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COMMITTEE ON HOUSE ADMINISTRATION  
U.S. HOUSE OF REPRESENTATIVES,  
WASHINGTON, D.C.

INTERVIEW OF: BRIGADIER GENERAL AARON R. DEAN II

Tuesday, March 26, 2024

Washington, D.C.

The interview in the above matter was held in room 4480, O'Neill House Office Building, commencing at 10:01 a.m.

1 Appearances:

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5 For the COMMITTEE ON HOUSE ADMINISTRATION:

6

7 [REDACTED] PROFESSIONAL STAFF MEMBER, SUBCOMMITTEE ON OVERSIGHT

8 [REDACTED], RESEARCH ANALYST

9 [REDACTED] DEPUTY STAFF DIRECTOR, SUBCOMMITTEE ON OVERSIGHT

10 [REDACTED], COUNSEL, SUBCOMMITTEE ON OVERSIGHT

11 [REDACTED], MINORITY DEPUTY STAFF DIRECTOR

12 [REDACTED], MINORITY SENIOR COUNSEL FOR OVERSIGHT AND INVESTIGATIONS

13 [REDACTED], VENDOR, CHIEF EXECUTIVE OFFICER OF 5 STONES INTELLIGENCE

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22 Ms. [REDACTED]. All right. Good morning. We'll go on the record.

23 This is a transcribed interview of Brigadier General Aaron Dean, conducted by the  
24 Committee on House Administration Subcommittee on Oversight.

25 At this time, I'd like to please ask the witness to state and spell your full name for

1 the record.

2 The Witness. Aaron Dean. Spelling: A-a-r-o-n, R, and Dean, D-e-a-n, and then  
3 "the second," Roman numeral II, on the end.

4 Ms. [REDACTED]. Got it. Thank you, sir.

5 This will be a staff-led interview. Speaking is [REDACTED], deputy staff  
6 director of the Oversight Subcommittee.

7 In the room today we have [REDACTED] professional staff member with the  
8 majority; [REDACTED], professional staff member with the majority; counsel with the  
9 majority [REDACTED].

10 We have [REDACTED], who is a vendor with 5 Stones Intelligence; [REDACTED],  
11 who is the deputy staff director of the full Committee; and [REDACTED], who is the  
12 minority senior counsel for Oversight and Investigations.

13 Mr. Dean, do you have any counsel with you today?

14 The Witness. I do not.

15 Ms. [REDACTED]. Okay.

16 So we also have two official reporters with us today, Terri and Katy. They will be  
17 transcribing a record of this interview.

18 Please wait until each question is completed before you begin your response, and  
19 we'll try and wait until your response is complete before we ask our next question.

20 Our official reporters this morning cannot read nonverbal responses such as  
21 shaking your head, so it's important that you answer each question with an audible,  
22 verbal response.

23 We ask that you provide complete answers based on your best recollection. If  
24 the question's not clear, please just ask me for clarification. And if you don't know the  
25 answer, you can just simply say no.

1           The Witness.   Okay.

2           Ms. ██████.   First, it's important that you understand this interview is voluntary.  
3   If at any time you would like to stop speaking with us, it's absolutely your choice.   Just  
4   let me know.

5           Similarly, if at any point you need to discuss something in private, just let me know  
6   that you need a break and we'll take a break.

7           The Witness.   Okay.

8           Ms. ██████.   Secondly, you're not obligated to keep this interview or that we've  
9   had this conversation today confidential.   That's your decision.   The Subcommittee  
10   does intend to make your testimony public at some point.

11          The Witness.   Okay.

12          Ms. ██████.   Again, logistically, let us know if you need any breaks.

13          From the majority side, ██████ and myself will primarily be the ones asking  
14   questions.   If you don't understand a question, ask me to repeat it.

15          We will rotate in 1-hour increments with our majority minority counterparts.   So  
16   the majority will start for an hour, and then we'll kick it over to the minority for an hour.

17          And, sir, just to give you an outline of the structure, we're going to start with your  
18   background, a few kind of 101-level questions about the D.C. National Guard.   And then  
19   we'll move into the days leading up to January 6th; January 6th, 2021, itself; and then  
20   we'll have some followup questions regarding the DOD IG report.

21          Does that sound good?

22          The Witness.   Sounds good to me.

23          Ms. ██████.   Okay.

24          The official reporters will now swear in Mr. Dean.

25          The Reporter.   Please raise your right hand.

1 Do you solemnly declare and affirm, under penalty of perjury, that the testimony  
2 you are about to give will be the truth, the whole truth, and nothing but the truth?

3 The Witness. I do.

4 Ms. [REDACTED] All right. Thank you, sir.

5 EXAMINATION

6 BY MS. [REDACTED]

7 Q Mr. Dean, we want to thank you for your service to the country, and we  
8 really appreciate you being here with us today.

9 Can you just tell us a little bit about your background?

10 A Okay.

11 So I've been in the District of Columbia National Guard since 1989, so I've been  
12 there quite a while. I've held numerous positions within the District of Columbia  
13 National Guard, mostly operational.

14 So I was a Military Police officer by trade -- that's my branch -- until I got  
15 promoted to general officer, which is, of course, general. So I was a Military Police  
16 company commander. I was a Military Police battalion commander. I was a true  
17 command -- which is a branch and material -- brigade commander. And I commanded  
18 the land component within the D.C. National Guard.

19 My staff jobs were mainly operational. I was the operations officer for the  
20 battalion. I was the operations officer for the District of Columbia. I was the joint  
21 operations officer for the District of Columbia.

22 So I have quite a bit of operational and command experience within the District of  
23 Columbia, and I've been in that organization for quite some time.

24 Q Wow. Thank you.

25 What was your position and role on January 6, 2021?

1 A I was the Adjutant General. So the Adjutant -- I'll just answer your --

2 Q Please.

3 A -- questions as you give them.

4 Q Yes.

5 A I was the Adjutant General.

6 Q Could you explain what that means?

7 A Well, certainly. So the Adjutant General is the principal advisor to the  
8 Commanding General and advises on all matters pertaining to operations; impacts to the  
9 organization, both internal and external; any sort of legislative impacts to the District of  
10 Columbia; and, of course, any sort of deployment impact to the District of Columbia  
11 National Guard. As well as, any domestic military operations, I provide advice to the  
12 Commanding General on that.

13 As my role on January 6th as the Adjutant General, I was actually between the  
14 Commanding General and the Land Component Commander. So the Commanding  
15 General will go to me and ask me to implement whatever policies, procedures, and  
16 operations that he wanted to implement at any given time.

17 Q Can you explain your chain of command and your reporting structure?

18 A The chain of command was the Commanding General, me, the Land  
19 Component Commander, the Air Component Commander, and then it goes down from  
20 there.

21 Q Sure. So you reported directly to Major General Walker?

22 A I did.

23 Q Okay. Thank you.

24 We're going to begin our first hour of majority questions.

25 A Okay.

1 Q And we'll start the timer.

2 So, sir, what is the mission of the D.C. National Guard?

3 A The mission of the District of Columbia National Guard is to protect the  
4 Capitol and defend the Nation against all enemies, foreign and domestic, and to ensure  
5 that we provide a safe and secure environment for the citizens of the District of Columbia  
6 and to ensure that we're prepared to execute our Title 10 combat missions at any time.

7 Q Thank you, sir.

8 And can you just speak a little bit about the command structure of the D.C.  
9 National Guard and who the D.C. National Guard reports to?

10 A Sure, the command structure for the D.C. National Guard. We're the  
11 President's guard. We're the only National Guard that belongs to the President of the  
12 United States.

13 But the 1969 executive order delegated that responsibility to the Secretary of  
14 Defense; and further sub-delegated them, probably through taskings or another  
15 mechanism, down to the Secretary of the Army for day-to-day operations of the District  
16 of Columbia National Guard.

17 Q So Major General Walker reported to the Secretary of the Army?

18 A Major General Walker reports to the Secretary of the Army.

19 Q Thank you.

20 How would you describe the overall skill and preparedness of the D.C. National  
21 Guard prior to January 6, 2021?

22 A It depends on what you're talking about. So we have two missions. We  
23 have a Title 10 combat mission, right -- so everything that the National Guard does in  
24 preparation for the wartime mission, that's our role and responsibility.

25 So our role for the wartime mission is to make sure that our Military Police, our

1 transporters, our mechanics, our aviators, and, on the air side, making sure that we're  
2 able to fly combat sorties, that's our wartime mission. That's what we train for; that's  
3 what we're resourced for.

4 We also integrate some domestic operational support requirements in that.  
5 Throughout my experience in the Guard, we dedicated a certain amount of time for civil  
6 disturbance training. So we would ensure that our Military Police did the civil  
7 disturbance training, and we would also ensure that our maintainers and our transporters  
8 would do civil disturbance training as well, just not as frequently as the Military Police.

9 As a Military Police officer, that's what we were designed to do, was, both on the  
10 battlefield and in domestic operations, is, you know, civil disturbance.

11 Q Understood. Thank you, sir.

12 Can you speak to what Major General Walker and your relationship was like with  
13 Secretary Ryan McCarthy, the Secretary of the Army?

14 A So I think General Walker's relationship with Mr. McCarthy was one of a boss  
15 and subordinate, right? And I was brought in typically when there were missions and  
16 other sorts of domestic operation support requirements that needed overall discussion,  
17 but they would often have private discussions, as, you know, supervisors/subordinates  
18 do. And I wasn't privy to those.

19 Q Uh-huh.

20 A But I was privy to a lot of the operational discussions that were had, mainly  
21 in open forum or with the staff.

22 So my relationship with the Secretary wasn't as close as General Walker's was;  
23 however, I did speak to him on occasion and gave answers during several meetings.

24 Q Sure.

25 Can you elaborate on Secretary McCarthy's role prior to January 6th and the



1 preparation leading up to January 6th with the D.C. National Guard?

2 A So his role really is to establish parameters for what we are able to do  
3 operationally and legally, right? Because, of course, he has the Office of General  
4 Counsel that works directly for him, and what we do must be sound legally, within the  
5 construct of domestic operations, within Title 32 parameters. And he's responsible for  
6 setting those parameters.

7 And he's responsible for approving the missions that civil authorities ask us to do.  
8 So if a civil authority asks us to do a certain mission, then he's the approval authority.  
9 And he has a staff that runs it through the staffing process to ensure that the mission  
10 meets Title 32 legal requirements. And then he sets other requirements as he deems  
11 necessary.

12 Q Okay.

13 Can you speak to the relationship the D.C. National Guard had with other Army  
14 officials, Army staff?

15 A The relationship with the Army staff was more of a support -- "Hey, what do  
16 you need, and we'll try to get it for you" -- mainly ran through Secretary McCarthy.  
17 We'd tell Secretary McCarthy what requirements we needed, and he would, in turn, turn  
18 to his staff and tell them to either make it happen or give him an update on why it  
19 couldn't happen or if the resource was available, that sort of thing.

20 Q Understood.

21 And do you believe that Secretary McCarthy had Major General Walker's contact  
22 information, his phone number?

23 A Oh, he had his contact information --

24 Q Both --

25 A -- most definitely, assured- --

1 Q -- personal and --

2 A Assuredly.

3 Q Okay. So Secretary McCarthy knew how to reach Major General Walker.

4 A Personal, work, email.

5 Q Okay.

6 A He had all of the information, yes.

7 Q If he were to call Major General Walker, would he typically call his personal  
8 phone or his office phone?

9 A He would probably call his work cell first and then go to his private cell.

10 Q Got it.

11 A Right.

12 Q Okay. Thank you, sir.

13 What was the D.C. National Guard's relationship like with the Department of  
14 Defense?

15 A At the time, it was one level up. So it was really a one-level-up  
16 relationship, right? You go through the Secretary of the Army to get to the Secretary of  
17 Defense. You really didn't speak to the Secretary of Defense without talking to the  
18 Secretary of the Army. So it was one level up. It wasn't a direct line of  
19 communication -- at the time, prior to January 6th.

20 Q Okay. Understood.

21 Sir, did you ever hear the word "optics" on the days leading up to January 6th?

22 A I did. I heard it in the meetings that I was on, with several people in the  
23 room.

24 Q Was that meeting on January 4th?

25 A No. That was a meeting on January 6th.

1 Q Okay.

2 A That was that actual meeting.

3 Q Sure. Were you on a January 4th planning call with any Army officials?

4 A I don't recall the planning meeting with Army officials for a planning sort of  
5 call. Because, remember, Chief Sund hadn't asked for us at the time. And so the only  
6 planning -- I do recall the planning. The planning call was strictly for the traffic control.

7 So we were going over the traffic control mission and talking about the  
8 parameters of the traffic control mission. And there was discussion about how far it  
9 needed to be away from the Capitol. I believe it was nine blocks; it needed to be nine  
10 blocks away from the Capitol.

11 Q Uh-huh.

12 A And we spoke about the traffic control points and what they were allowed to  
13 do and what they weren't allowed to do. So what they were allowed to do was direct  
14 traffic.

15 Q Sure.

16 A That's what they were allowed to do.

17 Q Okay. Understood.

18 A And that was it. So --

19 Q So the individual you recall mentioning nine blocks away from the Capitol,  
20 was that said by Army officials?

21 A That was said by Army officials.

22 BY MS. [REDACTED]

23 Q Okay. Do you happen to recall on that call a mention of removing a traffic  
24 control point at the Capitol South Metro station?

25 A I do. It was too close. So the conversation was, it was too close to the

1 Capitol.

2 Now, I don't recall the word "optics" being used in that conversation. What I do  
3 recall is the reluctance to have National Guardsmen close to the Capitol on or about  
4 January 6th -- on or around January 6th, prior to that.

