Rapuno, Kenneth P HON OSD OUSD POLICY (USA)" [B6]
Cc: "Salesses, Robert G SES OSD OUSD POLICY (USA)" [B6]
[B6] CIV OSD OUSD POLICY (USA)" [B6]
Subject: Version 2

Sir, Based on your guidance, I have re-attached the DRAFT A/SD letter to the Speaker of the House and the DRAFT SecArmy Letter to the Acting Chief of the US Capitol Police. The other two letters are unchanged.

[B5]

[B5]

B5

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Message

From: [REDACTED] CAPT USN OSD OUSD POLICY (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[REDACTED]]
Sent: 1/18/2021 1:26:04 AM
To: Rapuano, Kenneth P HON OSD OUSD POLICY (USA) [REDACTED] Walsh, Jennifer C SES OSD OUSD POLICY (USA) [REDACTED]
CC: Salesses, Robert G SES OSD OUSD POLICY (USA) [REDACTED] CIV OSD OUSD POLICY (USA) [REDACTED] COL USARMY OSD OUSD POLICY (USA) [REDACTED] CIV OSD OUSD POLICY (USA) [REDACTED] CIV OSD OUSD POLICY (USA) [REDACTED] CTR OSD OUSD POLICY (USA) [REDACTED] Lt Col USAF OSD OUSD POLICY (USA) [REDACTED]
Subject: Coordination on Army Correspondence
Attachments: smime.p7m

Sir - Attached are our recommended edits to the Army's draft correspondence.

With your concurrence, we will provide to Army on your behalf.

Very Respectfully,

CAPT [REDACTED] USN
DSCA Policy Planning and Coordination
OUSD(P) / DASD (HDI&DSCA) - [REDACTED]
Office: [REDACTED]
Cell: [REDACTED]
NIPR: [REDACTED]
SIPR: [REDACTED]
JWICS: [REDACTED]

Best, Bob

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Message

From: [B6] CAPT USN OSD OUSD POLICY (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[B6]
Sent: 1/17/2021 11:30:55 PM
To: [B6] CTR OSD OUSD POLICY (USA) [B6]
CC: [B6] CIV OSD OUSD POLICY (USA) [B6] CTR OSD OUSD POLICY (USA) [B6]
Subject: FW: REQUEST: Coordination of Proposed Approvals by the Secretary of the Army of USSS and USCP Requests for Assistance
Attachments: smime.p7m

Very Respectfully,

CAPT [B6] USN
DSCA Policy Planning and Coordination
OUSD(P) / DASD (HDI&DSCA) – [B6]
Office: [B6]
Cell: [B6]
NIPR: [B6]
SIPR: [B6]
JWICS: [B6]

From: [B6] COL USARMY HQDA OTJAG (USA) [B6]
Sent: Sunday, January 17, 2021 18:19
To: Salesses, Robert G SES OSD OUSD POLICY (USA) [B6] CIV OSD OUSD POLICY (USA) [B6] CIV OSD OUSD POLICY (USA) [B6] CAPT USN OSD OUSD POLICY (USA) [B6] CIV OSD OUSD POLICY (USA) [B6] COL USARMY OSD OUSD POLICY (USA) [B6] Poppas, Andrew P LTG USARMY JS ODJS (USA) [B6] Byrne, William D Jr RADM USN JS ODJS (USA) [B6] Col USAF JS ODJS (USA) [B6] Staudenraus, Randolph J Maj Gen USAF NG NG J5 (USA) [B6]
Cc: Piatt, Walter E LTG USARMY HQDA DAS (USA) [B6] LaNeve, Christopher Charles BG USARMY HQDA DCS G-3-5-7 (USA) [B6] Smith, Matthew D BG USARMY HQDA DCS G-3-5-7 (USA) [B6] COL USARMY HQDA DCS G-3-5-7 (USA) [B6] COL USARMY HQDA SECARMY (USA) [B6] Pede, Charles N LTG USARMY HQDA OTJAG (USA) [B6] Risch, Stuart W MG USARMY HQDA OTJAG (USA) [B6] Ney, Paul C Jr HON OSD OGC (USA) [B6] LTC USARMY OSD OGC (USA) [B6] French, Christopher C RDML USN JS OCJCS (USA) [B6] COL USARMY JS OCJCS (USA) [B6] Young, Charles Lee SES NG NGB (USA) [B6] McMahan, Erin K BG USARMY NG NGB (USA) [B6] COL USARMY HQDA OTJAG (USA) [B6] LTC USARMY HQDA OTJAG (USA) [B6] COL USARMY HQDA DAS (USA) [B6] CIV USARMY HQDA OGC (USA) [B6] COL USARMY HQDA OGC (USA) [B6] Lacey, Michael O SES USARMY HQDA OGC (USA) [B6] CIV USARMY HQDA OGC (USA) [B6] CIV OSD OGC (USA) [B6] CIV DLSA (USA) [B6]

Subject: REQUEST: Coordination of Proposed Approvals by the Secretary of the Army of USSS and USCP Requests for Assistance

Gentlemen:

BLUF: HQDA requests your organization's review of the attached documents:

B5

REQUESTED SUSPENSE: 2200 tonight, Sunday 17 January 2021. We intend to have Secretary McCarthy sign these documents tomorrow morning.

DISCUSSION:

B5, B6

Please let me know if you have any questions. Thank you.

v/r, **B6**

B6

COL, JA

Chief, National Security Law Division

OTJAG, HQDA

Office: **B6**

Cell: **B6**

SVOIP: **B6**

NIPR: **B6**

SIPR:

JAG COVID-19 Portal: <https://www.milsuite.mil/book/community/spaces/armyjag/covid-19>

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Message

From: Rapuano, Kenneth P HON OSD OUSD POLICY (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[REDACTED] B6
Sent: 1/18/2021 1:04:25 PM
To: Salesses, Robert G SES OSD OUSD POLICY (USA) [REDACTED] B6 Walsh, Jennifer C SES OSD OUSD POLICY (USA) [REDACTED] B6
CC: [REDACTED] B6 CIV OSD OUSD POLICY (USA) [REDACTED] B6 CIV OSD OUSD POLICY (USA) [REDACTED] B6 COL USARMY OSD OUSD POLICY (USA) [REDACTED] B6 CAPT USN OSD OUSD POLICY (USA) [REDACTED] B6 CIV OSD OUSD POLICY (USA) [REDACTED] B6
Subject: FW: Policy Coordination on Responses to Rep Pelosi, USSS, and USCP
Attachments: smime.p7m

