



Four Years Later: Examining the State of the Investigation into the RNC and DNC Pipe Bombs

Interim Staff Report of the

Committee on House Administration
Subcommittee on Oversight
Rep. Barry Loudermilk, Chairman

and

Committee on the Judiciary
Subcommittee on the Administrative State, Regulatory Reform, and Antitrust
Rep. Thomas Massie, Chairman

U.S. House of Representatives

January 2, 2025

EXECUTIVE SUMMARY

On January 6, 2021, federal law enforcement discovered two pipe bombs near the headquarters of the Republican National Committee (“RNC”) and the Democratic National Committee (“DNC”) in Washington, D.C. The discovery of both pipe bombs, which had been laying outside for more than 16 hours, occurred within minutes of Congress’s vote to certify the 2020 presidential election and resulted in federal law enforcement diverting considerable resources away from the United States Capitol. As a result, while law enforcement responded to the pipe bombs, protesters breached security perimeters at the Capitol and entered the building.

According to the Federal Bureau of Investigation (“FBI”), on January 5, an unknown suspect carrying a backpack and wearing a grey-hooded sweatshirt, a mask, gloves, glasses, and a pair of Nike Air Max Speed Turf sneakers planted the pipe bombs.¹ Both pipe bombs, according to the FBI, were viable explosive devices that “could have detonated, causing innocent bystanders to be seriously injured or killed.”²

A serious, and largely overlooked, security failure on January 6 was the delayed discovery of both pipe bombs and the chaotic response of federal law enforcement after their discovery. Throughout the afternoon on January 6, federal law enforcement struggled to secure and maintain a perimeter around both pipe bombs, resulting in pedestrian and vehicular traffic passing by the explosive devices. On multiple occasions, federal law enforcement repeatedly identified breaches of the perimeters around the pipe bombs yet failed to maintain a secure perimeter—revealing a complete breakdown in command and control.

Nearly four years later, federal law enforcement has yet to identify the individual responsible for planting the pipe bombs, which remains one of the unanswered questions from that day. In the early weeks of the investigation, the FBI took significant investigative steps, identifying multiple persons of interest, issuing search warrants, reviewing hours of security camera footage, and analyzing the components of the pipe bombs. Despite the threat the pipe bombs posed to Congress and the public and the role they played in diverting resources away from the Capitol, federal law enforcement has refused to provide substantive updates to Congress about the status of the investigation.

Following January 6, various Congressional committees, inspectors general, law enforcement entities, and government agencies conducted investigations into the events of January 6. However, until now, no congressional committee has reviewed the security failures related to the pipe bombs discovered near the RNC and DNC or law enforcement’s investigation into the suspect.

¹ Press Release, FBI Washington, *FBI Washington Field Office Releases Video and Additional Information Regarding the Pipe Bomb Investigation*, FBI WASHINGTON: OFFICE OF PUBLIC AFFAIRS (Sept. 8, 2021) [hereinafter *FBI Releases Add. Info. Re. Pipe Bomb 09/08/2021*], <https://www.fbi.gov/contact-us/field-offices/washingtondc/news/press-releases/fbi-washington-field-office-releases-video-and-additional-information-regarding-the-pipe-bomb-investigation-090821>.

² *Id.*

In June 2021, Congress created the Select Committee to Investigate the January 6th Attack on the United States Capitol (“Select Committee”).³ The House resolution establishing the Select Committee tasked the Select Committee in part with “identify[ing], review[ing], and evaluat[ing] the causes of and the lessons learned” from the events of January 6, including the breakdown in “command, control, and communications” of federal law enforcement.⁴ Despite the Select Committee’s task, the threat the pipe bombs posed to the public, and the role the pipe bombs played in diverting resources away from the Capitol, the Select Committee chose to overlook the pipe bombs’ existence. In fact, the Select Committee’s 845-page report only referenced the pipe bombs five times in passing.⁵

When establishing the Select Committee, Congress mandated that at its conclusion, all of the Select Committee’s records would be transferred to a committee designated by the Speaker of the House.⁶ On December 29, 2022, Speaker Nancy Pelosi mandated that all Select Committee records be transferred to the Committee on House Administration (“CHA”),⁷ and the Rules of the House of Representatives of the 118th Congress further designated the CHA as the recipient of the Select Committee’s records.⁸ A thorough review of almost three terabytes of data turned over by the Select Committee yielded shockingly few results regarding the pipe bombs—emphasizing how the Select Committee failed to thoroughly investigate the security and operational failures surrounding the events of January 6.

During the 118th Congress, the Committee on House Administration Subcommittee on Oversight (“Subcommittee”) and the House Committee on the Judiciary (“Committee”) Subcommittee on the Administrative State, Regulatory Reform, and Antitrust investigated aspects of the security failures at the United States Capitol on January 6, 2021, which House Democrats failed to do in the 117th Congress. The purpose of these investigations was to identify and review the numerous security failures on and leading up to January 6, 2021, and evaluate federal law enforcement’s response to the events of that day.

Throughout the 118th Congress, the Subcommittees conducted extensive investigations, collecting over 90,000 documents, reviewing nearly three terabytes of digital data, and requesting information from law enforcement agencies and private companies. The goal of the Subcommittees’ investigations was to conduct a thorough review of the security failures related to the pipe bombs’ discovery to inform potential legislative reforms.