5 Q Was there any reasoning given for that, or just that's the extent of what they  
6 shared?

7 A They essentially said that they didn't want a National Guard response prior  
8 to the Capitol asking for a National Guard response. So my takeaway from it was, we  
9 don't want to have any National Guard presence around the Capitol when the Capitol  
10 didn't ask for a National Guard response.

11 Q Sure.

12 A That was what I assumed they meant by that. But what I also assumed was  
13 that they didn't want the appearance of National Guardsmen with the Capitol as a  
14 backdrop.

15 Q Sure. Understood.

16 So this is a great caveat. We've got a couple questions about the TCPs, the traffic  
17 control points. I'm going to kick it to my colleague, [REDACTED].

18 A Okay.

19 Mr. [REDACTED] Thanks, [REDACTED]

20 BY MR. [REDACTED]

21 Q So, sir, now I'll ask you a few questions about the days prior to January 6th  
22 and about the traffic control points specifically.

23 In the lead-up to January 6th, the D.C. government submitted a request to the  
24 D.C. National Guard for National Guard assistance on January 5th and January 6th. As  
25 part of that request, the D.C. government requested assistance at these various traffic

1 control points and Metro stations.

2 Were you involved, sir, in the D.C. National Guard's efforts to fulfill this request?

3 A Yes.

4 Q And can you speak to the process in fulfilling that request, sir -- how that  
5 process occurred, what meetings were held?

6 A So the way it works is, the Metropolitan Police Department, they determine  
7 what National Guard resources they need to fulfill their obligation to create a safe  
8 environment for events that were going to occur on the 6th.

9 We knew that there was going to be a large crowd that was going to attend on  
10 The Mall, and, as a result, we typically provide traffic control when there are large crowds  
11 on The Mall.

12 And so part of the planning was to determine where they wanted us and what  
13 they actually wanted us to do. Because there's traffic control, and there's blocking  
14 positions. Blocking positions prevent traffic from enter and egress, right? And traffic  
15 control is mainly, hey, you direct traffic to not enter the street and go this way or go that  
16 way or through, along with pedestrian traffic.

17 And so we were under the impression at the time that we were going to direct  
18 traffic, to include pedestrian traffic.

19 Q And, I guess, during some of those meetings, maybe the January 4th call or  
20 some subsequent meetings that you were involved with, in planning for fulfilling that  
21 request, were any Army officials involved in that? And, specifically, was Secretary  
22 McCarthy involved in those decisions about the traffic control points and the location of  
23 those traffic control points?

24 A Yeah, so that January 4th was kind of like a back-brief. A back-brief is when  
25 you brief somebody on your plan on how you're going to execute something, right? And

1 so we were essentially briefing our plan for how we were going to execute.

2 First, we indicated what the city asked for. And then we indicated how we were  
3 actually going to execute -- you know, what sorts of equipment and what the actual  
4 mission for those traffic control posts were.

5 So that's what that discussion was about on the 4th.

6 Q Uh-huh. Understood.

7 And in terms of the equipment that National Guardsmen at these traffic control  
8 points had, what kind of equipment did they have? Can you go into any detail about the  
9 equipment they had on January 5th and January 6th at the traffic control points?

10 A I can tell you what they were supposed to have, and I can tell you what they  
11 had --

12 Ms. [REDACTED] Perfect.

13 The Witness. -- okay?

14 Mr. [REDACTED] Yep.

15 The Witness. What they were supposed to have was a road guard vest,  
16 flashlight, just basic equipment to be visible to traffic. That's what they were supposed  
17 to have.

18 What we had them do was we had them to put civil disturbance gear in the trunks  
19 of the vehicles so that they could have them, for two reasons. One is for safety, in case  
20 something happened and they needed protection of any kind. And two was if they  
21 needed to be quickly re-missioned, right?

22 We specifically knew that they didn't want to be re-missioned, but we're not -- I  
23 advised the CG, we're not going to send any people out without the proper safety  
24 equipment and the ability to transition if need be. What if they were surrounded and  
25 they had no way out other than on foot? Are they just going to take their road guard

1 vest and just leave on foot and be vulnerable? No.

2 So that was the rationale for having other gear in the car besides the road guard  
3 vest and flashlight.

4 BY MR. [REDACTED]

5 Q Understood.

6 And to just maybe go back for a brief moment about the concern about optics  
7 prior to January 6th and in that planning call before January 6th, were you aware of who  
8 made those comments about the -- that concern about the nine blocks from the Capitol,  
9 about those traffic control points? Are you --

10 A Yeah.

11 Q -- aware of who said it?

12 A I'm not sure who said it then. I know exactly who said it on the 6th, but I'm  
13 not sure who said it on the 4th.

14 But I can tell you this. I can tell you that, if there was no other takeaway from  
15 that meeting, it was that they didn't want Guardsmen -- and this was the Army  
16 staff -- they didn't want Guardsmen anywhere near the Capitol.

17 Q Uh-huh. Understood.

18 And then a few other questions.

19 On January 6th itself -- and we'll get more into detail on this --

20 A Okay.

21 Q -- did the phrase "re-mission" ever come up throughout the day? Did that  
22 phrase, "re-mission," or that term, come up throughout the day on January 6th?

23 A No. It came up on our side, but not on their side.

24 Q And "their side" being the Department of the Army?

25 A The DOD side, the Department of the Army, HPDA (ph). They had no

1 discussion about re-missioning, nor would they even entertain the notion of  
2 re-missioning.

3 Q Understood. Understood.

4 And regarding that term, "re-missioning," typically, in a hypothetical scenario,  
5 when the National Guard is being re-missioned, generally how long does that planning  
6 process take, just in general?

7 A It depends. So it depends on if it's a known event or if it's a crisis, right?

8 Q Uh-huh.

9 A If it's a crisis, then you're at the whims of the crisis, right?

10 And the whole thing that General Walker always said was he didn't want to be late  
11 to need. So if somebody needs the National Guard, you don't want to be late to that  
12 need, so you don't want to have some sort of postponement.

13 So, in general, it could take anywhere from, you know, an hour, 2 hours, 3 hours.  
14 It just really all depends on the circumstance surrounding the issue at hand. Because  
15 the way it works is, it's not an Army or National Guard mission; it's a civil authority  
16 mission, and we're supporting their efforts.

17 Q Understood.

18 BY MS. ██████████

19 Q So, sir, in a transcribed interview with the Select Committee to Investigate  
20 January 6th, Colonel ██████████, the Joint Task Force Guardian Commander, testified  
21 that the Metropolitan Police Department asked him to move a vehicle one intersection  
22 north but that he could not authorize that.

23 Colonel ██████████ continued, "I had to request that up through the Secretary of the  
24 Army, and it took 3 hours. But 3 hours later, I received approval."

25 Is that typical?



1           A    That's not typical.  That's not typical at all.

2           So, if it's the same mission, typically, out of all of my years of experience in the  
3   District of Columbia National Guard and working several domestic operations, if it's within  
4   that same mission set -- let's say, for example, that our mission is traffic control --

5           Q    Uh-huh.

6           A    -- but we want to move a traffic control point within the general area, we've  
7   been allowed to do that in the past with no issue, right, as long as we coordinate it with  
8   the Metropolitan Police Department, right?  Because we had a general area of  
9   operation, and within that general area of operation we were allowed to make changes  
10  as long as it didn't change the mission.

11          So we couldn't say, "Okay, we're going to move from traffic control to blocking  
12  positions," right?  We were never allowed to change missions.  But we were always  
13  allowed to move positions within that same mission set --

14          Q    Uh-huh.

15          A    -- within our area of operation.  We've always been allowed to do that.

16          That was the only time in my -- 1989 -- I don't know how many years that is.  But  
17  that was the only time in my entire career where I've ever witnessed that sort of  
18  micromanagement of movement within the same mission set.

19          Q    Uh-huh.

20          Sir, were you interviewed by the Select Committee to Investigate January 6th?

21          A    If I was, I don't recall.

22          Q    Okay.

23          A    I don't remember anybody coming up to me asking me any questions about  
24  January 6th and what happened and what my perspective was or anything.

25          Q    Do you have any additional thoughts you'd like to share about the Select

1 Committee before we move on?

2 A Oh, about -- about the IG report or the Select Committee? Which one?

3 Q Yes, sir. Specifically, the Select Committee to Investigate January 6th.

4 A Well, let me just say this about the Select Committee to Investigate  
5 January 6th. There's a difference between Title 10 missions and Title 32 missions. And  
6 I'm not sure if they had the proper expertise on that Select Committee to ask the right  
7 questions to get to the appropriate answers and draw the appropriate conclusions based  
8 on what they were actually looking at. I'm not sure if they even knew what they were  
9 actually looking at.

10 And so my opinion of that Select Committee was, they needed a few more  
11 National Guard experts on that Select Committee to get after the questions that they  
12 needed to ask to surmise the right conclusions.

13 Q Sure. I appreciate that.

14 So, moving on to the DOD IG report from November 16, 2021, sir --

15 A Okay.

16 Q -- were you interviewed by the DOD IG?

17 A If I was, I don't recall being interviewed by the DOD IG. I was not  
18 interviewed by anybody from the IG's Office, I can tell you that. Because it's normally  
19 very formal when they call you, and they say, "I'm such-and-such from the IG's Office, and  
20 I'd like to have a conversation with you" --

21 Q Okay.

22 A -- and I don't recall that. So --

23 Q Sure. Do you believe the November 16th DOD IG report accurately reflects  
24 the events of January 6th?

25 A No, I do not. I think there were several glaring deficiencies in the manner

1 in which they presented the conclusions.

2 So, you know, I think the conclusions were based through a Title 10 lens and not  
3 having knowledge of what the National Guard does and what the National Guard is  
4 supposed to do and how they are supposed to act under Title 32 and how we're in  
5 support of local authorities. I don't think they had that expertise. So I think, with that,  
6 I think there were a lot of glaring deficiencies.

7 I think there were other deficiencies in the notification timeline. Now, I don't  
8 know off the top of my head those exact times, like, you know, 5:09 versus 5:06. That's  
9 irrelevant to me. What's relevant is that, when they tried to intimate that we were  
10 notified prior to 5 o'clock, that is completely inaccurate. There were no phone calls  
11 made. There was no one telling anybody to move toward the Capitol prior to 5 o'clock.

12 And so that report tried to indicate that there was a botched response on behalf  
13 of the D.C. National Guard that I believe is wholly inaccurate.

14 Q Were any of your colleagues in the D.C. National Guard interviewed, that  
15 you're aware of, by the DOD IG?

16 A I think they interviewed some captain that was a part of Capitol response,  
17 from what I gathered. It was a junior person that I remember that I had the knowledge  
18 that they interviewed. Other than that, I don't know who they interviewed.

19 Q So the IG report cites and uses unnamed and anonymous sources. Is that  
20 normal, in your opinion?

21 A Not at all. Not at all.

22 Q Has the release of the DOD IG report impacted you personally or  
23 professionally?

24 A Well, I'll tell you, the only way that it impacted me -- I'm not on social media  
25 that much at all, but I do have a Wikipedia page. So I go on my Wikipedia page, and on

1 my Wikipedia page it says, "Aaron R. Dean, II, the Adjutant General for the District of  
2 Columbia National Guard, who was responsible for the botched response to January 6th."  
3 And then it cites the IG report for January 6th. And I say, "Oh, okay."

4 So, trying to figure out how they came up with that conclusion on my Wikipedia  
5 page. I've since changed it, but I was like, I don't -- so, to me, it's not a smear on me; it's  
6 a smear on the soldiers and airmen that came out that day to support the city and the  
7 residents and the Congressmen and the Senators and the staffers on the Hill. It's an  
8 affront to them. That's what it is to me.

9 Q How do you think the DOD IG report has impacted the D.C. National Guard  
10 as a whole?

11 A I think it gave question to the reputation of our professionalism. And I  
12 don't think that should be a question, for the soldiers and the airmen that take off their  
13 jobs and leave their families to come support an effort like that and do the best they can,  
14 to have a report kind of try to show that they're a second-rate organization that has a  
15 bunch of flaws and deficiencies that does not allow them to respond professionally.

16 Q Sure.

17 Sir, are you aware of a January 3rd Washington Post op-ed from 10 former  
18 Secretaries of Defense? The op-ed was titled, "All 10 living former defense secretaries:  
19 Involving the military in election disputes would cross into dangerous territory." Do you  
20 recall that op-ed?

21 A I do recall it. I vaguely recall it. Yeah.

22 Q Were you aware of Acting Secretary of Defense Chris Miller or Secretary  
23 McCarthy's feelings towards this op-ed?

24 A No. No, not one way or the other. No.

25 Q Do you believe this op-ed influenced any decision-making?

1 A I really can't say.

2 Q So, according to Acting Secretary Miller's testimony before the House  
3 Committee on Oversight and Reform, Secretary Miller stated that he made a very  
4 deliberate decision that he would not put U.S. military people east of 9th Street NW.

5 And I believe we touched on this earlier, but were you aware of concerns  
6 regarding the public perception of Guardsmen with the Capitol in the background?

7 A I was aware of that concern. I was. I didn't know it was his concern. I  
8 thought it was -- of course, it probably got translated down from the Secretary of Defense  
9 to the Secretary of the Army, to the Army staff. But I was aware of that perception, yes.

10 Q So whose decision would it have been to move or recall the traffic control  
11 point at the Capitol South Metro station? Who ultimately would've been the  
12 decision-maker?