Jennifer, Bob – below/attached fysa. Please let me know if you have any questions, or recommended inputs for the 0900 A/SD call. Best, Ken

From: Rapuano, Kenneth P HON OSD OUSD POLICY (USA)
Sent: Monday, January 18, 2021 8:00 AM
To: McCarthy, Ryan D HON USARMY HQDA SECARMY (USA) [REDACTED] B6
Cc: Miller, Christopher C SES OSD OUSD POLICY (USA) [REDACTED] B6 Norquist, David HON SD [REDACTED] B6 Milley, Mark A GEN USARMY JS OCJCS (USA) [REDACTED] B6 Hyten, John E Gen USAF JS OCJCS (USA) [REDACTED] B6 McConville, James C GEN USARMY HQDA CSA (USA) [REDACTED] B6 Hokanson, Daniel R GEN USARMY NG OCNGB (USA) [REDACTED] B6 Ney, Paul C Jr HON OSD OGC (USA) [REDACTED] B6 Johnston, Ann G SES OSD OASD LA (USA) [REDACTED] B6 Hoffman, Jonathan R SES OSD OSD (USA) [REDACTED] B6 Patel, Kashyap SES SD [REDACTED] B6 Fenton, Bryan LTG SD [REDACTED] B6 Henke, Robert J SES (USA) [REDACTED] B6 Lyons, David Brig Gen SD [REDACTED] B6 Verga, Peter SES SD [REDACTED] B6 Poppas, Andrew P LTG USARMY JS ODJS (USA) [REDACTED] B6 Mingus, James J LTG USARMY JS J3 (USA) [REDACTED] B6 [REDACTED] B6 CIV SD [REDACTED] B6 Col SD [REDACTED] B6 [REDACTED] B6 Col SD [REDACTED] B6 COL USARMY JS OCJCS (USA) [REDACTED] B6 COL USARMY HQDA SECARMY (USA) [REDACTED] B6 [REDACTED] B6 COL USARMY HQDA CSA (USA) [REDACTED] B6 Verga, Peter SES SD [REDACTED] B6
Subject: Policy Coordination on Responses to Rep Pelosi, USSS, and USCP

Ryan - attached is my coordination on Army's four documents regarding support to the Inauguration.

[REDACTED] B5

Best,

Ken

Kenneth P. Rapuano
Assistant Secretary of Defense for
Homeland Defense & Global Security

Main: [REDACTED] B6
Direct: [REDACTED] B6

This record has been withheld in full pursuant to exemption permitted under FOIA.

Message

From: Salesses, Robert G SES OSD OUSD POLICY (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[REDACTED] B6
Sent: 1/18/2021 6:56:30 PM
To: [REDACTED] B6 CIV OSD OUSD POLICY (USA); [REDACTED] B6 CAPT USN OSD OUSD POLICY (USA); [REDACTED] B6 CTR OSD OUSD POLICY (USA); [REDACTED] B6 [REDACTED] B6 COL USARMY OSD OUSD POLICY (USA); [REDACTED] B6 CIV OSD OUSD POLICY (USA); [REDACTED] B6
Subject: FW: Updated Policy Coordination on Responses to Rep Pelosi and USCP
Attachments: smime.p7m

fyi

From: Rapuano, Kenneth P HON OSD OUSD POLICY (USA) [REDACTED] B6
Sent: Monday, January 18, 2021 1:49 PM
To: McCarthy, Ryan D HON USARMY HQDA SECARMY (USA) [REDACTED] B6
Cc: Miller, Christopher C SES OSD OUSD POLICY (USA) [REDACTED] B6 Norquist, David HON SD [REDACTED] B6 Milley, Mark A GEN USARMY JS OCJCS (USA); [REDACTED] B6 Hyten, John E Gen USAF JS OCJCS (USA); [REDACTED] B6 McConville, James C GEN USARMY HQDA CSA (USA) [REDACTED] B6 Hokanson, Daniel R GEN USARMY NG OCNGB (USA) [REDACTED] B6 Ney, Paul C Jr HON OSD OGC (USA); [REDACTED] B6 Johnston, Ann G SES OSD OASD LA (USA); [REDACTED] B6 Hoffman, Jonathan R SES OSD OSD (USA) [REDACTED] B6 Patel, Kashyap SES SD; [REDACTED] B6 Fenton, Bryan LTG SD [REDACTED] B6 Henke, Robert J SES (USA); [REDACTED] B6 Lyons, David Brig Gen SD [REDACTED] B6 Verga, Peter SES SD; [REDACTED] B6 Walsh, Jennifer C SES OSD OUSD POLICY (USA) [REDACTED] B6 Poppas, Andrew P LTG USARMY JS ODJS (USA); [REDACTED] B6 Mingus, James J LTG USARMY JS J3 (USA); [REDACTED] B6 Salesses, Robert G SES OSD OUSD POLICY (USA); [REDACTED] B6 CIV SD; [REDACTED] B6 Col SD [REDACTED] B6 Col SD; [REDACTED] B6 COL USARMY JS OCJCS (USA); [REDACTED] B6 COL USARMY HQDA SECARMY (USA) [REDACTED] B6 COL USARMY HQDA CSA (USA); [REDACTED] B6 Verga, Peter SES SD [REDACTED] B6
Subject: Updated Policy Coordination on Responses to Rep Pelosi and USCP

Ryan – attached are updated edits to the A/SD's letter to Speaker Pelosi (TAB A), and your letter to the U.S. Capitol Police (TAB B). [REDACTED] B5 The DepSecDef has reviewed both sets of edits carefully and is good with them.

Given that there are only two changes to the response to Speaker Pelosi, I've included a track changes version. Due to the number of changes in the response to the USCP, I've included both clean and track change versions.

Please let me know if you have any questions.

