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One Hundred Seventeenth
Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION

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February 16, 2022

Mr. Michael A. Bolton
Inspector General
United States Capitol Police
499 South Capitol Street, S.W., Suite 820
Washington, D.C. 20510

Dear Mr. Bolton:

Tomorrow, the Committee on House Administration will hold a hearing with you to discuss the flash reports your team developed during your investigation of the events of January 6, 2021. These flash reports, which comprehensively reviewed the operations and actions taken by U.S. Capitol Police (USCP) on and leading up to that day are instrumental in reforming the department. One year later, the majority of your recommendations have not been fully implemented, the Capitol campus remains in lockdown, and numerous additional concerning developments have come to light regarding Capitol security.

In the time since your series of flash reports concluded, new developments regarding Capitol security have emerged. While each incident on its own might be explained away as error, taken into the broader context, these seemingly isolated incidents that have occurred across campus have greatly increased member hesitation and diminished trust in the leadership of Capitol security. Since January 6th, the Majority has politicized campus security, fomenting distrust among Republicans and raising doubts among members as to the unbiased, impartial security decisions being made around the Capitol complex. We are concerned that this erosion of trust in USCP leadership threatens the mission of USCP, the Capitol Police Board, and campus security overall. This hearing comes at a critical time when frustration and concerns among Members and the American People need to be addressed. Below we've included a timeline of four examples to provide context to these sentiments.

On January 12, 2021, metal detectors were installed outside the House Chamber.¹ It is unclear what justification existed to install these metal detectors at that time, as they would not have stopped rioters the week prior, and the only people allowed in the Chamber are Members of Congress and certain staff. Since this area is already highly restricted, the installation of metal detectors was instantly recognized as a political act with no security basis, directed by Speaker

¹ Jake Tapper, Daniella Diaz, and Manu Raju, *Metal detectors installed outside House floor as Democrats express safety concerns about their colleagues* (January 12, 2021), <https://www.cnn.com/2021/01/12/politics/house-democrats-safety-worries/index.html> (“Acting House Sergeant-at-Arms Timothy Blodgett said in a memo to all members of Congress and their staffs that the metal detectors were being installed to ensure compliance with police regulations banning guns and incendiary devices from the chamber.”)

Pelosi and not by unbiased security experts.² This was done despite her recent insistence that she has “no power over the Capitol Police.”³ The frustration was further exacerbated when both Rep. James Clyburn and Speaker Pelosi were caught circumventing the metal detectors with no immediate fines against either of them.⁴ Today, despite the unnecessary waste of valuable USCP staff and resources at a time when the department is stretched thin, and multiple assurances from the USCP that there are no known insider threats to the Capitol, the magnetometers remain in place. It is clear that the justification is beyond security considerations.⁵

In November 2021, USCP officers entered the office of Rep. Troy Nehls, a former sheriff who has criticized department leadership, and took photographs of his legislative planning materials. Subsequently, USCP sent investigators to his office to question his staff as to the intent of the materials in question. None of these claims are disputed by Chief J. Thomas Manger’s response on this matter to the press. It is unacceptable that USCP officers took photographs of a Representative’s legislative planning materials and questioned his staff on the merits of these items. Not only does it potentially run afoul of Speech or Debate Clause protections for Members, it is yet another example of Members being treated as the threat rather than as duly elected Representatives in Congress, here to perform their constitutional duty to serve their constituents.

On January 24, 2022, *Politico* reported on changes in the lead up to January 6th to the Intelligence and Interagency Coordination Division (IICD) of USCP that “‘caused internal confusion’ and ‘scrambled the priorities’” of the unit’s analysts. The report also claims that in the aftermath of January 6th, changes were made to the procedures for how Congressional Event Assessments are created. These changes include “‘background checks’ on people [with] whom lawmakers planned to meet” and information on the political opponents of lawmakers.⁶ Committee Republicans have strong reason to believe that these claims have merit and are gravely concerned on the effects such policies would have to the detriment of Americans’ civil liberties.

Since then, House Sergeant at Arms, Gen. William J. Walker, current Chair of the Capitol Police Board (the Board), has re-emphasized his goal to implement a visitor access program (*i.e.*, “CAVES”), which will include background checks for anyone with a Capitol ID, plus all public visitors to the Capitol. Additionally, staff would be required to badge in when they enter the buildings and certain spaces of the Capitol campus, providing real-time information on the movements of individuals on campus. It is also a goal of his and the opinion of the House Inspector General that an “insider threat program” should be implemented internally to the House Sergeant

² Kerry Picket, *Pelosi: Too dangerous to remove House chamber metal detectors* (June 17, 2021), <https://www.yahoo.com/video/pelosi-too-dangerous-remove-house-165100788.html> (“House Speaker Nancy Pelosi has no plans to remove the metal detectors installed at each entrance of the lower chamber.”).

³ Kerry Picket, *Pelosi says she’s not involved in Capitol Police spying on Republican lawmakers* (February 9, 2022), <https://www.washingtontimes.com/news/2022/feb/9/pelosi-says-shes-not-involved-capitol-police-spyin/> (“I have no power over the Capitol Police. Does anybody know that?”)

⁴ Letter from Committee Republicans to Acting House Sergeant-at-Arms Tim Blodgett (Feb. 5, 2021); Letter from Committee Republicans to Acting House Sergeant-at-Arms Tim Blodgett (Feb. 10, 2021).

⁵ U.S. Capitol Police Chief J. Thomas Manger, Security Briefing to Republican Conference (Jan. 11, 2022).

⁶ Betsy Woodruff Swan, Daniel Lippman, *Capitol Police examines backgrounds, social media feeds of some who meet with lawmakers* (January 24, 2022), <https://www.politico.com/news/2022/01/24/capitol-police-social-media-00000948>.

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at Arms office as well as throughout the Capitol complex. While similar programs can be found throughout the Executive Branch, they raise concerns for House Republicans in light of these examples of abuse of USCP resources and Americans' constitutional right to petition their government.

When considered together, these developments are at best an unfortunate sequence of avoidable incidents, resulting from a systematic lack of effective oversight and management of USCP by the Capitol Police Board, specifically in their duty to protect all members. At worst, they raise serious concerns with respect to the impartiality of Capitol Police leadership and its disregard for the rights of officers, members, staff, and constituents. In either case, there is a growing concern that certain Representatives are no longer counted among those to be protected but rather that they are increasingly considered the threat. In a healthy republic, the protection of the minority party's rights from the majority party's rule are paramount to the legitimacy of the government.

We urge you to take seriously the claims discussed in this letter. We believe that the various investigations being conducted by your office can provide insight and have the potential to provide legitimate solutions to the challenges faced by USCP. The upcoming hearing presents an important opportunity for you to make a public appearance to address the concerns listed above and to make a commitment for increased transparency. We look forward to hearing from you.

Sincerely,



Rodney Davis
Ranking Member



Barry Loudermilk
Member



Bryan Steil
Member