13 A For us, it would've been Secretary McCarthy. Anything above that I really  
14 don't know.

15 Q Understood.

16 So we're going to ask you a couple questions about the January 5th memo from  
17 Secretary McCarthy to Major General Walker. I'll kick it to my colleague, [REDACTED].

18 A Okay.

19 BY MR. [REDACTED]

20 Q So, sir, are you aware of the contents of this January 5th memo from  
21 Secretary McCarthy to Major General Walker, specifically the changes made by Secretary  
22 McCarthy, including withholding the authority to deploy the Quick Reaction Force and  
23 requiring a concept of operations prior to any change in the D.C. National Guard's set  
24 mission?

25 A Yes, I'm aware of that.

1 Q You are? Okay.

2 And, typically -- setting aside January 6th -- typically, does General Walker have  
3 unilateral authority to call in a Quick Reaction Force and deploy it?

4 A I wouldn't say unilateral authority. I'd say that he has the ability to get a  
5 vocal approval from the Secretary in a crisis situation to deploy a Quick Reaction Force.  
6 Because it's just that. I mean, if you don't have that ability, then it's not that quick.

7 Q Right. It's designed to respond in emergencies; is that correct, sir?

8 A It's designed to respond in a crisis.

9 So, you know, emergencies, to me, can be broken down into crisis and  
10 consequence management, right? It's still an emergency when there's a consequence  
11 management side of it, but the consequence management side of it is the part where the  
12 crisis part is over and now you're trying to maintain some semblance of order and your  
13 ability to get back to a sense of normalcy.

14 Q Uh-huh.

15 A And so I break it up into that, crisis and consequence management, which is  
16 all part of the emergency.

17 But, in a crisis, that's when the QRF is important and why it's important for it to  
18 move quickly. Because the crisis is only a finite time period, normally, right?

19 You know, take the active shooter that was at the Navy Yard. That crisis, right,  
20 lasted until the gunman was neutralized, right? But then there's some conflict  
21 management pieces of it -- you know, the investigation, the treatment of people, the  
22 closing off of areas, all those sorts of things. There's still an emergency going on; the  
23 van's (ph) still down there. But during the crisis you have to do certain things, because a  
24 crisis is only so long.

25 Q Uh-huh.

1           A    And so it's incumbent upon any organization that has a QRF to be quick and  
2   be able to respond relatively quickly to a crisis.

3           Q    And so is it fair to say that, like -- Major General Walker, would he need to  
4   get separate approval in writing for a QRF from Secretary McCarthy?

5           A    That's different, right?  That's different than -- anytime that I've witnessed  
6   in the past, they get separate written approval to move a QRF.

7           Q    Uh-huh.

8           A    Because that, in essence, slows down the QRF, right, I mean, just by the  
9   nature of it.

10            The second part of it was, it did not -- the ability not to move the QRF from its  
11   assembly area is really something that was, to me, abnormal in the way that QRFs are  
12   run, right?

13            So, if I have QRFs and they're staged around the national capital area -- so let's say  
14   they're staged at [REDACTED], right? -- well, when I get a whiff that there's going  
15   to be a crisis, I move them forward, right?  And then I wait for approval to send them  
16   out, but normally it's like a vocal, "Hey, what do you have?  How many do you have?  
17   What are they telling you that they want you to do?"  And you discuss all that over the  
18   phone, right?

19            But to not have permission to move those forces forward until you get approval,  
20   that's -- I think that's the antithesis of a QRF.

21           Q    Uh-huh.  So is it fair to say that those restrictions placed on the QRF were  
22   unusual and not typical?

23           A    They were unusual and had the propensity to slow the response.

24           Q    And do you have any idea why those restrictions were placed on the QRF?

25           A    So, in discussions, with having them nine blocks out and no Guardsmen on

1 the Capitol, I think they were really trying to go through a deliberate process before they  
2 put Guardsmen on the Capitol, right? Yeah. A deliberate process. Versus a hasty  
3 process that gets after all the questions, they wanted to go through a deliberate process.

4 And the reason for that you'd have to ask them. Why did you choose to go  
5 through a deliberate process in a crisis versus going through a hasty process that actually  
6 moves forces faster?

7 Q Understood.

8 And, sir, asking you to speculate a bit, but what impact do you think this memo  
9 had on the ability of the D.C. National Guard to respond to a civil disturbance operation  
10 near the U.S. Capitol?

11 A I can tell you this: If General Walker had the ability to deploy those forces,  
12 he would've deployed them when he got the call from Chief Sund, when Chief Sund said,  
13 "There's shots fired; I need your help right now." And you could hear it in his voice.  
14 His voice was shaking. You could hear it in his voice.

15 Q Uh-huh.

16 A And so he would've sent them right then.

17 And when I say "sent them," he would've sent them to an assembly area that's at  
18 the Capitol. [REDACTED] would've gotten with the Capitol Police and told them, "Hey,  
19 this is what we're capable of doing," right? So our forces, we hold the line, or we deflect  
20 people away from certain facilities. That's what we do. Right? So, if you want us to  
21 spray teargas and all that kind of stuff, we're not doing that, but this is what we can do.

22 That's what we would've done. We would've put Colonel [REDACTED] in action, and  
23 we would've sent forces to the assembly area so we could've helped the Capitol Police  
24 determine where best to place us. And I can tell you with a certain amount of certainty  
25 that General Walker would've done that.



1 Q Understood.

2 I think we'll now move on to January 6th itself, and I'll kick it back to [REDACTED]

3 Ms. [REDACTED]. Sure. Yep.

4 BY MS. [REDACTED]

5 Q So, sir, just one quick followup. When [REDACTED] asked you about the  
6 memo being unusual and you said, "You'll have to ask them," who were you referring to  
7 as "them"?

8 A Oh. The Secretary of the Army. So he's the one that approves it and  
9 writes it, and his staff develops it for him. So you'd have to ask him why he put so many  
10 caveats in it.

11 Q Sure. Okay. Thank you, sir.

12 So we're at January 6, 2021. I'm just --

13 A Okay.

14 Q -- going to ask you to give us a brief, kind of, walk-through of your day, and  
15 then we'll revisit specifically through the timeline.

16 A Sure.

17 Q So could you just kind of walk us through your day?

18 A Sure.

19 So, you know, initially, we wanted to make sure that we had the QRFs, that we  
20 had our numbers together, we had their equipment together, we had them staged in the  
21 appropriate places and they were ready to go. So my responsibility was to just check on  
22 those commanders to make sure that they had everything that they needed, and if they  
23 needed something else, then they would contact me. So I did that in the morning.

24 As it got closer to the event, we already had the traffic control forces out, so I  
25 knew how many traffic control people we had out. I knew they had the gear in the car; I

1 knew exactly where they were. And we were just in a monitoring mode. We were  
2 monitoring the status of, you know, the traffic control posts. We were monitoring the  
3 QRF in terms of their status and were they ready to go. And then we were just standing  
4 by.

5 And so we were watching things unfold on CNN, like, live. And, sure enough,  
6 when we were watching that, we got a call from Chief Sund, and he was like, "I need your  
7 help. I need your help, like, right now."

8 And we're like -- you know, there was a bunch of conversation within that initial  
9 call. And then General Piatt was the one that said, "I am concerned about optics of  
10 Guardsmen being on the Capitol." And I thought to myself, "Okay. I'm not sure why  
11 we're concerned about optics when it comes to, you know, saving lives and preventing  
12 damage and loss of property, but okay."

13 And then -- so on that call was -- to my recollection, it was -- on our side, it was  
14 Lieutenant Nick, myself, Sergeant Major Brooks, General Walker, and Colonel [REDACTED]s.  
15 Those are the people that I recall in the room. On the phone was Chief Contee, Chief  
16 Sund, and probably Chief Carroll was in the background with Chief Contee. Then you  
17 had General Piatt and General Flynn. And the reason why I know they were on there is  
18 because they introduced themselves, so I know that's who was on that line.

19 And when we were having the discussion, as we went through, talking about what  
20 was going on and the deployment -- so Chief Sund was saying, "Hey, I need help. The  
21 crowd is bigger than I thought. I need as many Guardsmen as you can possibly get down  
22 here." And then he was asking, you know, "How many do you have?" And then he  
23 kind of got cut off.

24 And then it's like, "Well, hey, we've got a concern about optics." And then that's  
25 when General -- I mean, that's when Chief Contee got on the line and said, "Hey, so are

1 you telling me that you're not going to allow Guardsmen to go down to the Capitol?"  
2 And then that's when General Piatt said, "I don't have the authority to say whether the  
3 Guardsmen are going down to the Capitol or not. I'm just telling you about what my  
4 military advice is to the Secretary of the Army."

5 And then he said -- and then Chief Sund said, "Hey, I've got shots fired here on the  
6 Capitol," right? And then General Flynn goes, "Can you confirm that?" And I'm like,  
7 okay, this is the chief of police, on a police radio, with his police officers, and he's got a  
8 report of shots fired. I'm like, who in their right mind asks if you can validate that initial  
9 report of shots fired from a police officer? And so that struck me as kind of a little  
10 different than any other conversation I've had with any other military officer in my entire  
11 career.

12 And so, as the call progressed, it really ended with, "I don't have the authority to  
13 send them or not send them." And then the call was over, and the Guardsmen weren't  
14 sent anywhere.

15 And then General Walker basically got off the phone and said, "If I could send  
16 them right now without getting fired, I would send them right now." Those were his  
17 direct words to me. "If I could send them right now without being fired, I would send  
18 them right now." And that was that.

19 Q So, sir, I believe you're referring to the 2:30 p.m. call.

20 A The 2:30 p.m. call.

21 Q Can you pick up, after this phone call, what happens next?

22 A So apparently they have a telecon with the Army staff and General Walker.  
23 And they kicked me out of the room, so I'm kicked out of that meeting. So I'm kicked  
24 out of the room on that one. So apparently that's principal-only, or whatever you want  
25 to call it, kind of meeting. And they discussed some other items about the deployment

1 of the National Guard -- which wound up not being a deployment of the National Guard.  
2 And so I guess they just go around and around with the same sort of discussion, because  
3 the end result was the same: no deployment of the D.C. National Guard.

4 Meanwhile -- meanwhile -- all the police departments up and down the East Coast  
5 are being called to try to help and come down to the Capitol and try to mitigate the  
6 effects of the people entering the Capitol without proper authorization from the Capitol  
7 Police.

8 Q So, sir -- thank you for that -- who did you have direct and immediate lines of  
9 communication with on January 6, 2021?

10 A Mainly General Walker, Colonel Matthews. I didn't talk to Colonel [REDACTED]  
11 specifically. I think he talked directly to General Walker. But, I mean, I had access to  
12 anybody that I needed to, if I wanted to.

13 But, that day, I really just had access to the CG and, of course, to General Ryan,  
14 who is the trigger person that tells the QRF and everybody else, "Hey, deploy."

15 Q Got it.

16 So, sir, you mentioned that you turned on CNN, but how were you receiving  
17 information regarding the security situation unfolding at the Capitol?

18 A It was really -- it was really through CNN. We had different chats set up in  
19 our operations center, so I could get information from them, but what I couldn't get was  
20 crowd sizes and the actual movement. Because they had cameras, right, so you could  
21 actually see it on CNN. I mean, if you ever want to know what's going on, turn to CNN.  
22 They'll tell you exactly, real-time, what's going on.

23 And then you can get some -- then we get the background information from our  
24 operations center, so we know, hey, what groups are moving; what groups are trying to,  
25 you know, do what; hey, what's the status of the Capitol Police.

1           So we can find those things out through our JOC, but to get the massive picture  
2 and scale, yeah, that was CNN.

3           Q    Sure.

4           A    Yeah.

5           Q    So, sir, I believe when you walked us through an overview, you mentioned a  
6 call with Chief Sund.   And our records show that was around 1:49 p.m., the call between  
7 Chief Sund and Major General Walker.

8           Just for the record, could you remind us who was present on that call and speak to  
9 the contents of that call?

10          A    Are you referring to the call that I just spoke about?   Because my  
11 timeframe is a little skewed a little bit.

12          Q    No problem.   So this is the first call when Chief Sund asked for assistance  
13 from Major General Walker.   This is prior to the 2:30 p.m. conference call.

14          A    Oh, the one where he says, "Hey, you know what?   I do think I need some  
15 help."

16          Q    Yes, sir.

17          A    That one.   Okay.

18          Q    Yes, sir.

19          A    So, on that phone call, it was -- I think it was myself -- what I can recall in  
20 that call was myself, Sergeant Major Brooks, Lieutenant Nick, and Colonel Matthews in  
21 the room.   And he called -- I don't know who calls who.   I don't know who calls who.

22                But the conversation was basically, "Yeah, I do need help.   This is bigger than I  
23 thought."   Right?   And General Walker's like, "Well, you need to send a request.   You  
24 need to request us then."   And then the conversation was really about the request:  
25 Well, how do you request us, at this point?

1 Q Uh-huh.

2 A Right? And the real mechanism for him to do the request was through the  
3 SecDef.

4 So the way it works is, D.C. authorities go through the Secretary of the Army.  
5 Federal authorities go directly to the Secretary of Defense.

6 And so General Walker was telling him, "Hey, you need to make a call to the  
7 SecDef's Office if you want to get any sort of vocal authorization or any sort of  
8 authorization for us to respond to the Capitol or for us to release our QRFs, for anything  
9 like that."

10 And so that was that discussion, basically telling them, hey, how do you -- at this  
11 point, how do you request the Guard.

12 Q So, before you kind of walked him through that process, did Chief Sund have  
13 a direct ask for Major General Walker?