Best,

Ken

Kenneth P. Rapuano
Assistant Secretary of Defense for
Homeland Defense & Global Security

Main: [REDACTED] B6
Direct: [REDACTED] B6

Attachments:

A – Draft Letter to Speaker Pelosi

B – SecArmy Response to the USCP (clean)

C – SecArmy Response to the USCP (track changes)

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Message

From: [B6] CIV OSD OGC (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[B6]
Sent: 1/17/2021 1:56:54 AM
To: Allen, Charles A SES OSD OGC (USA) [B6] CIV DLSA (USA)
[B6] Koffsky, Paul S SES OSD OGC (USA) [B6]
[B6] CIV OSD OGC (USA) [B6] Castle, Edwin S SES OSD OGC (USA)
[B6] Moxley, William E SES OSD OGC (USA) [B6]
CC: [B6] CAPT USN OSD OGC (USA) [B6] LTC USARMY OSD OGC (USA)
[B6] CIV OSD OGC (USA)
[B6] CIV OSD OGC (USA) [B6]
Subject: RE: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs
Attachments: smime.p7m

[B5]

v/r

[B6]

[B6]
[B6]

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UNCLASS: [B6] (DSN [B6])
SECURE: [B6]

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UNCLASS: [B6]

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From: Allen, Charles A SES OSD OGC (USA) [B6]
Sent: Saturday, January 16, 2021 8:34 PM
To: [B6] CIV DLSA (USA) [B6] Koffsky, Paul S SES OSD OGC (USA) [B6] CIV OSD OGC (USA) [B6] Castle, Edwin S SES OSD OGC (USA) [B6] Moxley, William E SES OSD OGC (USA)
Cc: [B6] CIV OSD OGC (USA) [B6] CAPT USN OSD OGC (USA) [B6] LTC USARMY OSD OGC (USA) [B6] [B6] CIV OSD OGC (USA) [B6] CIV OSD OGC (USA)
Subject: RE: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs

[B5]

From: [B6] CIV DLSA (USA) [B6]
Sent: Saturday, January 16, 2021 7:03 PM
To: Koffsky, Paul S SES OSD OGC (USA) [B6] CIV OSD OGC (USA) [B6] Castle, Edwin S SES OSD OGC (USA) [B6] Moxley, William E SES

OSD OGC (USA) [B6]
Cc: Allen, Charles A SES OSD OGC (USA) [B6] CIV OSD OGC (USA)
[B6] CAPT USN OSD OGC (USA) [B6]
[B6] LTC USARMY OSD OGC (USA) [B6] CIV OSD OGC (USA)
[B6] CIV OSD OGC (USA) [B6]

Subject: FW: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs

Importance: High

All –

B5

Thanks much

[B6]

B6

DoD Office of General Counsel

Office - [B6]

Cell - [B6]

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From: [B6] COL USARMY HQDA OTJAG (USA) [B6]
Sent: Saturday, January 16, 2021 6:35 PM
To: [B6] COL USARMY HQDA OTJAG (USA) [B6] CIV OSD OGC (USA)
[B6] CIV DLSA (USA) [B6]
[B6] CAPT USN OSD OGC (USA) [B6] LTC USARMY HQDA OGC (USA)
[B6] Lacey, Michael O SES USARMY HQDA OGC (USA) [B6]
[B6] CIV USARMY HQDA OGC (USA) [B6] COL USARMY HQDA OGC (USA)
[B6] CIV USARMY HQDA OGC (USA)
[B6] LTC USARMY NG DCARNG (USA) [B6]
[B6] Maj USAF NG NGB (USA) [B6] LTC USARMY NG DCARNG (USA) [B6]
[B6] CPT USARMY (USA) [B6]
[B6] COL USARMY NG DCARNG (USA) [B6] McMahan, Erin K BG USARMY NG NGB (USA) [B6]
[B6] LTC USARMY NG NGB (USA)
[B6] COL USARMY NG NGB (USA) [B6]
[B6] COL USARMY NG NG JA (USA) [B6] Young, Charles Lee SES NG NGB (USA) [B6]
[B6] LTC USARMY JS OCJCS (USA) [B6]
[B6] CAPT USN JS OCJCS (USA) [B6] Col USAF JS OCJCS (USA)
[B6] COL USARMY JS OCJCS (USA) [B6]
Cc: [B6] COL USARMY HQDA OTJAG (USA) [B6] CIV USARMY (USA) [B6]
[B6] COL USARMY HQDA OTJAG (USA) [B6]
[B6] SGT USARMY USAR LEGAL CMD (USA) [B6] MAJ USARMY HQDA TJAGLCS (USA) [B6]
[B6] MAJ USARMY HQDA OTJAG (USA)
[B6] MAJ USARMY HQDA OTJAG (USA)
[B6] LTC USARMY HQDA (USA) [B6]

[B6] LTC USARMY HQDA DCS G-3-5-7 (USA) [B6]
MAJ USARMY HQDA OTJAG (USA) [B6] MAJ USARMY HQDA
OTJAG (USA) [B6] LTC USARMY HQDA OTJAG (USA)
[B6] LTC USARMY HQDA OTJAG (USA) [B6]
[B6] MAJ USARMY HQDA OTJAG (USA) [B6] MAJ USARMY HQDA
OTJAG (USA) [B6]

Subject: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs

Team,

Attached is another draft letter for review and comment: **Approval Letter from the Secretary of the Army to the Acting Chief, U.S. Capitol Police.**

We request your feedback NLT 1200 tomorrow, Sunday, 17 January 2021.

B5, B6

The POC for your feedback is [B6] please cc [B6] (To clarify any potential confusion, please use [B6] as the primary POC for feedback on the VOCO on NG numbers draft memo as well).

[B6] intent remains to have SA to sign these letters on Monday morning.

Thank you for your continued teamwork and assistance!

