

United States Senate

WASHINGTON, DC 20510

June 18, 2020

The Honorable Gene Dodaro
Comptroller General of the United States
Government Accountability Office
441 G St., NW
Washington, DC 20548

Dear Mr. Dodaro:

We write to request that the Government Accountability Office open an investigation into the use of Federal law enforcement, National Guard, and military personnel in response to protests in Washington, D.C. following the killing of George Floyd.

The use of force against Americans on June 1 at Lafayette Square was abhorrent and shocking. This event alone provides substantial reason to question whether the Administration's response to the demonstrations was organized, accountable, and consistent with applicable laws and the Constitution. Public statements by the President expressing his intent to "dominate the streets" and describing the Chairman of the Joint Chiefs of Staff, rather than a civilian official, as "in charge" of responding to civil unrest, only add to our grave concerns.

Accordingly, it is imperative that the GAO seek answers to the following questions:

- (1) Who was in charge of the overall law enforcement response to the protests in Washington, DC? What were the specific roles and responsibilities of the Department of Justice (DOJ), Department of Defense (DoD), Department of Homeland Security (DHS), Department of Interior, Park Police, Secret Service, and local officials? What was the composition of officials at the FBI Operations Center?
- (2) Who ordered the area around Lafayette Square to be cleared in advance of the President's photo opportunity at St. John's Episcopal Church?
- (3) On what occasions did members of the Office of the Secretary of Defense, Joint Staff and/or Army Staff assist the FBI and other Federal agencies in the FBI Operations Center by developing plans or issuing orders; sharing intelligence; or advising law enforcement?
- (4) Were DoD's activities consistent with laws allowing the DoD to support, but not supplant, civil authorities?
- (5) What was the role of the Attorney General, Acting Secretary of Homeland Security and other DOJ and DHS officials in authorizing and directing federal law enforcement agents to engage in activities outside the scope of their normal duties, including crowd control, the use of force, and surveillance against nonviolent protestors?
- (6) Were rules of engagement for the use of force established for each of the agencies involved? What direction was provided on the use of force, and who approved these instructions?

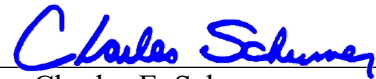
- (7) Who instructed the Park Police and Secret Service to use chemical irritants, including projectiles, sprays, and gas canisters on protesters in Lafayette Park? Is this action consistent with agency protocols to deal with protesters?
- (8) On what occasions, and under what authority and whose orders, did federal law enforcement or military police deliberately obscure badges and insignia or refuse to publicly represent their agency affiliation, and for what purpose?

Thank you for your attention to this important matter.

Sincerely,



Richard J. Durbin
United States Senator

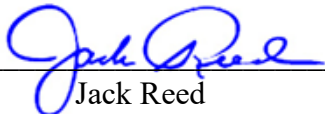


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United States Senator



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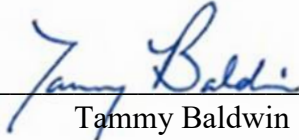


Mazie K. Hirono
United States Senator

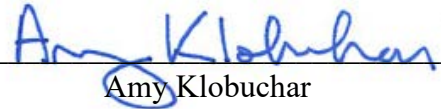


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