14 A No, he did not.

15 Q Okay.

16 And, then, so the DOD IG report stated that Secretary McCarthy and/or Army staff  
17 officials contacted Major General Walker three times on January 6, 2021 -- once at  
18 3:04 p.m., again at 4:35 p.m., and finally at 5:00 p.m. -- which Major General Walker  
19 refutes.

20 Do you recall any of these phone calls taking place?

21 A No.

22 So, okay, my question is, phone calls to tell him what? Because they didn't tell  
23 him to release the National Guard. They didn't tell him to deploy the QRF. They didn't  
24 tell him to move the QRF forward. They didn't give him any information about  
25 deploying anybody anywhere.

1           When I talked to General Walker throughout that day, he was telling me that he  
2           could not find the Secretary of the Army.    Because I kept asking him; I was like, "Hey, sir,  
3           so did we get the message yet?   Did we get the word yet?"   He's like, "I haven't gotten  
4           anything."   And he told me that all the way up until 5 o'clock.

5           And he was like, "This is the first time" -- he told me, "This is the first time I have  
6           never been able to get in contact with the Secretary of the Army.   This is the first time."

7           Q    So Secretary McCarthy stated in a transcribed interview with the Select  
8           Committee that, during his alleged 3:04 p.m. call to Major General Walker, he gave him  
9           the authorization to deploy the D.C. National Guard, and it was at this time he instructed  
10          Major General Walker to move the Quick Reaction Force from [REDACTED] to the  
11          D.C. Armory.

12          Do you recall that conversation?

13          A    He did not inform General Walker to move the QRF from [REDACTED] to the  
14          D.C. Armory.   General Walker made that call on his own, and I advised him to do that.  
15          So I don't think that that's a true statement.

16          Q    Okay.   Thank you, sir.

17          [REDACTED] I'll kick it over to you.

18          Mr. [REDACTED] Sure.

19          BY MR. [REDACTED]

20          Q    So we'll go now, sir, back to a few questions about the Quick Reaction  
21          Force --

22          A    Okay.

23          Q    -- but specifically with respect to January 6th and early afternoon.  
24          The QRF was stationed where on January 6th?

25          A    The QRF was at [REDACTED].

1 Q At [REDACTED].

2 A So -- yeah.

3 Q And as you just said -- and I apologize for repeating -- who gave the order to  
4 move the Quick Reaction Force from [REDACTED] to the D.C. Armory? I think you  
5 said --

6 A General Walker did.

7 Q General Walker. And as you alluded to earlier, that was not in response to  
8 an order from the Secretary of the Army?

9 A Quite frankly, it was a violation of the order that was written in the memo.  
10 It was contrary to the direction provided in the memo; let's put it that way.

11 Q Understood.

12 And about the QRF specifically, what is its overall function? I know we kind of  
13 spoke about this, but just to get this on the record, what was the overall function of the  
14 Quick Reaction Force? And did it have experience with civil disturbance operations?

15 A So this is a security forces element from the Air National Guard that  
16 specifically trains on things like civil disturbance. And they were actually doing that  
17 training over that weekend to do some refresher training to make sure they were ready.

18 So, in my estimation, if I had to give them a -- the Army has this TPU thing, where  
19 you're either trained, needs practice, or not trained, right -- or, untrained. If I had to  
20 give them a TPU, I'd say they were fully trained, because they were doing nothing but  
21 training on civil disturbance that entire weekend, and they had also trained on it summer  
22 of 2020 as well. And so we had extensive training on civil disturbance, so I don't think  
23 training was the issue.

24 Q Understood.

25 And when General Walker ordered the QRF from [REDACTED] to the



1 Armory, can you walk us through what happened once they arrived at the Armory?

2 A So, once they arrived at the Armory, they formed up, stayed -- put their gear  
3 down, and awaited further instruction.

4 So it's just a mechanism to have everything you need ready so all they need to do  
5 is get on buses and ride. And so we got them to the point where: Hey, you have  
6 everything you need. The only thing you need is the word, and then you'll get on the  
7 buses with your equipment and you'll arrive to the Capitol, which is 1.3 miles away.

8 Mr. [REDACTED] I think that's --

9 Ms. [REDACTED] Sure.

10 Okay. This is a great stopping point for us. We'll go off the record and just take  
11 a quick 3-minute break or so, and we'll switch seats with our colleagues over here, sir.

12 The Witness. Sure.

13 [Recess.]

14 Ms. [REDACTED] Okay. So we'll go back on the record. And we'll begin 1 hour of  
15 minority questions.

16 Mr. [REDACTED] Good morning, General Dean. My name is [REDACTED].  
17 I'm --

18 The Witness. Good morning.

19 Mr. [REDACTED] -- an attorney for the Committee on House Administration's  
20 minority staff. I'm joined by [REDACTED]. He's the committee's minority deputy staff  
21 director.

22 The Witness. Okay.

23 Mr. [REDACTED] Thanks for being here today. And thank you for your career of  
24 service, both in general but also on January 6th and the weeks and months that followed.  
25 A lot of us here came into work, you know, every day in the weeks and months that

1 followed, and you and your colleagues in the Guard helped keep us safe and made us feel  
2 a lot better coming into work every day. So thank you for that.

3 I want to be as respectful of your time as possible, so I'll try not to cover the same  
4 ground as my majority colleagues, but if I do, I apologize in advance.

5 The Witness. Sure.

6 EXAMINATION

7 BY MR. [REDACTED]:

8 Q You know, you mentioned during the last hour that you felt the Select  
9 Committee may have needed someone with more expertise on the National Guard to  
10 assess, sort of, this specific issue, the National Guard response on January 6th and the  
11 direction of the certification of the 2020 election.

12 And, you know, this is the Committee on House Administration. We've got  
13 jurisdiction over Capitol Police, Federal election administration, legislative branch  
14 operations -- certainly not the armed services or the National Guard. So all that's to say,  
15 I appreciate your indulgence as we work on something a little bit outside of our lane. So  
16 thank you.

17 You mentioned a bunch about your duties as the Adjutant General before  
18 January 6th and on January 6th. In the weeks and months that followed January 6th,  
19 were you deployed to the Capitol?

20 A In the weeks and months following?

21 Q Yes.

22 A I wasn't actually deployed on the Capitol. I was responsible for making sure  
23 that the deployments -- people that came from outside of the District to the District and  
24 deployed on site were deployed seamlessly.

25 So that was part of my responsibility, was working with other States, NGB, the

1 Capitol Police, trying to mesh all of those operations together to make sure that we  
2 provided the right support when needed.

3 Q Got it.

4 Do you know how many National Guardsmen in total ended up coming and  
5 supporting that operation here?

6 A 26,000 total. So there were some that went in and out, but, in and around,  
7 about 26,000 came and supported on the Capitol after January 6th.

8 Q And of that 26,000, how many were D.C. National Guard?

9 A Approximately 1,500 -- probably about 1,500 or so were actually D.C.  
10 Guardsmen.

11 Q And is that 1,500 -- what percentage of the Guard is that 1,500 -- of the D.C.  
12 Guard was that 1,500 representing?

13 A It's roughly -- it's roughly about half to 60 percent.

14 Q Got it. So about 2,500 to 3,000 Guardsmen?

15 A Right.

16 Q Got it.

17 Do you have a rough estimate, ballpark, of how many enlisted soldiers versus  
18 officers are in the D.C. Guard?

19 A It's about a 90-10 split, somewhere in there. I'd feel somewhat  
20 comfortable saying that.

21 Q I'm going to shift now a little bit to the request-for-assistance process, which  
22 you talked about generally in the last hour.

23 How many times over the course of your career with the D.C. Guard has the  
24 District of Columbia requested assistance from the Guard?

25 A Oh, gosh. Quite a few. Over -- in my career, close to 50 times, at least, at

1 least.

2 Q And can you describe step by step what the request-for-assistance  
3 process is -- how it's supposed to work?

4 A Sure. So it depends on who's requesting, okay? So I'll go through with  
5 the city requesting first, okay?

6 When the city requests, there's an agency that belongs to the city that wants  
7 National Guard support. It could be the Department of Public Works, it could be the  
8 Metropolitan Police Department, it could be the fire department, right? So those  
9 agencies coordinate through D.C. Homeland and Emergency Management Agency, right?  
10 And through D.C. Homeland and Emergency Management Agency, the District sends a  
11 request.

12 So the way it worked in the past was, the D.C. sent the request through us to the  
13 Secretary of the Army. And the reason why they sent it through the District of Columbia  
14 National Guard was for us to do some coordinating efforts to determine and ascertain  
15 what they needed, to convert civilian-speak into military-speak and then convert it into  
16 actual support, right?

17 So sometimes an agency, they don't know what they want until there's a  
18 discussion had that tells -- when we tell them what our capabilities are. And so we go  
19 over the capabilities that we actually have and what we can do, how much we have, and  
20 how we're able to support.

21 Then, once we do that, then there's a request that goes to the Secretary of the  
22 Army, but it goes along with a letter from us basically saying, here's how we can provide  
23 support to their request.

24 Secretary of the Army gets it. They do their own staffing process, send it to the  
25 Attorney General for legal purposes. And then they go through an approval process and

1 say, "Okay, hey, you can do it as written," or, "You can do it with certain caveats." And,  
2 in the past, the caveats have been relatively minor.

3 Or they have said, "Okay, you can do this mission, but you can't do that mission."  
4 Right? "Hey, you can do traffic control, but you can't feed the homeless." Right? So  
5 they have certain parameters, and it's based on, really, what we can do under Title  
6 32 -- what we should do under Title 32 and what we shouldn't do.

7 If there's a Federal agency that does a request, then they send their request  
8 directly to the Secretary of Defense. And sometimes it comes through us and D.C.  
9 National Guard; sometimes it doesn't.

10 And when it doesn't, then it has to come back out and come to us so they can  
11 learn what our capabilities are. And we do the same thing, right? Tell them what our  
12 capabilities are, determine the best way to support it, determine how we interact with  
13 their plan -- because it's their plan. We're just supporting their plan.

14 And then it goes back it up to the Secretary of Defense, and the Secretary of  
15 Defense does the same thing. They say, "Hey, you can do it, with the following caveat."  
16 Either, "You can do the whole thing," or, "You can do it, but you can't do that," or, "You  
17 can do it, but you can't do this."

18 And, usually, when they say you can do it but you can't do a certain item, it's  
19 usually something that's not legal. Typically, that's what it was in the past. Like I gave  
20 the example, "Yeah, you can do this, but you can't feed the homeless." You can't feed  
21 the homeless because there's certain liabilities that goes along with food and the  
22 processing of food and the cooking of food and the delivering of food and the timeliness  
23 and the refrigeration. There's a whole bunch of things that go into that, and you start to  
24 get into the legal requirements of feeding people, right? And so that's typically why  
25 they denied certain missions in the past.

1 Q Got it.

2 A And so that's typically the process for how a request goes through. But  
3 typically it's, they request us with their plan. They show their plan, "This is what we  
4 want to do." And then we say, "This is how we can support it." And that's how they  
5 come up with how they're going to support it.

6 BY MR. [REDACTED]

7 Q When the request comes from D.C., from a D.C. authority or from a Federal  
8 authority, is the time it takes to get a decision roughly the same, regardless of where it  
9 comes from?

10 A It's always the same: the day before.

11 Q Okay.

12 A I don't care when that request comes.

13 Q Doesn't matter who it comes from?

14 A Doesn't matter who it comes from, when it -- it's the day before. I mean,  
15 that's been almost tradition, that you can give it 30 days out, you can give it 60 days out;  
16 it's going to come the day before.

17 And part of the reason why I think that is is because, as time goes, situations  
18 change, and things are pretty fluid, and you want to make sure things don't change, you  
19 know, to the degradation of our support or the degradation of what they initially asked  
20 for. I think that's the reason. And that's just my conjecture of why they wait until the  
21 last minute like that.

22 Q Thanks.

1 [11:06 a.m.]

2 BY MR. [REDACTED]:

3 Q In your experience, how often, if at all, are requests for assistance denied?

4 A Very rarely. Only if it's not legal. Only if there is some significant liability  
5 with the legal aspects of what the city is asking.

6 And I'll give you an example. The city asked to house the homeless in the D.C.  
7 Armory. That comes with a huge amount of liability. We have weapons, automatic  
8 weapons. We had ammo in the Armory. There's a security risk of putting people in  
9 the Armory.

10 And so, with that, that was basically denied, right? Because, you know, you look  
11 at it in totality, and you're like, well, is that the purpose for the D.C. National Guard, is to  
12 house people in the Armory? No, it's really not. The purpose for the D.C. National  
13 Guard is to bring capability to support whatever plan they have. And that's not a  
14 capability that we have.

15 BY MR. [REDACTED]

16 Q Are you aware of a November 2020 request from the city for the National  
17 Guard to provide support for a demonstration of sorts that was denied?

18 A What was the demonstration on?

19 Q I don't know.

20 A I don't recall. I don't recall. I mean, could've been. It could've been,  
21 "Hey, this request, they're not asking for the right thing." I'm not sure what they were  
22 asking for. So it really depends on what they're asking for. Were they asking for, you  
23 know, traffic control? Were they asking for, you know -- I don't know. It's hard to say.

24 Q Okay.

25 BY MR. [REDACTED]:

1           Q    In your experience, has there ever been a time where the National Guard  
2 receives a request, or it's time for the National Guard to provide their input, and you send  
3 your input to the Secretary of the Army with a recommendation not to provide support to  
4 the District of Columbia?

5           A    I think the -- I think the housing the homeless was one of those, where we  
6 essentially said, this is not a capability that we provide to our Federal or local partners, so  
7 we recommend that this not be approved.

8           Q    Got it.

9           Do you typically play any role, as the Adjutant General, in putting together a  
10 concept of operations or any sort of operational plan for a deployment?