Respectfully,

[B6]

[B6]
COL, JA
Deputy Chief

National Security Law Division
Office of The Judge Advocate General
2200 Army Pentagon, Room [B6]

Office: [B6]
SVOIP: [B6]
Gov't Cell: [B6]
Personal Cell: [B6]
NIPR: [B6]
SIPR: [B6]

OTJAG COVID-19 Portal: <https://www.milsuite.mil/book/community/spaces/armyjag/covid-19>

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Message

From: [B6] CIV OSD OGC (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[B6]
Sent: 1/17/2021 8:04:38 PM
To: Allen, Charles, Mr, DoD OGC [B6] OSD Pentagon OGC Mailbox DGC IA Action [B6]
CC: [B6] CIV DLSA (USA) [B6] OSD Pentagon OGC Mailbox IA Admin Team [B6]
Subject: For DGC(IA) Endorsement to the GC / STS 202101170006 / SecArmy Memoranda Extending Delegation and Providing Employment Guidance Limitations
Attachments: smime.p7m
Importance: High

Sir,

B5

v/r

[B6]

B6

Office of the General Counsel of the Department of Defense

Monday/Wednesday/Fridays afternoons

UNCLASS: [B6] DSN [B6]
SECURE: [B6]

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UNCLASS: [B6]

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From: [B6] COL USARMY HQDA OTJAG (USA) [B6]
Sent: Sunday, January 17, 2021 1:28 PM
To: [B6] COL USARMY HQDA OTJAG (USA) [B6] CIV OSD OGC (USA) [B6] CIV DLSA (USA) [B6] [B6] CAPT USN OSD OGC (USA) [B6] LTC USARMY HQDA OGC (USA) [B6] Lacey, Michael O SES USARMY HQDA OGC (USA) [B6] [B6] CIV USARMY HQDA OGC (USA) [B6] COL USARMY HQDA OGC (USA) [B6] CIV USARMY HQDA OGC (USA) [B6] [B6] LTC USARMY NG DCARNG (USA) [B6] [B6] Maj USAF NG NGB (USA) [B6] LTC USARMY NG DCARNG (USA) [B6] CPT USARMY (USA) [B6] [B6] COL USARMY NG DCARNG (USA) [B6] McMahan, Erin K BG USARMY NG

NGB (USA) [B6] LTC USARMY NG NGB (USA)
[B6] COL USARMY NG NGB (USA) [B6]
[B6] COL USARMY NG NG JA (USA) [B6] Young, Charles Lee SES NG NGB
(USA) [B6] LTC USARMY JS OCJCS (USA) [B6]
[B6] CAPT USN JS OCJCS (USA) [B6] Col USAF JS OCJCS (USA)
[B6] COL USARMY JS OCJCS (USA) [B6]
Cc: [B6] COL USARMY HQDA OTJAG (USA) [B6] CIV USARMY
(USA) [B6] COL USARMY HQDA OTJAG (USA) [B6]
[B6] SGT USARMY USAR LEGAL CMD (USA) [B6] MAJ
USARMY HQDA TJAGLCS (USA) [B6] MAJ USARMY HQDA OTJAG (USA)
[B6] MAJ USARMY HQDA OTJAG (USA)
[B6] MAJ USARMY HQDA OTJAG (USA)
[B6] LTC USARMY HQDA (USA) [B6]
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OTJAG (USA) [B6] LTC USARMY HQDA OTJAG (USA)
[B6] LTC USARMY HQDA OTJAG (USA) [B6]
[B6] MAJ USARMY HQDA OTJAG (USA) [B6] MAJ USARMY HQDA
OTJAG (USA) [B6]

Subject: FOR REVIEW: DRAFT Memoranda Extending Delegation and Providing Employment Guidance Limitations

Team,

Enclosed are two draft memoranda for review and comment:

B5

Please review and provide comments/edits NLT 1600 this afternoon (Sunday, 17 Jan).

Please send your feedback to [B6] cc [B6]

[B6] intent remains to have SA sign these memos tomorrow (Monday) morning.

As always, thank you for your assistance!

Respectfully,

[B6]

[B6]

COL, JA
Deputy Chief

National Security Law Division
Office of The Judge Advocate General
2200 Army Pentagon, Room [B6]

Office: [B6]
SVOIP: [B6]
Gov't Cell: [B6]

Personal Cell: **B6**

NIPR: **B6**

SIPR:

OTJAG COVID-19 Portal: <https://www.milsuite.mil/book/community/spaces/armyjag/covid-19>



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

JAN - 6 2021

MEMORANDUM FOR CHIEF OF THE NATIONAL GUARD BUREAU

SUBJECT: National Guard Units in the District of Columbia

In light of recent domestic civil unrest in the District of Columbia and the potential demand for use of National Guard personnel to conduct civil disturbance operations, and in order to prepare for potential requests for use of National Guard personnel to conduct domestic civil disturbance operations, I direct the following actions:

- The Chief of the National Guard Bureau will work with appropriate State authorities in the vicinity of the District of Columbia to identify National Guard units that could be called upon to conduct civil disturbance/support to law enforcement operations.
- I authorize additional training under title 32, U.S.C., section 502(f) for the identified units to ensure those units are most effectively prepared to conduct civil disturbance operations, including incorporating lessons learned from recent events, as appropriate. I also authorize movement of these units to an appropriate DoD or National Guard training site if local training sites are inadequate to complete this training. This training is authorized through January 30, 2021.

If these units are requested by DC Government authorities for support under the Emergency Management Assistance Compact process while in this training status, training activities will be terminated upon arrival in the District of Columbia and any response would be conducted in State active duty status. The Air National Guard will identify airlift units that have otherwise required training to conduct which could be used to transport National Guard units to the District of Columbia. This is not an authorization for additional funds to be provided to these units; the aircrews will complete required training events during the missions used to position the National Guard units.

If I request that a governor order these units to support a request for assistance from a Federal Department or Agency or to support DoD should the President direct the DoD to protect Federal functions, persons, or property, and the Governor agrees, any training activities would be terminated, and any response would be conducted as "other duty" under title 32, U.S. C., section 502(f).

A handwritten signature in black ink that reads "Christopher C. Miller". The signature is written in a cursive, slightly slanted style.

Christopher C. Miller
Acting

cc:
Secretaries of the Military Departments
Chairman of the Joint Chiefs of Staff
Under Secretaries of Defense
Commander, U.S. Northern Command

Message

From: Allen, Charles A SES OSD OGC (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[REDACTED] B6
Sent: 1/17/2021 1:33:41 AM
To: [REDACTED] B6 CIV DLSA (USA) [REDACTED] B6 Koffsky, Paul S SES OSD OGC (USA) [REDACTED] B6 Castle, Edwin S SES OSD OGC (USA) [REDACTED] B6 Moxley, William E SES OSD OGC (USA)
CC: [REDACTED] B6 [REDACTED] B6 CIV OSD OGC (USA) [REDACTED] B6 CAPT USN OSD OGC (USA) [REDACTED] B6 LTC USARMY OSD OGC (USA) [REDACTED] B6 CIV OSD OGC (USA) [REDACTED] B6 [REDACTED] B6 CIV OSD OGC (USA) [REDACTED] B6
Subject: RE: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs
Attachments: SA Approval of USCP RFA V. 1.8 + [REDACTED] B6 edits (OGC) Jan 16.docx

[REDACTED] B5

From: [REDACTED] B6 CIV DLSA (USA) [REDACTED] B6
Sent: Saturday, January 16, 2021 7:03 PM
To: Koffsky, Paul S SES OSD OGC (USA) [REDACTED] B6 CIV OSD OGC (USA) [REDACTED] B6 Castle, Edwin S SES OSD OGC (USA) [REDACTED] B6 Moxley, William E SES OSD OGC (USA) [REDACTED] B6
Cc: Allen, Charles A SES OSD OGC (USA) [REDACTED] B6 CIV OSD OGC (USA) [REDACTED] B6 CAPT USN OSD OGC (USA) [REDACTED] B6 LTC USARMY OSD OGC (USA) [REDACTED] B6 CIV OSD OGC (USA) [REDACTED] B6 CIV OSD OGC (USA) [REDACTED] B6
Subject: FW: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs
Importance: High

All -

[REDACTED] B5

Thanks much
[REDACTED] B6

[REDACTED] B6
DoD Office of General Counsel
Office - [REDACTED] B6
Cell - [REDACTED] B6

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From: [REDACTED] B6 COL USARMY HQDA OTJAG (USA) [REDACTED] B6
Sent: Saturday, January 16, 2021 6:35 PM
To: [REDACTED] B6 COL USARMY HQDA OTJAG (USA) [REDACTED] B6 CIV OSD OGC (USA)

B6

B6

COL, JA
Deputy Chief

National Security Law Division
Office of The Judge Advocate General
2200 Army Pentagon, Room **B6**

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To: Allen, Charles A SES OSD OGC (USA) [B6] CIV DLSA (USA)
[B6] Koffsky, Paul S SES OSD OGC (USA) [B6]
[B6] CIV OSD OGC (USA) [B6] Castle, Edwin S SES OSD OGC (USA)
CC: [B6] Moxley, William E SES OSD OGC (USA) [B6]
[B6] CAPT USN OSD OGC (USA) [B6] LTC USARMY OSD OGC (USA) [B6] CIV OSD OGC (USA)
[B6] CIV OSD OGC (USA) [B6]
Subject: RE: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs
Attachments: smime.p7m

[B5]

v/r

[B6]

[B6]
[B6]

Office of the General Counsel of the Department of Defense

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[B6]
Cc: [B6] CIV OSD OGC (USA) [B6] CAPT USN OSD OGC (USA) [B6] LTC USARMY OSD OGC (USA) [B6]
[B6] CIV OSD OGC (USA) [B6] CIV OSD OGC (USA)
[B6]
Subject: RE: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs

[B5]

From: [B6] CIV DLSA (USA) [B6]
Sent: Saturday, January 16, 2021 7:03 PM
To: Koffsky, Paul S SES OSD OGC (USA) [B6] CIV OSD OGC (USA)
[B6] Castle, Edwin S SES OSD OGC (USA) [B6] Moxley, William E SES

OSD OGC (USA) [B6]
Cc: Allen, Charles A SES OSD OGC (USA) [B6] CIV OSD OGC (USA)
[B6] CAPT USN OSD OGC (USA) [B6]
[B6] LTC USARMY OSD OGC (USA) [B6] CIV OSD OGC (USA)
[B6] CIV OSD OGC (USA) [B6]

Subject: FW: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs

Importance: High

All --

B5

Thanks much

[B6]

B6

DoD Office of General Counsel

Office - [B6]

Cell - [B6]

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[B6] CAPT USN OSD OGC (USA) [B6] LTC USARMY HQDA OGC (USA)
[B6] Lacey, Michael O SES USARMY HQDA OGC (USA) [B6]
[B6] CIV USARMY HQDA OGC (USA) [B6] COL USARMY HQDA OGC (USA)
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[B6] COL USARMY NG DCARNG (USA) [B6] McMahon, Erin K BG USARMY NG NGB (USA) [B6]
[B6] LTC USARMY NG NGB (USA)
[B6] COL USARMY NG NGB (USA) [B6]
[B6] COL USARMY NG NG JA (USA) [B6] Young, Charles Lee SES NG NGB (USA) [B6]
[B6] LTC USARMY JS OCJCS (USA) [B6]
[B6] CAPT USN JS OCJCS (USA) [B6] Col USAF JS OCJCS (USA)
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Cc: [B6] COL USARMY HQDA OTJAG (USA) [B6] CIV USARMY (USA) [B6]
[B6] COL USARMY HQDA OTJAG (USA) [B6]
[B6] SGT USARMY USAR LEGAL CMD (USA) [B6] MAJ USARMY HQDA TJAGLCS (USA) [B6] MAJ USARMY HQDA OTJAG (USA)
[B6] MAJ USARMY HQDA OTJAG (USA)
[B6] MAJ USARMY HQDA OTJAG (USA)
[B6] LTC USARMY HQDA (USA) [B6]

[B6] LTC USARMY HQDA DCS G-3-5-7 (USA) [B6]
MAJ USARMY HQDA OTJAG (USA) [B6] MAJ USARMY HQDA
OTJAG (USA) [B6] LTC USARMY HQDA OTJAG (USA)
[B6] LTC USARMY HQDA OTJAG (USA) [B6]
[B6] MAJ USARMY HQDA OTJAG (USA) [B6] MAJ USARMY HQDA
OTJAG (USA) [B6]

Subject: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs

Team,

Attached is another draft letter for review and comment: **Approval Letter from the Secretary of the Army to the Acting Chief, U.S. Capitol Police.**

We request your feedback NLT 1200 tomorrow, Sunday, 17 January 2021.

B5, B6

The POC for your feedback is [B6] please cc [B6] (To clarify any potential confusion, please use [B6] as the primary POC for feedback on the VOCO on NG numbers draft memo as well).

[B6] intent remains to have SA to sign these letters on Monday morning.

Thank you for your continued teamwork and assistance!