11          A    I don't put it together, but I review it. So whenever there's a concept of  
12 operations, I typically review it before the Commanding General gets it.

13          And, then, when he gets it and he asks questions, I provide recommendations, you  
14 know, like, yeah, maybe we need to switch this, or, no, it's like that because, you know,  
15 we need to be able to do whatever it is we want to do.

16          So my job is more of a reviewer for quality and to make sure that we've captured  
17 all the parameters.

18          Q    And are there limitations in the Guard's ability to put together that kind of  
19 plan while you're waiting on a decision from the Secretary of the Army on whether or not  
20 to approve the request?

21          A    It depends on what sort of situation you're referring to.

22          If you're referring to a planned event, that's relatively straightforward. We have  
23 experience in it. We're good at it. We've done it several times. We have no problem  
24 putting a CONOP together, concept of operations, together for any sort of planned  
25 operation.



1           It's when it gets to a crisis management sort of situation, right -- so, whenever you  
2 get into a crisis, like I said earlier, the crisis is immediate and it's finite in its time period,  
3 right? Usually there's a flashpoint. It flashes, and then it starts to come down into a  
4 consequence management role.

5           And so the challenge is, you know, developing a hasty CONOP for the support that  
6 they actually want or need. But that's where you have the National Guard experience  
7 level that can essentially advise the -- for me, I advise the CG; for the CG, he advises the  
8 Secretary of the Army -- in terms of, yeah, we can do this; yeah, we can't do this; no, we  
9 shouldn't do this; or, we can do this and let me tell you how we can do it.

10           So an example would be, "Hey, we want you to provide civil disturbance." Then,  
11 "Okay, what do you mean by 'civil disturbance'?" Then we start to narrow the scope.  
12 "Hey, we want you to be able to keep people from the west wing of the Capitol." Right?  
13 Something like that. We take it and we refine it down to what our true capabilities are,  
14 and we respond within that capability.

15           So, when you're talking about a crisis, we don't come up with a written CONOP  
16 that shows the Capitol and PowerPoint and all this kind of -- it's just -- it's not  
17 time-effective. We come up with concepts of how we're actually going to do it, and we  
18 walk it through.

19           And, then, based on that, there's a certain comfort level, and -- I mean, the  
20 Secretary of the Army has the ability to say yea or nay, "No, we're not going to do this,"  
21 or, "Yea, we are going to do it." But that's on the decision-maker, which is the Secretary  
22 of the Army.

23           Q     And when there are restrictions put in place, you know, like the ones that we  
24 referenced earlier, special restrictions on the QRF, restrictions on the number of  
25 Guardsmen approved, does that impact your ability to plan?

1           A    Not really. We plan with constraints all the time, right? Constraints are  
2 just that; they're constraints.

3           But you're right; restrictions are a little different, right? If you're being told,  
4 "Hey, don't move this force until I give you permission," well, then, there's nothing that's  
5 happening. It's just, everything is just status quo until we get word.

6           And so the real challenge is -- I kind of liked your word, "restriction," right? A  
7 restriction is just that; you're restricted from doing it. A constraint is, you can do it but  
8 you have to fit it inside of this window. Restrictions are what kind of prevents you from  
9 responding to a crisis, more so than a constraint.

10          Q    And, I imagine, not knowing those restrictions were going to be coming until  
11 the day before would make it that much more difficult to integrate them into whatever  
12 plan you're putting together?

13          A    Well, we have some general ideas about, you know, what we're going to tell  
14 our partners in terms of how we can actually perform. We just don't know the details of  
15 the situation on the ground, because it's fluid.

16          So the restrictions, they hamper us when they stay in place. You can put  
17 restrictions on initially and then lift them; that is no big deal. But when they stay in  
18 place, I think that's when it becomes cumbersome. That's when it's harder for us to  
19 actually move forward to start to coordinate.

20          We can't coordinate if we can't move anything forward. So, if you can't move  
21 anything forward, that's saying, "Don't coordinate." That's really what it's saying,  
22 because you're not moving anything forward. Because what's the first thing they're  
23 going to ask me? "Hey, so where are they? Are they ready?" "No, they're not ready.  
24 They're still [inaudible]. They're not doing anything." So your conversation -- you  
25 don't really have a lot of conversation at that point.

1 Q Okay.

2 Can you talk in general just about the training that Guardsmen receive,  
3 specifically -- in general, but specifically in the D.C. National Guard?

4 A Sure.

5 All Guardsmen receive basic instruction on civil disturbance. What that means is  
6 riot-control formations, how to put on riot-control gear, how to handle riot-control gear,  
7 to include the shields and the face shields and all the gear that comes with it; and for our  
8 Military Police, how to actually handle the pepper spray.

9 There is a riot-control kit that the National Guard has that has pepper spray,  
10 pepper balls, and things like that in it that we train on. We've never used it, but we train  
11 on it. So our Military Police, they're actually trained on how to use a lot of the civil  
12 disturbance offensive capability, right? More protective, but offensive, right?

13 And the non-MPs are just trained on civil disturbance formation. It's just keeping  
14 people away from something. That's really what they train on. And they train on that  
15 typically once a year.

16 Q Got it.

17 And the Military Police, are they the members of the Quick Reaction Force?

18 A Yes.

19 Q Okay. And you mentioned in the last hour that the Quick Reaction Force  
20 was actually training the weekend prior to January 6th; is that right?

21 A They were.

22 Q Is that a coincidence? Was it related at all to the anticipated events of  
23 January 6th?

24 A It was related. It was related. It was our presumption that, if they're  
25 needed, we needed them to be fully trained, and trained recently, so that, you know, if

1 anything happened and anybody would ask, "Well, when was the last time you did  
2 training?" -- which they always ask -- then we would say, "We just recently did a refresher  
3 training, and these are the things that we went over."

4 Q And whose decision was it to bring them in for that training?

5 A I think our -- I think Colonel [REDACTED] was the one that initiated it. And I  
6 advised the CG long before that, "We need to do civil disturbance training to" -- whenever  
7 we come up and we know that something could possibly happen, "Hey, let's do some  
8 training. Let's do the harder training to make sure that we're able to do it."

9 Traffic control, there's not a whole lot of training in that. That's fairly  
10 straightforward. Dangerous, but there's not a whole lot of training. Civil disturbance is  
11 a whole lot more training, because it's managing squads, teams, and platoons, so --

12 Q And what were you -- "you" being, I guess, the leadership of the National  
13 Guard -- seeing or hearing that made you think it might be a good idea to get this training  
14 going ahead of the 6th?

15 A Just a large crowd, right? Anytime there's a large crowd -- for the Fourth of  
16 July, we do civil disturbance training, right? Because there's a large crowd, and if  
17 something happens, we need to be able to provide civil disturbance support.

18 Q You mentioned, in response to [REDACTED]'s questions, watching the attack play  
19 out on CNN on January 6th. Can you describe at all what you were feeling or, kind of,  
20 what your reaction was, watching that?

21 A So, when we were watching -- when we were watching the speech -- and  
22 when I say "watching," right, it's on in the background, so we're watching it. And our  
23 key is when people start moving, right? So, if it's over, it's over, and we're like, okay, so  
24 are they dispersing? Are they going toward the Metro stations? Because we had the  
25 Metro stations and traffic, right? So are they going toward the Metro stations? Which

1 ones are they going towards? So that, you know, if one Metro station gets more  
2 crowded than another, then we can lift and shift resources. So we were kind of  
3 watching for the movement.

4 Then they all started moving to the Capitol. And we were like, that's a lot of  
5 people moving to the Capitol.

6 And so, as they started moving to the Capitol -- I don't know if you remember that  
7 poor Capitol policeman that was at the barrier by themselves, right? I think it was that  
8 person and maybe one another. And they just got buffaloed. They just kind of ran  
9 right over that bike rack and just kept going. At that point, we knew. We're like, "Oh,  
10 crap. This is getting ready to be a lot worse than we anticipated." Right?

11 Because, typically, one Capitol Police officer, they can hold back hundreds and  
12 thousands of people, right, if people respect that -- respect the law, and they say, "You  
13 know what? Hey, we can't go this way. Hey, we'll go around that way." Right? We  
14 knew, they were going straight through; there was going to be trouble. And so, once  
15 that kind of happened, we were like, "Oh, boy." Okay?

16 So we were asking ourselves, okay, what are we going to do at this point, right?  
17 And so we were just kind of going over in our minds, all right, if it gets bad, then they're  
18 going to have to ask for us, and if they ask for us, are we ready to go?

19 And that's when we started talking about the QRF that was over at [REDACTED].  
20 Okay. Well, we're 1.3 miles from the Capitol. They're like 10 miles out, with traffic.  
21 And we're like, we've got to get those guys closer somehow, right?

22 And so, as we start talking and progressing through the day, that's when we got  
23 the phone call, and he's like, "I need help. There's a lot of people coming this way."

24 And then the 2:30 call happened, and it was like, you know, things were really  
25 starting to heat up a lot.

1           And then there was this lull time. And we were like, that is odd. The lull time  
2 between that 2:30 call and 5 o'clock, just nothing. It was like, okay, that's a little  
3 odd -- very odd. And it kind of put us in a bad situation, because we wanted to respond  
4 but we couldn't. And so we were just left there waiting on word.

5           So that was kind of what that day looked like.

6           Q    Understood. Thank you.

7           You mentioned a bit about the chain of command in the last hour and how the  
8 chain of command for the D.C. National Guard is different, I think, from the other 53  
9 National Guards in that it's the one National Guard controlled by the President.

10          And you mentioned, you know, all the individuals who report to the Commanding  
11 General of the National Guard. Who does the Commanding General report to?

12          A    He reports to the Secretary of the Army on a daily basis.

13          Q    And who does the Secretary of the Army report to?

14          A    The SecDef.

15          Q    And the Secretary of Defense reports to?

16          A    The President, right?

17          Q    Okay.

18          A    Uh-huh.

19          Q    And the President's authority has been delegated by executive order to the  
20 Secretary of Defense and the Secretary of the Army.

21          A    Right.

22          Q    Can the President at any time supersede that delegation of authority?

23          A    The President could.

24          Q    Okay.

25          A    I've never -- I've never -- since 1989, since I've been there, I've never seen it

1 happen. I've never seen the President get involved. It's always been the Secretary of  
2 the Army or the Secretary of Defense. I've just never seen it.

3 Q Have you ever seen an armed mob breach the Capitol?

4 A You're right; I've never seen that either. I have never seen that either.

5 Q And if the President gave a lawful order to the D.C. National Guard, either  
6 through the Secretary of Defense and Secretary of the Army or directly to the  
7 Commanding General, would the National Guard be compelled to follow that order?

8 A Absolutely. He could call General Walker directly. "Hey, General Walker,  
9 I need you at the Capitol right now."

10 Q Did that happen on January 6th?

11 A No. No.

12 And, typically -- so, you know, the odd thing that I got a purview, a window in was  
13 seeing how they used military advice. They don't like to do anything until they receive  
14 military advice. And I thought, with the SecDef, you know, trying to make a decision,  
15 he's like, I need some military advice on this thing.

16 And so, would he have called directly? Yeah, but only after he had received  
17 some sort of military advice, in my opinion.

18 BY MR. ██████████

19 Q I'm sorry. Could you define what you mean by "military advice"?

20 A Military advice -- they want to know, militarily, what should I do given this  
21 situation, and what military force should I use?

22 Because they're also concerned about forcing, right? So what force do I use for  
23 this given situation, right? So I've got a situation in D.C., so can I use my Title 10 force?  
24 There's ██████████ and ██████████ and the Marines and -- do I use that force? Or do I  
25 use the National Guard force? Because, remember, he's the President over all forces.

1           And so it becomes a forcing issue that they talk about, a lot of times, is, what's the  
2 right force for this particular given situation? And that's why they always ask for that  
3 military advice.

4                           BY MR. ██████████:

5           Q    I just want to make sure I'm 100 percent clear. So is it accurate to say that,  
6 sort of, regardless of what's happening at the Pentagon between the Secretary of  
7 Defense and the Secretary of the Army, on January 6th, the President of the United States  
8 could've ordered the National Guard to, you know, deploy the Quick Reaction Force or to  
9 leave the Armory and, sort of, cut through the red tape and help the Capitol Police, the  
10 Metropolitan Police officers who were getting overrun at the Capitol?

11           A    Yeah, sure. I mean, well within the right of the President, of course.  
12 Absolutely.

13           Q    And, practically speaking, what would happen if the President picked up his  
14 phone, called up the Secretary of Defense and said, you know, "The Capitol is being  
15 overrun by an armed mob; someone's been shot in the Speaker's Lobby; there's people  
16 chanting to hang my Vice President. Go. Like, get there now"? What form would  
17 that take? Like, how would that -- what would happen?

18           A    Okay. So, if something like that did happen, all right, so, hypothetically, if  
19 the President called his SecDef and told his SecDef, "Hey, make it happen, get it done,"  
20 right, the SecDef would call one of his military people, legal advisors, whatever, and say,  
21 "Hey, we need to get folks down there. What's the fastest and best way to do this?"  
22 He probably would've done a conference call. And then he would've got on the  
23 conference call and said, "Hey, I need you guys down there. You've got to tell me how  
24 you're actually going to do what you do."

25                           And what we would've said was, "Hey, we need to get down on the ground and



1 see how they need us first, see what capability we have and how it fits into their  
2 capability and how it fits into their plan." Right?