Respectfully,

[B6]

[B6]

COL, JA
Deputy Chief

National Security Law Division
Office of The Judge Advocate General
2200 Army Pentagon, Room [B6]

Office: [B6]

SVOIP: [B6]

Gov't Cell: [B6]

Personal Cell: [B6]

NIPR: [B6]

SIPR: [B6]

OTJAG COVID-19 Portal: <https://www.milsuite.mil/book/community/spaces/armyjag/covid-19>

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Message

From: [B6] CIV DLSA (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[B6]
Sent: 1/16/2021 11:36:19 PM
To: Koffsky, Paul S SES OSD OGC (USA) [B6] CIV OSD OGC (USA)
[B6] Castle, Edwin S SES OSD OGC (USA) [B6] Moxley, William E
SES OSD OGC (USA) [B6]
CC: Allen, Charles A SES OSD OGC (USA) [B6] CIV OSD OGC (USA)
[B6] CAPT USN OSD OGC (USA) [B6]
[B6] LTC USARMY OSD OGC (USA) [B6] CIV OSD OGC
(USA) [B6] CIV OSD OGC (USA) [B6]
Subject: FW: DRAFT SA Memo Memorializing VOCOs: NG Numbers
Attachments: smime.p7m
Importance: High

All -

B5

Thanks much

[B6]

B6

DoD Office of General Counsel

Office - [B6]

Cell - [B6]

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From: [B6] COL USARMY HQDA OTJAG (USA) [B6]
Sent: Saturday, January 16, 2021 4:10 PM
To: [B6] CIV OSD OGC (USA) [B6] CIV DLSA (USA)
[B6] CAPT USN OSD OGC (USA) [B6]
[B6] LTC USARMY HQDA OGC (USA) [B6] Lacey, Michael O SES USARMY HQDA OGC
(USA) [B6] CIV USARMY HQDA OGC (USA) [B6]
[B6] COL USARMY HQDA OGC (USA) [B6] CIV USARMY
HQDA OGC (USA) [B6] TC USARMY NG DCARNG (USA)
[B6] Maj USAF NG NGB (USA) [B6]
[B6] LTC USARMY NG DCARNG (USA) [B6] CPT USARMY (USA)
[B6] COL USARMY NG DCARNG (USA) [B6]
Mcmahon, Erin K BG USARMY NG NGB (USA) [B6] LTC USARMY NG
NGB (USA) [B6] II COL USARMY NG NGB (USA)
[B6] COL USARMY NG NG JA (USA)
[B6] Young, Charles Lee SES NG NGB (USA) [B6]
[B6] TC USARMY JS OCJCS (USA) [B6] CAPT USN JS OCJCS (USA)

Ma'am,

FYSA

v/r,

SGT [B6]
NSL Paralegal
Office of The Judge Advocate General
2200 Army Pentagon
Room [B6]

B6

OTJAG COVID-19 Portal: <https://www.milsuite.mil/book/community/spaces/armyjag/covid-19>

From: [B6] LTC USARMY HQDA OTJAG (USA) [B6]
Sent: Saturday, January 16, 2021 3:47 PM
To: [B6] SGT USARMY USAR LEGAL CMD (USA) [B6]
Cc: [B6] MAJ USARMY HQDA OTJAG (USA) [B6]
Subject: DRAFT Sa Memo Memorializing VOCOs: NG Numbers

SGT [B6]

Please attach the enclosures listed and send to [B6] cc: COL [B6] and I (and MAJ [B6] to send out for editing.
It includes BG McMahon's changes.

V/R,

LTC [B6]
Chief, Strategic Engagements

National Security Law Division
Office of The Judge Advocate General
2200 Army Pentagon, Room [B6]

B6

NSLD Milsuite: <https://www.milsuite.mil/book/groups/national-security-law>



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

JAN - 6 2021

MEMORANDUM FOR CHIEF OF THE NATIONAL GUARD BUREAU

SUBJECT: National Guard Units in the District of Columbia

In light of recent domestic civil unrest in the District of Columbia and the potential demand for use of National Guard personnel to conduct civil disturbance operations, and in order to prepare for potential requests for use of National Guard personnel to conduct domestic civil disturbance operations, I direct the following actions:

- The Chief of the National Guard Bureau will work with appropriate State authorities in the vicinity of the District of Columbia to identify National Guard units that could be called upon to conduct civil disturbance/support to law enforcement operations.
- I authorize additional training under title 32, U.S.C., section 502(f) for the identified units to ensure those units are most effectively prepared to conduct civil disturbance operations, including incorporating lessons learned from recent events, as appropriate. I also authorize movement of these units to an appropriate DoD or National Guard training site if local training sites are inadequate to complete this training. This training is authorized through January 30, 2021.

If these units are requested by DC Government authorities for support under the Emergency Management Assistance Compact process while in this training status, training activities will be terminated upon arrival in the District of Columbia and any response would be conducted in State active duty status. The Air National Guard will identify airlift units that have otherwise required training to conduct which could be used to transport National Guard units to the District of Columbia. This is not an authorization for additional funds to be provided to these units; the aircrews will complete required training events during the missions used to position the National Guard units.

If I request that a governor order these units to support a request for assistance from a Federal Department or Agency or to support DoD should the President direct the DoD to protect Federal functions, persons, or property, and the Governor agrees, any training activities would be terminated, and any response would be conducted as "other duty" under title 32, U.S. C., section 502(f).

A handwritten signature in black ink that reads "Christopher C. Miller". The signature is written in a cursive style.

Christopher C. Miller
Acting

cc:
Secretaries of the Military Departments
Chairman of the Joint Chiefs of Staff
Under Secretaries of Defense
Commander, U.S. Northern Command

Message

From: [B6] CIV DLSA (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[B6]

Sent: 1/17/2021 4:55:35 PM

To: [B6] TC USARMY HQDA OTJAG (USA) [B6]

CC: [B6] MAJ USARMY HQDA OTJAG (USA) [B6] COL USARMY HQDA OTJAG (USA) [B6] COL USARMY HQDA OTJAG (USA) [B6] Allen, Charles A SES OSD OGC (USA) [B6] [B6] CAPT USN OSD OGC (USA) [B6] LTC USARMY OSD OGC (USA) [B6] [B6] CIV OSD OGC (USA) [B6] OSD Pentagon OGC Mailbox IA Admin Team [B6]

Subject: RE: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs

Attachments: smime.p7m

[B6]

[B5]

Thanks much

[B6]

[B6]

DoD Office of General Counsel

Office [B6]

Cell [B6]

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From: [B6] COL USARMY HQDA OTJAG (USA) [B6]

Sent: Saturday, January 16, 2021 6:35 PM

To: [B6] COL USARMY HQDA OTJAG (USA) [B6] CIV OSD OGC (USA) [B6] CIV DLSA (USA) [B6] [B6] CAPT USN OSD OGC (USA) [B6] LTC USARMY HQDA OGC (USA) [B6] Lacey, Michael O SES USARMY HQDA OGC (USA) [B6] [B6] CIV USARMY HQDA OGC (USA) [B6] COL USARMY HQDA OGC (USA) [B6] CIV USARMY HQDA OGC (USA) [B6] LTC USARMY NG DCARNG (USA) [B6] [B6] Maj USAF NG NGB (USA) [B6] LTC USARMY NG DCARNG (USA) [B6] CPT USARMY (USA) [B6] [B6] COL USARMY NG DCARNG (USA) [B6] McMahan, Erin K BG USARMY NG NGB (USA) [B6] LTC USARMY NG NGB (USA) [B6] [B6] COL USARMY NG NGB (USA) [B6] [B6] COL USARMY NG NG JA (USA) [B6] ; Young, Charles Lee SES NG NGB (USA) [B6] TC USARMY JS OCJCS (USA) [B6] [B6] CAPT USN JS OCJCS (USA) [B6] Col USAF JS OCJCS (USA) [B6] [B6] COL USARMY JS OCJCS (USA) [B6] [B6] COL USARMY HQDA OTJAG (USA) [B6] CIV USARMY (USA) [B6] COL USARMY HQDA OTJAG (USA) [B6]

[B6] SGT USARMY USAR LEGAL CMD (USA) [B6] MAJ
USARMY HQDA TJAGLCS (USA) [B6] MAJ USARMY HQDA OTJAG (USA)
[B6] MAJ USARMY HQDA OTJAG (USA)
[B6] MAJ USARMY HQDA OTJAG (USA)
[B6] LTC USARMY HQDA (USA) [B6]
[B6] LTC USARMY HQDA DCS G-3-5-7 (USA) [B6]
MAJ USARMY HQDA OTJAG (USA) [B6] MAJ USARMY HQDA
OTJAG (USA) [B6] LTC USARMY HQDA OTJAG (USA)
[B6] LTC USARMY HQDA OTJAG (USA) [B6]
[B6] MAJ USARMY HQDA OTJAG (USA) [B6] MAJ USARMY HQDA
OTJAG (USA) [B6]

Subject: FOR REVIEW: DRAFT SA Letter Approving U.S. Capitol Police (USCP) RFAs

Team,

Attached is another draft letter for review and comment: **Approval Letter from the Secretary of the Army to the Acting Chief, U.S. Capitol Police.**

We request your feedback NLT 1200 tomorrow, Sunday, 17 January 2021.

B5, B6

The POC for your feedback is LTC [B6] please cc MAJ [B6] To clarify any potential confusion, please use LTC [B6] as the primary POC for feedback on the VOCO on NG numbers draft memo as well).

COL [B6] intent remains to have SA to sign these letters on Monday morning.

Thank you for your continued teamwork and assistance!

Respectfully,

[B6]

[B6]

COL, JA
Deputy Chief

National Security Law Division
Office of The Judge Advocate General
2200 Army Pentagon, Room [B6]

B6

OTJAG COVID-19 Portal: <https://www.milsuite.mil/book/community/spaces/armyjag/covid-19>

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Message

From: [B6] CIV OSD OGC (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[B6]]
Sent: 1/17/2021 8:04:38 PM
To: Allen, Charles A SES OSD OGC (USA) [B6] OSD Pentagon OGC Mailbox DGC IA Action [B6]
CC: [B6] CIV DLSA (USA) [B6] OSD Pentagon OGC Mailbox IA Admin Team [B6]
Subject: For DGC(IA) Endorsement to the GC / STS 202101170006 / SecArmy Memoranda Extending Delegation and Providing Employment Guidance Limitations
Attachments: smime.p7m
Importance: High

Sir,

B5, B6

v/r

[B6]

B6

Office of the General Counsel of the Department of Defense

Monday/Wednesday/Fridays afternoons

UNCLASS: [B6] (DSN [B6])

SECURE: [B6]

Tuesdays/Thursdays and Monday/Wednesday/Friday mornings

UNCLASS: [B6]

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From: [B6] COL USARMY HQDA OTJAG (USA) [B6]
Sent: Sunday, January 17, 2021 1:28 PM
To: [B6] COL USARMY HQDA OTJAG (USA) [B6] [B6] CIV OSD OGC (USA) [B6] CIV DLSA (USA) [B6]
[B6] CAPT USN OSD OGC (USA) [B6] LTC USARMY HQDA OGC (USA) [B6] Lacey, Michael O SES USARMY HQDA OGC (USA) [B6]
[B6] CIV USARMY HQDA OGC (USA) [B6] COL USARMY HQDA OGC (USA) [B6] CIV USARMY HQDA OGC (USA) [B6]
[B6] TC USARMY NG DCARNG (USA) [B6]
[B6] Maj USAF NG NGB (USA) [B6] TC USARMY NG DCARNG (USA) [B6] CPT USARMY (USA) [B6]
[B6] COL USARMY NG DCARNG (USA) [B6] McMahan, Erin K BG USARMY NG