3 Because we don't have pepper spray and all those kinds of -- we do have it, but  
4 we -- that'd be a whole 'nother discussion, right? So you've got National Guardsmen out  
5 there with pepper spray and those sorts of things. And then the question would be,  
6 "Well, when's the last time you trained on the pepper spray stuff?" Right? "When's  
7 the last time you trained on the canisters?" And we didn't really train on that. We  
8 didn't train on the pepper balls and the pepper spray and all that.

9 So we were in the position, basically, to hold lines and to prevent people from  
10 accessing certain places. And so we would've had to, you know, go on the ground and  
11 work with their plan, and then call up and say, "Hey, this is how we're going to use the  
12 Guard." And then they would've said, "Okay. Go." It would've been, kind of, that  
13 sort of scenario.

14 Q Got it.

15 So the Capitol was breached at about 2:00 p.m., I believe, maybe 2:06.

16 If the President had made that phone call at that time -- you know, he's watching  
17 it play out on television. If he calls at that time and says, "Go," do you think that would  
18 have resulted in the National Guard getting to the Capitol more quickly than they did on  
19 the 6th?

20 A Quite frankly, I think if anybody had said, "Go."

21 I mean, okay, so let's back up a little bit, right? So I think if the Secretary of the  
22 Army, the Secretary of Defense, or the President had said, "Go," either one, all three -- all  
23 three, one or three or a combination thereof had said, "Go," then we would've gone and  
24 we would've been there much faster than 5:09 or 5:06 or whatever time that was.

25 Q Okay.

1           We've talked a -- or, you've talked a bit about Title 10, Title 32. And this might  
2 be where some of my -- I won't speak for everybody else -- my naivete is. Can you just  
3 briefly explain the difference between Title 10 and Title 32 activations of the Guard?

4           A    Yeah. Can I add something real quick, though?

5           Q    Of course.

6           A    I think that the SecDef was kind of caught in the middle of all this, right?

7           So you have the President, and then you have the Secretary of the Army, right?

8           And the SecDef is assuming, you know, certain people are doing certain things.

9           And so I think you had a weird dynamic going on, too, with the Secretary of  
10 Defense just kind of right in the middle of all that, right, when you had the Secretary of  
11 the Army that basically wrote the letter saying, "Hey, I'm the real (ph) authority." So  
12 he's probably assuming, hey, the Secretary of the Army's got it, and so, when he's  
13 comfortable with it, then we're going to go ahead and move forward.

14           So I think that's probably the dynamic with the SecDef, okay? So I just wanted to  
15 kind of add that piece in. Because I don't think it was as simple as just the SecDef  
16 saying, okay, I'm going to, you know, make that call, when he assumed that the person  
17 that was closer to the situation would actually make that call based on the amount of  
18 facts that that person had.

19           Q    Understood.

20           And just quickly on that point, do you think the fact that Acting Secretary of  
21 Defense Miller was, you know, an Acting Secretary of Defense who was pretty knew on  
22 the job because President Trump had just recently fired Secretary Esper, do you think that  
23 played a role in some of that confusion?

24           A    I don't think so. I think that as soon as the SecDef kind of got word, I think  
25 he started moving relatively quickly. Because he actually came to the Armory. He's

1 the only one I saw that day. I don't think I saw McCarthy that day. I think I saw the  
2 SecDef before I saw McCarthy. So, once he actually found out and got wind of what was  
3 going on, he kind of made a beeline to the Armory.

4 So that's why I say I think he was kind of in the middle of all that. Because he  
5 actually made an effort once, you know -- once he kind of got aware of the full situation,  
6 made an effort to come talk to General Walker personally.

7 Q Got it.

8 BY MR. [REDACTED]

9 Q Sorry. Is it uncommon, then, for the Secretary of the Army not to be  
10 reporting up what he's seeing to the Secretary of Defense?

11 A Yeah, that's pretty -- that's pretty -- yeah, that's pretty uncommon, if you're  
12 not -- given the crisis, right, that's kind of uncommon, for him to not say, "Hey, SecDef,  
13 hey, this is kind of what's going on, and these are the facts as I see them." That's kind of  
14 odd, to me. So, yeah.

15 BY MR. [REDACTED]:

16 Q By some accounts, I believe the Secretary of the Army was spending at least  
17 some of the attack at Metropolitan Police headquarters. Is that odd to you?

18 A That's very odd, because the Metropolitan Police Department wasn't the  
19 lead Federal agency for the event. So you would want to go where the lead Federal  
20 agency is so you can make decisions based on what the lead Federal agency wants and is  
21 requesting.

22 The Metropolitan Police Department was only a force provider to the Capitol  
23 Police. So to go to the Metropolitan Police Department, I was very confused about that,  
24 about why you would go to the Metropolitan Police versus going to the Capitol Police.

25 And so my assumption was that he thought that since we already were attached

1 to the Metropolitan Police Department that we were going to go with them to help the  
2 Capitol Police. But I don't know if that's an appropriate assumption, given that our  
3 responsibilities and our capabilities are different.

4 So I thought that was odd, yes.

5 Q Yeah. And, for the record, I got that from the DOD Inspector General  
6 report that was referenced earlier.

7 Okay. Briefly, can you explain the difference between Title 10 and Title 32  
8 activations?

9 A The Title 10 activation is typically a national deployment that deploys  
10 Federal or National Guard troops in a Title 10 status to support the Nation writ large,  
11 right? So anything overseas, anything large Federal Government, anything that is in  
12 defense of the National Security Strategy. And it really gives you the ability to fight  
13 foreign nations or to conduct interaction with foreign nations.

14 Title 32 is a homeland-response title that allows the National Guard to deploy in a  
15 Federal status but in a homeland capacity, so in defense of civil authorities.

16 Q So, if we take away the foreign element of it and just strictly talking about  
17 domestic activities, under what circumstances would a Title 10 activation rather than a  
18 Title 32 activation occur?

19 A When you have an insurrection. When you have an insurrection, then you  
20 can mobilize Title 10 forces to quell the insurrection.

21 Q Okay.

22 And so we've talked about how the D.C. Guard is different because the President  
23 is at the top. And so is it fair to say the D.C. Guard is the only National Guard where the  
24 President can deploy or activate them under either Title 10 or Title 32?

25 A He absolutely can. Yep, he can.

1 Q And if -- unless the President federalizes the National Guard of some other  
2 State, the Governor of that State is at the top of the chain of command?

3 A Right.

4 So I think the distinction is that, in the absence of an insurrection, the President  
5 can mobilize the D.C. National Guard in a Title 32 status within the District of Columbia.  
6 He would not be able to deploy them in a Title 10 status in the District of Columbia in  
7 support of civil authorities.

8 If there was an insurrection, then he could deploy whomever and whatever forces  
9 he deemed necessary in either a Title 10 or 32 status.

10 Q Okay.

11 And so you said earlier there were 2,500 to 3,000 members of the D.C. National  
12 Guard.

13 A Yes.

14 Q If the President wanted to activate more than 2,500 to 3,000 Guardsmen,  
15 would he have to do that under Title 10 to get some Guardsmen from another State?

16 A No. Whenever they're coming to the District to support local authorities,  
17 to include local Federal authorities, they come in a Title 32 status.

18 Q Got it.

19 A And they come in a Title 32 status because they're providing civil support to  
20 civil authorities.

21 Q And --

22 A And, for the most part, they're providing law enforcement support to the  
23 District -- which, traffic control is a law enforcement duty, mission; blocking position is  
24 law enforcement. Anything where you tell the public where they can and can't go is  
25 considered law enforcement in the District. And under that, you could end up posse

1 comitatus, right, in Title 10 and Title 32.

2 So, whenever we invite other Guardsmen in, they're deputized under  
3 whatever -- either lead Federal agency or Metropolitan Police Department, and they're  
4 conducting law enforcement, so we bring them in in a Title 32 status.

5 Q But, in that case, the Governor of the given State would need to approve  
6 that? Is that correct?

7 A He has to agree, that's right.

8 Q Okay.

9 A Absolutely.

10 Q So the most the President could do is make the request, and then the  
11 Governor of State X would have to say okay, and then --

12 A Right.

13 Q -- deploy? Okay.

14 And how long, typically, or, on average, would you say it would take for, you  
15 know, between the time the President would request assistance from a State National  
16 Guard to the time that Guard arrives in Washington, D.C.?

17 A I would say, one, that that outside support is a consequence management  
18 role, not a crisis management role, because it takes anywhere from 24 to 48 hours for  
19 them to assemble, alert, deploy, and get into the District.

20 Q Got it.

21 That is about all I have. The last thing is just, is there anything, in kind of my  
22 remaining time, that you wanted to say that is not in response to something I asked,  
23 anything you wanted to share generally about your experience on the 6th, your  
24 experience in this whole process with the IG at the DOD, or anything at all you wanted to  
25 share?

1           A    No. I think I've kind of intimated already that I think that whoever did the  
2 IG report should've gotten National Guard people that understand domestic support  
3 operations, should've gotten their opinion on some of the conclusions that they've drawn  
4 based on some of the facts or some of the responses that they received.

5           I'm really unclear about the anonymous people that contributed to that report. I  
6 don't know their backgrounds. I don't know their expertise. So it's really hard to really  
7 determine, you know, why they said what they said and what lens they're looking  
8 through, right?

9           Because I look through a certain lens. I look through a National Guard  
10 domestic-support-operations lens. A Title 10 person looks through it completely  
11 different. They look through it as a Title 10 training-for-a-wartime-fight sort of lens.

12           And as a National Guardsmen, I'm a part of the community. I've always been  
13 part of the community. So, as a member of the community, I have a different lens that I  
14 look through in terms of how we support.

15           And so that's why I think it's important for any sort of report like that that's done  
16 on National Guard -- we make certain assumptions that our Title 10 counterparts -- no  
17 one understands what the National Guard does during domestic support operations, but I  
18 don't think we can make that assumption.

19           Q    Got it.

20           A    And so, with that, I think there's a lot of inaccuracies in that report that are  
21 reflected that don't fully explain how we actually work.

22           Q    Thank you.

23           And, lastly, just for clarity of the record -- I think it might've gotten a little jumbled  
24 earlier -- when you referenced there needing to be some folks with expertise in National  
25 Guard on staff to contribute to the report, were you referring to the Select Committee

1 here in the House or the DOD Inspector General report?

2 A The DOD Inspector General report --

3 Q Got it. Okay.

4 A -- right? Because they're writing a report on behalf of DOD, which -- DOD  
5 has many components. It would be like me writing a Navy report on a Navy ship, on a  
6 Navy deployment, with submarines. I'm not even remotely qualified to ascertain how  
7 they're supposed to do business.

8 Now, I can read the regulations and try to become familiar with what they do and  
9 how they do it, right? But I don't have the in-depth knowledge to draw real conclusions  
10 that are fact-based and that pertain to how they conduct business. And so it'd be very  
11 difficult for me to do. And so I equate that to this.

12 I think the DOD should've had more National -- I'm unaware -- and from the  
13 writing of the report, it is truly a Title 10-centric Active Component viewpoint of the  
14 National Guard response. And I'm trying to figure out how they even know what a  
15 National Guard response looks like.

16 Q Understood. Thank you.

17 Ms. ██████ We'll go off the record.

18 [Recess.]

19 Ms. ██████ We'll go back on the record. So this is the second hour of  
20 majority questions.

21 BY MS. ██████

22 Q So, sir, is it accurate to say that the President works through his Cabinet  
23 officials, not directly with his subordinates, such as general officers?

24 A So I would -- I believe that's accurate, but I don't know if I'm qualified to  
25 speak at that level. I've never been involved with his interactions -- with the President's



1 interactions at that level with any general officers or anything like that.

2 What I do know is, as a part of his 1969 executive order, that he delegated  
3 responsibility down to the Secretary of Defense --

4 Q Sure.

5 A -- for the D.C. National Guard.

6 Q Thank you.

7 So, in a transcribed interview with the January 6th Select Committee, Acting  
8 Secretary Christopher Miller was asked three separate times about speaking with the  
9 President on January 6th. And Acting Secretary Miller said, "I had all the authorities I  
10 needed to perform my duties and responsibilities that day, and I did not need any further  
11 guidance from the President."

12 So is that accurate?

13 A I think that's accurate.

14 Q Okay.

15 A I think that is accurate.

16 Q Okay. Thank you.

17 Just kind of revisiting some of the questions that my colleague ██████ asked you, do  
18 you know if Major General Walker ever attempted to reach Secretary McCarthy during  
19 the lull that you described? Did you ever observe or hear about him trying to call --

20 A I did. I was standing right there.

21 Q Okay.

22 A So I was standing right there on several occasions when he tried to call, and  
23 it went directly to voicemail.

24 Q And did Major General Walker have the appropriate contact information for  
25 Secretary McCarthy?

1 A He was able to reach him on previous occasions, so I believe he did.

2 Q Roughly, how many times do you think he tried to reach out to Secretary  
3 McCarthy?

4 A In my presence, approximately three times. And this was three times  
5 between, like, that 2:30 call and the 5 o'clock hour, so somewhere in there.

6 But when I asked him at 2 o'clock had he heard from him, he said, "I haven't heard  
7 from him all day." And that's pretty -- that's pretty -- that's pretty different.

8 Q Uh-huh.

9 A So, yeah.

10 Q And did you think that he was trying to call Secretary McCarthy's cell phone  
11 or his landline? Did you have any idea?

12 A He called his office, and he called his cell phone.

13 So he called his office, and I don't recall the answer that they gave, but they said  
14 that he was going to different meetings, talking to different people. In other words, he  
15 was in the building but he wasn't available.