NGB (USA) [B6] LTC USARMY NG NGB (USA)
[B6] COL USARMY NG NGB (USA) [B6]
[B6] COL USARMY NG NG JA (USA) [B6] Young, Charles Lee SES NG NGB
(USA) [B6] LTC USARMY JS OCJCS (USA) [B6]
[B6] CAPT USN JS OCJCS (USA) [B6] Col USAF JS OCJCS (USA)
[B6] COL USARMY JS OCJCS (USA) [B6]
Cc: [B6] COL USARMY HQDA OTJAG (USA) [B6] CIV USARMY
(USA) [B6] COL USARMY HQDA OTJAG (USA) [B6]
[B6] SGT USARMY USAR LEGAL CMD (USA) [B6] MAJ
USARMY HQDA TJAGLCS (USA) [B6] MAJ USARMY HQDA OTJAG (USA)
[B6] MAJ USARMY HQDA OTJAG (USA)
[B6] MAJ USARMY HQDA OTJAG (USA)
TC USARMY HQDA (USA) [B6]
[B6] LTC USARMY HQDA DCS G-3-5-7 (USA) [B6]
MAJ USARMY HQDA OTJAG (USA) [B6] MAJ USARMY HQDA
OTJAG (USA) [B6] LTC USARMY HQDA OTJAG (USA)
[B6] LTC USARMY HQDA OTJAG (USA) [B6]
[B6] MAJ USARMY HQDA OTJAG (USA) [B6] MAJ USARMY HQDA
OTJAG (USA) [B6]

Subject: FOR REVIEW: DRAFT Memoranda Extending Delegation and Providing Employment Guidance Limitations

Team,

Enclosed are two draft memoranda for review and comment:

[B5]

Please review and provide comments/edits NLT 1600 this afternoon (Sunday, 17 Jan).

Please send your feedback to LTC [B6] cc MAJ [B6]

COL [B6] intent remains to have SA sign these memos tomorrow (Monday) morning.

As always, thank you for your assistance!

Respectfully,

[B6]

[B6]

COL, JA
Deputy Chief

National Security Law Division
Office of The Judge Advocate General
2200 Army Pentagon, Room [B6]

[B6]

B6

OTJAG COVID-19 Portal: <https://www.milsuite.mil/book/community/spaces/armyjag/covid-19>



SECRETARY OF DEFENSE
1000 DEFENSE PENTAGON
WASHINGTON, DC 20301-1000

JAN - 6 2021

MEMORANDUM FOR CHIEF OF THE NATIONAL GUARD BUREAU

SUBJECT: National Guard Units in the District of Columbia

In light of recent domestic civil unrest in the District of Columbia and the potential demand for use of National Guard personnel to conduct civil disturbance operations, and in order to prepare for potential requests for use of National Guard personnel to conduct domestic civil disturbance operations, I direct the following actions:

- The Chief of the National Guard Bureau will work with appropriate State authorities in the vicinity of the District of Columbia to identify National Guard units that could be called upon to conduct civil disturbance/support to law enforcement operations.
- I authorize additional training under title 32, U.S.C., section 502(f) for the identified units to ensure those units are most effectively prepared to conduct civil disturbance operations, including incorporating lessons learned from recent events, as appropriate. I also authorize movement of these units to an appropriate DoD or National Guard training site if local training sites are inadequate to complete this training. This training is authorized through January 30, 2021.

If these units are requested by DC Government authorities for support under the Emergency Management Assistance Compact process while in this training status, training activities will be terminated upon arrival in the District of Columbia and any response would be conducted in State active duty status. The Air National Guard will identify airlift units that have otherwise required training to conduct which could be used to transport National Guard units to the District of Columbia. This is not an authorization for additional funds to be provided to these units; the aircrews will complete required training events during the missions used to position the National Guard units.

If I request that a governor order these units to support a request for assistance from a Federal Department or Agency or to support DoD should the President direct the DoD to protect Federal functions, persons, or property, and the Governor agrees, any training activities would be terminated, and any response would be conducted as "other duty" under title 32, U.S. C., section 502(f).

A handwritten signature in black ink that reads "Christopher C. Miller". The signature is written in a cursive, slightly slanted style.

Christopher C. Miller
Acting

cc:
Secretaries of the Military Departments
Chairman of the Joint Chiefs of Staff
Under Secretaries of Defense
Commander, U.S. Northern Command

Message

From: [B6] COL USARMY HQDA OTJAG (USA) [/O=EASF/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=[B6]]
Sent: 1/18/2021 6:17:37 PM
To: [B6] CIV OSD OGC (USA) [B6]
CC: Allen, Charles A SES OSD OGC (USA) [B6] CAPT USN OSD OGC (USA) [B6] COL USARMY HQDA OTJAG (USA) [B6] [B6] CIV DLSA (USA) [B6] LTC USARMY HQDA OTJAG (USA) [B6] [B6] LTC USARMY OSD OGC (USA) [B6] [B6] MAJ USARMY HQDA OTJAG (USA)
Subject: RE: Crew Served Weapons
Attachments: SA Approval of USCP RFA v.4.2b.docx

[B6]

Thank you very much. I'm enclosing the revised draft SA memo to USCP. Please review and let us know if you have any further edits.

Thanks,
v/r, [B6]

[B6]
COL, JA
Chief, National Security Law Division
OTJAG, HQDA

[B6]

JAG COVID-19 Portal: <https://www.milsuite.mil/book/community/spaces/armyjag/covid-19>

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From: [B6] CIV OSD OGC (USA) [B6]
Sent: Monday, January 18, 2021 12:38 PM
To: [B6] COL USARMY HQDA OTJAG (USA) [B6]
Cc: Allen, Charles A SES OSD OGC (USA) [B6] CAPT USN OSD OGC (USA) [B6] COL USARMY HQDA OTJAG (USA) [B6] [B6] CIV DLSA (USA) [B6] LTC USARMY HQDA OTJAG (USA) [B6] [B6] LTC USARMY OSD OGC (USA) [B6] [B6] MAJ USARMY HQDA OTJAG (USA)
Subject: RE: Crew Served Weapons

B5

v/r

B6

B6

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UNCLASS: **B6**

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From: **B6** COL USARMY HQDA OTJAG (USA) **B6**

Sent: Monday, January 18, 2021 11:00 AM

To: **B6** CIV OSD OGC (USA) **B6** CIV DLSA (USA)

B6

Cc: **B6** CAPT USN OSD OGC (USA) **B6** COL USARMY HQDA

OTJAG (USA) **B6** LTC USARMY HQDA OTJAG (USA)

B6

MAJ USARMY HQDA OTJAG (USA)

B6

Subject: Crew Served Weapons

B6

B5

v/r, B6

B6

COL, JA

Chief, National Security Law Division

OTJAG, HQDA

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JAG COVID-19 Portal: <https://www.milsuite.mil/book/community/spaces/armyjag/covid-19>

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