16 And when he tried to call his cell phone, it went straight to voicemail.

17 Q Okay. Thank you.

18 And I apologize, just skipping around --

19 A Oh, no, that's okay.

20 Q -- here a little bit. So, in a transcribed interview with the Select Committee,  
21 Acting Secretary Miller stated -- this is a quote -- "And I just want to be clear, at 4:32 p.m.  
22 there was not -- it was not necessary nor did I require approval of the deployment of the  
23 District of Columbia National Guard to the Capitol. The order went out at 3:04 p.m.  
24 There is some confusion, I understand, that some people thought they could not go to the  
25 Capitol without me approving a plan. That's not accurate."

1           Did Secretary McCarthy have a duty to relay -- if the orders went out at 3:04, to  
2 relay those orders to Major General Walker?

3           A    If it was going above and beyond the scope of the memo that Secretary  
4 McCarthy wrote, then he would have to contact General Walker directly.   Because  
5 General Walker is bound by that memo to either act or not to act.   And so, in the  
6 absence of Secretary McCarthy, it would take a direct conversation between Secretary  
7 Miller and General Walker.

8           Q    So, to be clear, it is Acting Secretary Chris Miller's thought that at 3:04 p.m.  
9 the D.C. National Guard was fully green-lighted to deploy.   That order would have to  
10 come from Secretary McCarthy?

11          A    It depends on what -- it depends on what kind of order he's talking about.  
12 If he did a verbal order to Secretary McCarthy, then it's Secretary McCarthy's  
13 responsibility to pass it along.   If he did a written order to Secretary McCarthy, it's still  
14 Secretary McCarthy's responsibility to pass it along.

15          So I'm not sure what sort of order he's referring to, but if he's referring to any one  
16 of those two methods that he conferred to Secretary McCarthy, then it would still be  
17 Secretary McCarthy's responsibility to pass along to General Walker.

18          Q    Okay.   Thank you, sir.

19          Do you happen to recall around what time the Quick Reaction Force arrived at the  
20 D.C. Armory?

21          A    I don't.

22          Q    Okay.   Do you recall what the Quick Reaction Force did once they got to the  
23 D.C. Armory?

24          A    Yeah.   They basically lined up their equipment and got everything ready to  
25 go, so that when the buses were on the drill floor, they could load up and go.   So, in

1 other words, it was an immediate staging area so that they were able to go and get to the  
2 Capitol much faster.

3 Q Understood.

4 Can you speak to the environment at the D.C. Armory between 3:00 and  
5 5:00 p.m., what the Guardsmen are doing, just kind of what the environment was?

6 A Yeah. Everybody has social media, so everybody's on their phones, and  
7 they're seeing what's going on, and they're asking the leadership, why aren't we there  
8 yet, and when are we going to get called, and what's going on.

9 And so they're asking those questions, and our answer is that we don't have  
10 authority to move until Secretary McCarthy gives us the authority.

11 Q So your authority had to come from Secretary McCarthy.

12 A It had to come through Secretary McCarthy, because he's the one that wrote  
13 a memo with all the restraints.

14 Q So there is a narrative out there that part of the delay can be attributed to a  
15 second shift of Guardsmen that we were waiting on. Is that accurate?

16 A So that's inaccurate on several levels.

17 It's inaccurate in that we had forces that could've staged at the Capitol that  
18 collapse from the traffic control points. We had the QRF that we moved forward.

19 And so that's wholly inaccurate. We had the ability to respond much faster and  
20 much earlier with a significant force if we were given the authority to do so.

21 Q Thank you, sir.

22 So just some quick rapid-fire about the 2:30 p.m. call. Do you know who  
23 requested that call?

24 A I think Chief Sund actually requested that call.

25 Q And, sir, you were on the 2:30 p.m. call?

1 A I was on that call.

2 Q What do you recall the purpose of this call was?

3 A The purpose of the call was to get D.C. National Guard support.

4 Q Who else was on this call?

5 A It was Chief Contee, of course, with Chief Carroll in the background; Chief  
6 Sund; General Piatt; General Flynn; it was myself; Colonel Matthews; Lieutenant Nick; and  
7 Command Sergeant Major Brooks.

8 Q Was anyone from the Mayor's office on this call?

9 A No.

10 Q Was Secretary McCarthy on this call?

11 A No.

12 Q And thank you, and just bear with us. We've got some specific questions  
13 about claims that were made on the 2:30 p.m. call.

14 The Department of Defense IG report claims that Secretary McCarthy was on the  
15 2:30 p.m. call when it started but did not remain present for the full duration of the call.  
16 The report also indicates that witnesses told the Inspector General that Secretary  
17 McCarthy stayed on the call and was present for 5 minutes, long enough to hear and  
18 acknowledge the urgent requests from Chief Sund and Mayor Bowser.

19 Now, my first question there is, you do not recall Mayor Bowser being on the call?

20 A Mayor Bowser was not on the line.

21 Q And you do not recall Secretary McCarthy being on the call?

22 A Secretary McCarthy never introduced himself, nor did he ever speak.

23 Therefore, I was under the impression that he was not on the call.

24 Q Were you ever --

25 A And nobody else introduced him either.

1 Q Thank you. Were you ever informed by others on this call that Secretary  
2 McCarthy was present or participating?

3 A No one introduced him. Nobody said he was on the call. And when he's  
4 on the call, they have deference to Secretary McCarthy, so we would -- in my opinion, we  
5 would've known if he was on the call.

6 Q So it would be abnormal for him to be present on the call but not be  
7 introduced?

8 A It would be very abnormal.

9 Q Understood.

10 Sir, did you ever hear the word "optics" on the 2:30 p.m. call?

11 A I did.

12 Q From whom?

13 A General Piatt.

14 Q And do you recall a quote or the context?

15 A He said, "I'm concerned about the optics of the National Guard being on the  
16 Capitol."

17 Q Did he share any of his -- how he would recommend to the Secretary of the  
18 Army or any of his military advice on that call?

19 A He did. His military advice was to keep us away from the Capitol and to  
20 relieve the Metropolitan Police Department on positions outside of the Capitol, to include  
21 traffic control and blocking positions outside of the Capitol but not on the Capitol.

22 So his recommendation, his military advice was to keep military -- keep the D.C.  
23 National Guard, or the National Guard, off of the Capitol Grounds and put us around the  
24 Capitol but not on the Capitol.

25 Q And why do you think he felt that way at that time?

1           A    I think -- well, he had a concern about how it looked.  He had a concern  
2 about a military presence during a political protest.  And so he thought it was bad optics.

3           Q    Okay.

4           In relation to the 2:30 p.m. call -- and, sir, I think you mentioned that the goal of  
5 the call was to get a decision for the D.C. National Guard.  Is it unusual for the  
6 decision-maker, who was Secretary McCarthy, to not be present on that call?

7           A    It is, especially when you have a Federal agency requesting support.  So,  
8 when you have a Federal agency requesting support, then -- and you had Secretary  
9 McCarthy that actually wrote the memo and was delegated the responsibility for the D.C.  
10 National Guard response, then it's kind of unusual for him not to be on the call when you  
11 have an agency requesting support.

12          Q    Why do you think there's so much confusion surrounding if he was or if he  
13 was not on that call?

14          A    I'm not confused.  I don't think there was any confusion.

15          Q    Thank you, sir.

16          According to the DOD IG report, Secretary McCarthy, on the 2:30 p.m. call, asked  
17 Major General Walker how quickly the Quick Reaction Force could respond, and Major  
18 General Walker responded that the Quick Reaction Force could move in 20 minutes.

19          Do you recall that conversation?

20          A    So -- can you say that again?

21          Q    Yes, sir.  According to the DOD Office of Inspector General report, Secretary  
22 McCarthy asked Major General Walker on the 2:30 p.m. call how quickly the Quick  
23 Reaction Force could respond.  Major General Walker allegedly responded that the  
24 Quick Reaction Force could move in 20 minutes.

25          A    Secretary McCarthy didn't ask that question.  Chief Sund asked that

1 question. Chief Sund asked, "Well, how long would it take for the National Guard -- if I  
2 needed them right now, if I needed them right now, how long would it take for you guys  
3 to get down here?" And General Walker said, "About 20 minutes."

4 So that was not Secretary McCarthy who said that. That was Chief Sund that said  
5 that.

6 Q Thank you, sir.

7 So, also according to the DOD IG report, on the 2:30 p.m. call, Secretary McCarthy  
8 told the investigators that he told Major General Walker, and I quote, "Posture all of your  
9 troops, and get to the right configuration, and get ready to go." Secretary McCarthy was  
10 going to get the authority.

11 Was this communicated to Major General Walker on the 2:30 p.m. call?

12 A No, it was not.

13 Q So, to the best of your recollection, all of these quotes that are attributed to  
14 the 2:30 p.m. call can be attributed to others or did not occur?

15 A Did not occur. Or it was attributed to others. So, like, the "how long  
16 would it take you" was a Chief Sund question. I mean, if you think about it, it makes  
17 sense. He's asking for support. He's like, well, how long is it going to take? And so  
18 he's trying to get a feel for, you know, I've got people on the ground, I need help, so, you  
19 know, when can I expect this help, in other words.

20 Q So the quote that Secretary McCarthy told Major General Walker to posture  
21 his troops to be ready to go --

22 A Not on that call.

23 Q -- could that be attributed to anyone else on that call?

24 A I don't recall. No. No, absolutely not. That's not attributable to  
25 anybody on the call. It's not that I don't recall; that wasn't attributed to anybody on the



1 call. Nobody told us to posture and get ready to go or anything like that.

2 Q Understood.

3 And, sir, are you aware of a January 4th email from [REDACTED] to Major  
4 General Walker --

5 A Can I go back real quick?

6 Q Please.

7 A Okay. So let's say that they did say, "Posture and get everybody ready to  
8 go," right? Well, that's contradictory to, "I don't want you on the Capitol. I want you  
9 around the Capitol. I don't want you on the Capitol at all. I want you around the  
10 Capitol. I want you to provide support to the Metropolitan Police Department on their  
11 positions that don't include the Capitol Grounds." That's directly contradictory to that.

12 So how would we ever get word in the same conversation to posture and get  
13 ready to go, when, in essence, the military advice at the time was they don't want us on  
14 the Capitol?

15 Q Thank you, sir.

16 Just a quick question about an email from January 4th from [REDACTED] to  
17 Major General Walker and Colonel Matthews regarding Quick Reaction Force triggers.

18 A Okay.

19 Q Do you recall what those triggers were?

20 A I don't recall, but I remember the email. I do remember them talking about  
21 triggers, but I just don't recall what they were.

22 Q Okay. That's fair. I'm going to skip that.

23 And so we're just briefly going to move into this 3:04 p.m. call too. And you've  
24 said, sir, that you were with Major General Walker. So this is the second call that  
25 allegedly happened.

1 I'll kick it to [REDACTED] to pick up there.

2 Mr. [REDACTED]. Sure.

3 BY MR. [REDACTED]

4 Q So, according to Secretary McCarthy's transcribed interview with the Select  
5 Committee, sir, Secretary McCarthy claims that he called Major General Walker shortly  
6 after the 3:04 authorization from Acting Secretary of Defense Miller and called him to  
7 inform him that there was full authorization of the D.C. National Guard.

8 At 3:04, were you with Major General Walker around that time? Were you with  
9 the Commanding -- the Major General?

10 A I was around him, and there was no such -- he didn't convey any information  
11 in that regard to me. And I asked him, not only at that time but after that time, had he  
12 received a call from Secretary McCarthy and have we received the green light to go, and  
13 he's like, "I haven't heard from Secretary McCarthy."

14 Q Understood.

15 And it's our understanding that, following this call -- or following, excuse me, this  
16 alleged call, that there was this plan to create a concept of operations by the Secretary,  
17 by Secretary McCarthy.

18 Why would a concept of operations be created by Secretary McCarthy as opposed  
19 to the D.C. National Guard or the civil authority who requested assistance? Is that  
20 typical?

21 A No, it's not. Really, the concept should be developed by the operations  
22 people, right -- so Colonel [REDACTED] on the ground, the Capitol Police -- and then given to  
23 myself and General Walker for us to convey to the Secretary of the Army what that  
24 CONOP is and how we're actually going to provide that support.

25 Or we could've done a conference call. We could've done a conference call and

1 got [REDACTED] on the line, the Capitol Police planner on the line, Chief Sund on the line, and  
2 we could've hashed it out right there, and everybody would've been on the same page of  
3 what kind of support and how we were going to support the Capitol that day.

4 Q And a followup on that, sir: For an emergency situation like this, would a  
5 CONOP be -- would it be necessary for a CONOP to be written? Would you receive a  
6 verbal concept of operations? Can you kind of walk us through those kinds of details in  
7 that kind of situation?

8 A So that's why I say that you have people looking at it from a Title 10 lens,  
9 right? A Title 10 lens, when you're going to attack, right, that's a deliberate attack.  
10 You're going to have a CONOP and you're going to have a way to attack, right?

11 Now, the counter-attack, you're not going to have a CONOP on that. It's going to  
12 be hasty, and it's going to be fluid, and it's going to be dynamic, and it's going to be  
13 violent. So you're not going to have a CONOP on how that's going to happen.

14 It's the same with a crisis situation, right? You're not going to have a written  
15 CONOP during a crisis situation.

16 So we would've gotten together on a conference call and did a verbal CONOP, and  
17 everybody would've been on the same page on how that was going to work.

18 And then we'd have formalized it later in terms of a written document saying, this  
19 was the discussion that we had for D.C. National Guard support to the Capitol Police on 6  
20 January. That's how it works in a crisis situation.

21 Q Understood.

22 And just a few questions again about the Guardsmen who were at the traffic  
23 control points -- I apologize to go back to this -- just about the gear that they had.

24 Could you go into any specifics about the kind of gear that they had? Would you  
25 characterize it as riot gear? Could you just go into any specifics about that, sir?

1           A    It's riot gear.  So they have shin guards, they have protective vests, they  
2    have helmets, face shields, and they have a riot control shield.

3           Q    Uh-huh.

4           A    And this is essentially to keep people away from a given area or location.  
5    So it's not to go on the offensive with riot control batons.  We didn't have those.  We  
6    just had the shields.  The shields are used to protect yourself and to push people away.

7                   And so they had the necessary equipment, in my opinion, to keep people away  
8    from certain areas or out of certain areas.

9           Q    Understood.

10                   With that, [REDACTED]

11           Ms. [REDACTED]  Sure.

12                   BY MS. [REDACTED]

13           Q    So, sir, what we're getting at is, we're trying to figure out what happened  
14    between 2:30 p.m. and around 5:08 p.m., when we understand that Major General  
15    Walker learned that he was authorized.

16                   So, again, the IG report says that Secretary McCarthy had the full authorization at  
17    3:04 p.m.

18                   Did you ever receive a physical copy or a verbal operation plan?  Did you ever  
19    see anything?

20           A    I did not.  And in the absence of General Walker, they're supposed to call  
21    me.

22           Q    Did anyone --

23           A    Never.  They didn't call me.  They didn't send me an email.  They didn't  
24    send anything saying, you are authorized to deploy to the Capitol in support of the Capitol  
25    Police on January 6th.

1 Q So a plan was also never shared with Major General Walker?

2 A No.

3 Q Thank you.

4 Okay. We're getting to the end of this here.

5 A Okay.

6 Q So, you know, as we state that Acting Secretary Chris Miller gave full  
7 authority at 3:04 p.m., is there any way you can explain why Secretary McCarthy felt that  
8 even after that conversation he did not have the full authority to communicate those  
9 orders to Major General Walker? Do you have an idea or can you speculate as to what  
10 maybe he -- where the delay on his side was coming from?

11 A You know, that's a good question. So my speculation would be, if he's  
12 listening to his military advice, his military advisors were telling him that the D.C. National  
13 Guard did not belong on the Capitol; they belonged around the Capitol. So, if I had to  
14 speculate, I would say that his military advisors were telling him that they didn't belong  
15 on the Capitol.

16 Q Sir, did you ever hear that Secretary McCarthy was trying to get a job with  
17 the incoming Biden administration?

18 A No. I don't know anything about that.

19 Q Did you ever hear anyone talking about trying to be a holdover?

20 A No.

21 Q So, sir, we're going to scoot on to the 4:35 p.m. call.

22 So, according to the DOD IG report, Secretary McCarthy called Major General  
23 Walker at 4:35 p.m. and told him that Acting Secretary Miller approved the re-mission  
24 request.

25 Secretary McCarthy also told Major General Walker to immediately move all

1 available D.C. National Guard personnel from the Armory to Lot 16, at the corner of 1st  
2 Street and D Street, to meet with the MPD Assistant Chief to perform perimeter and  
3 clearance operations.

4 After Secretary McCarthy gave Major General Walker this deployment order at  
5 4:35 p.m., he then handed the telephone to Brigadier General LaNeve, who told Major  
6 General Walker of the plan's details.

7 Did this conversation occur?

8 A I'm not privy to it. If it did, I'm not aware of it.

9 Q So, given your proximity to Major General Walker on that day, is there a  
10 chance that a phone call that lasted anywhere from 7 to 15 minutes occurred and you just  
11 missed it?

12 A A very slight chance, but very unlikely.

13 Q If the call occurred and you weren't present, would Major General Walker  
14 have communicated this plan to you?

15 A He would've told me. He would've told me, because I was the one who  
16 was supposed to give him the thumbs-up to go. I was the one that was supposed to say,  
17 "Hey, you guys are clear to go."

18 Q And you don't recall a conversation with Brigadier General LaNeve either?

19 A No.

20 Q Were you with Major General Walker around 5:00 p.m. that day?

21 A I was.

22 Q So the DOD IG report says that Secretary McCarthy then called for a third  
23 time, around 5:00 p.m., to reissue the deployment order. Major General Walker says  
24 that this call did not happen.

25 Did this call occur?

1 A Not that I'm aware of.

2 Q If it did, if this call did happen, would it be abnormal for Major General  
3 Walker to not act on that order?

4 A It would be -- well, first of all, it would be abnormal for him to call back. If  
5 he called at 4:30, why is he calling again at 5:00? If he's calling again at 5:00, it'd be for a  
6 SITREP. That would be what he'd be calling for. He'd say, "Hey, give me the situation  
7 report. Let me know if they're there and how many people left." And he would be  
8 asking for a SITREP. He wouldn't be reissuing an order to go.

9 Q What time did the D.C. National Guard eventually learn that they had been  
10 authorized to deploy to the Capitol?

11 A We wrote it down. So, to the best of my memory, it's, like, 5:09, 5:04,  
12 something like that, when we got official word that we were good to go.

13 Q Do you recall how you learned of that official word?

14 A Well, General Walker told me. So he came to me and basically said, "Hey, I  
15 just got word." I don't know who he actually received word from. I assumed it was  
16 from Secretary McCarthy, but I don't know. I don't remember.

17 But there was something strange about even that 5:09 message, because I'm not  
18 sure who it was from. He just said, "We have authorization to go." And I want to say  
19 that one wasn't even from Secretary McCarthy. I want to say that was from one of the  
20 HQDA folks. "Hey, you have permission to go." I don't recall, but if my memory serves  
21 me right, I don't think it was Secretary McCarthy even then.

22 Q Sir, HQDA, what is that?

23 A Oh. Headquarters, Department of the Army.

24 Q Okay.

25 A So that's General LaNeve and his folks.

1 Q Understood.

2 A Or General Piatt and his staff. That's the HQDA.

3 Q Okay.

4 BY MR. [REDACTED]

5 Q Great.

6 And we're almost done here, sir, so --

7 A Okay.

8 Q -- again, thank you.

9 We have an excerpt here from Major General Walker's transcribed interview with  
10 the January 6th Select Committee. And, in his transcribed interview, Major Walker  
11 recalled that Lieutenant Timothy Nick, his aide-de-camp, said to him that the Army was,  
12 quote, "doing everything they can to delay," unquote, National Guard deployment.

13 Were you present for this conversation, by any chance, sir, or --

14 A No.

15 Q -- do you recall this?

16 A No.

17 Q Do you believe -- I'm going to ask you to speculate here -- that the  
18 deployment of the D.C. National Guard was delayed, either intentionally or  
19 unintentionally?

20 A Oh, it was delayed. It was most certainly delayed. I mean, from the time  
21 that these events happened at 2:30 to the time we got authorization to go, I can't think of  
22 a reason during a crisis where it takes close to 2-1/2 hours to figure out that you want or  
23 don't want to send someone. So of course it was delayed.

24 Q Uh-huh.

25 A In my opinion, it was delayed, either intentionally or unintentionally, but it



1 was delayed.

2 Q Understood.

3 And why do you believe it took so long to receive this final approval to deploy if  
4 the Acting Secretary of Defense approved authorization at 3:04?

5 A If I had to speculate, it's because they didn't want -- it's because the  
6 Headquarters, Department of the Army staff did not want us on the Capitol; they wanted  
7 us around the Capitol.

8 Q Understood.

1 [12:08 p.m.]

2 BY MS. [REDACTED]

3 Q Sir, who do you think -- you said that there was a delay, whether it was  
4 intentional or unintentional. Who do you think delayed the D.C. National Guard?

5 A I think it was a combination at the Secretary of the Army's level. I think it  
6 was a combination of influences at the Secretary of the Army's level. I don't think it was  
7 at the SecDef level or anything like that. I think it was at the Secretary of the Army's  
8 level.

9 Q And why? Why do you think that?

10 A Because that staff was adamant about not allowing us to even come close to  
11 the Capitol during planning and the day of. Even when Chief Sund said, "I'm in trouble.  
12 I've got shots fired," they were like, "I think it's best if you go around the Capitol and not  
13 on the Capitol."

14 Q When General Piatt and General Flynn shared that on the 2:30 p.m. call, can  
15 you speak to, kind of, the reaction? There were a lot of individuals on this call. And  
16 you've shared Major General Walker's disbelief. Was that a shared reaction?

17 A Well, it was disbelief on the D.C. National Guard side. It was anger on the  
18 Metropolitan Police side. It was frustration on the Capitol Police side.

19 So Chief Contee just got upset and said, "Okay, so just tell me whether or not  
20 you're going to deploy them or not. Either you're going to do it or you're not. What  
21 are you going to do?" And then that's when General Piatt said, "I don't have the  
22 authority to send them or not send them."

23 And then -- because the real question was, well, why isn't the decision-maker on  
24 the call? If you don't have that authority, then why isn't the decision-maker on the call?  
25 I've got the chief of police for the third-largest police department in the country on the

1 phone, and I've got the chief of police for the Capitol of the United States of America, that  
2 police department, on the line, but somehow the Secretary of the Army can't find time to  
3 get on that phone call. That seems quite amazing to me, that there wasn't time in the  
4 day for the Secretary of the Army to spend 15 minutes on that phone call.

5 Q And, sir, is it accurate that there were Guardsmen, with their gear, waiting at  
6 the D.C. Armory for authorization from Secretary McCarthy on January 6, 2021?

7 A There were Guardsmen with their gear at the Armory. There were  
8 Guardsmen that had fallen off the post at -- that were doing traffic control, because the  
9 Metropolitan Police Department had basically redeployed from the traffic control points,  
10 and we only provide traffic control when Metropolitan Police Department is present.  
11 So, in the absence of their presence, we no longer had a mission.

12 So I've got people with riot-control gear basically coming back to the Armory  
13 instead of being re-missioned and redeployed or at least being reassembled on the  
14 Capitol Grounds and awaiting further instructions.

15 Q Do you know what time D.C. National Guard actually got to the Capitol?

16 A I don't remember the time. 5:20-something, something like that. 5:26,  
17 5:24, something like that. It didn't take very long from 5:09, I believe, to get down  
18 there. It's literally 1.3 miles, so --

19 Q Understood.

20 Sir, we appreciate your time. This has been incredibly helpful. And I think as I  
21 mentioned, we couldn't do any of this without you and several of your colleagues at  
22 D.C. National Guard, and so we really appreciate you trusting us with this story and being  
23 here today.

24 Is there anything that you -- any additional thoughts, anything you'd like to  
25 mention on the record that we didn't address regarding January 6, 2021?

1           A    No. I think that the soldiers and airmen that were assigned to this  
2 particular mission on January 6th did a good job of preparing and operating on that day,  
3 and I hate to take anything from them, given this report. Because they were ready to  
4 deploy and put themselves in harm's way on behalf of this Nation.

5           So I really hate to see them look at documents to say that they weren't ready, that  
6 they had a flawed response, that they didn't have the right equipment, they didn't have  
7 the right training. I don't like to see that, because, you know, they give everything.  
8 They give everything to this Nation; they give everything to us.

9           And to see a report like that -- they read that report. And when they read that  
10 report, they think that they've done something wrong. And they've done nothing  
11 wrong.

12           And so part of the reason why I'm here is to shed the light -- shed the truth, or  
13 show the -- tell the truth as I know it from the facts on that day.

14           And my memory is quite vivid of that day and some of the responses because they  
15 were so unusual. The usual things in life are hard to remember. The unusual things  
16 stick in your mind forever.

17           And so there were some very unusual things that happened on that day, to  
18 include the actual memo, the restrictions in the memo, the amount of time that it took to  
19 get approval, the report that says that we had approval but we must have done  
20 something wrong so we didn't deploy in time.

21           There were some very unusual things that happened. The fact that we could not  
22 get in touch with the Secretary of the Army, and any other time there's absolutely no  
23 problem with getting in touch with him.

24           There were just some unusual circumstances on that day that will stick in my mind  
25 forever. That's why I don't have any notes, because I remember it, because it was so

1 unusual. I don't remember it because it was a day that something happened that was  
2 very unusual for the country. I remember it because there were some very unusual  
3 actions that led up to that. So that's why I remember a lot of things that occurred on  
4 that day.

5 And so I'm here for the soldiers and the airmen, to tell their story and allow them  
6 to feel proud about what they did that day. So that's why I'm here.

7 Q Thank you, sir.

8 And my last question is, is there anyone that you would recommend the  
9 Subcommittee reach out to, anyone else?

10 A If I think of anybody, I'll let you know. But the people that were on that  
11 call, I think, are critical, because there were a lot of things that were said about that call  
12 that just simply aren't true.

13 And so we all heard the same thing, and we all kind of remember the same thing.  
14 And we haven't spoken about this since that day. So it's not like we've come together to  
15 try to figure out what happened and pieced it together. It's like we all remember  
16 certain things.

17 So I'll let you know if there's anybody I think that can contribute to this. Because  
18 you've already spoken to Colonel [REDACTED] right?

19 Q Yes, sir.

20 A Okay. Okay. And General Ryan?

21 Q I don't recall.

22 A Okay. He may be the only other person that you may want to speak to.

23 Q Okay.

24 A General Ken Ryan.

25 Q Okay. Thank you, sir.

1           A    Yeah.

2           Ms. [REDACTED] Well, this concludes our transcribed interview. We'll go off the  
3 record.

4           The Witness. Thank you.

5           Ms. [REDACTED] Thank you so much.

6           [Whereupon, at 12:16 p.m., the interview was concluded.]

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Certificate of Deponent/Interviewee

I have read the foregoing \_\_\_\_ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

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Witness Name

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Date