This inquiry revealed a series of security failures associated with the law enforcement response to the pipe bombs. Based on a thorough review of U.S. Capitol Police (“USCP”) closed-circuit television (“CCTV”) footage, USCP radio transcripts and transmissions, and

³ H.R. 503, 117th Cong. (2021).

⁴ *Id.*

⁵ STAFF OF H. SELECT COMM. TO INVESTIGATE THE JAN. 6TH ATTACK ON THE U.S. CAPITOL, 117TH CONG., FINAL REP. 117-663 (Comm. Print 2022), <https://www.govinfo.gov/content/pkg/GPO-J6-REPORT/pdf/GPO-J6-REPORT.pdf>.

⁶ H.R. 503, 117th Cong. (2021).

⁷ Letter from Rep. Nancy Pelosi, Speaker of the House, to Rep. Bennie Thompson, Chairman, H. Comm. on Homeland Security (Dec. 29, 2022) (on file with the Subcommittee).

⁸ H. Res. 5, 118th Cong. (2023).

documents obtained as part of its investigation, the Subcommittees' review determined that law enforcement personnel:

- Failed to identify one of the devices during security sweeps at the DNC;
- Failed to properly secure and maintain a perimeter around the pipe bombs despite multiple orders to do so, allowing pedestrians and vehicular traffic to cross within feet of the explosive devices;
- Allowed the motorcade of the Speaker of the House of Representatives to drive through an active bomb scene, risking the safety of the Speaker;
- Allowed commuter trains to continue crossing a bridge next to the DNC, placing civilians within close proximity to one of the viable devices; and
- Transmitted inaccurate information over USCP radio channels, resulting in civilians and law enforcement units breaching the security perimeter.

The Subcommittees' review of the law enforcement investigation into the suspect also revealed that:

- There is conflicting information as to whether the FBI received "corrupted" cellular data from the major cell carriers. A former senior FBI official testified that the major cell carrier companies provided "corrupted" cell data to the FBI and suggested that that "corrupted" data may have contained the identity of the pipe bomber; however, in responses to letters from the Subcommittee, the major cell carriers confirmed that they did not provide corrupted data to the FBI and that the FBI never notified them of any issues with accessing the cellular data.
- The FBI identified multiple persons of interest during the initial weeks and months of the investigation, including:
 - A person of interest who searched the term "pipe bomb DC" online prior to law enforcement's discovery of the pipe bombs but after their placement.
 - A person of interest who on the morning of January 5, 2021, took photographs of the area behind the RNC where one of the pipe bombs would later be planted.
 - A vehicle of interest carrying a passenger matching the description of the suspect that drove past the RNC minutes after the suspect planted the pipe bombs.
 - A person of interest who owned a pair of Nike Air Max Speed Turf sneakers and who worked "in the area of the crime."

- Five persons of interest or “potential targets” whose cellular data indicated their movements on the evening of January 5, 2021, may have matched the movements of the suspect.
- Despite its initial efforts, the FBI has yet to identify the suspect and has refused to provide the Subcommittees with additional information about these investigative leads.

The Department of Justice has claimed that the FBI has pursued its investigations of Americans following the events at the Capitol on January 6, 2021 with “unprecedented speed and scale.”⁹ In fact, the Department has charged “more than 1,532 individuals...in nearly all 50 states for crimes related to the breach of the U.S. Capitol.”¹⁰ In contrast, after more than 1,400 days since two pipe bombs were placed on Capitol Hill, the FBI has made no arrest and has charged no individuals with planting the explosive devices. Since its initial progress in the early weeks and months of the investigation, there has been little meaningful progress toward the apprehension of the suspect.

This report presents the information known to the Subcommittees at the conclusion of the 118th Congress. The pipe bombs outside the DNC and RNC certainly played a role in diverting law enforcement personnel from the Capitol at a critical time. The devices placed many lawmakers, staff, law enforcement, and residents in harm’s way. Yet, almost four years after the incident, Americans scarcely have any detail about who planted the bombs or why. This lack of information hampers Congress’s ability to legislate improvements to the security of the Capitol Complex and the operations of federal law enforcement. The failure to identify, apprehend, and prosecute the bomber ultimately makes all Americans less secure.

⁹ *43 Months Since the Jan. 6 Attack on the Capitol*, DEPT. OF JUST., <https://www.justice.gov/usao-dc/43-months-jan-6-attack-capitol> (last visited Sept. 12, 2024).

¹⁰ *Mississippi Father and Son Convicted of Felony and Misdemeanor Charges for Actions During Jan. 6 Capitol Breach*, DEPT. OF JUST. (Oct. 7, 2024), <https://www.justice.gov/usao-dc/pr/mississippi-father-and-son-convicted-felony-and-misdemeanor-charges-actions-during-jan-6>.

TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
BACKGROUND	7
THE SUBCOMMITTEES’ WORK	13
I. FEDERAL LAW ENFORCEMENT FAILED TO FIND AND PROPERLY RESPOND TO THE PIPE BOMBS .	18
A. The USSS failed to conduct a thorough sweep of the DNC prior to protectee Vice President-Elect Kamala Harris’s arrival.	18
B. Federal law enforcement failed to properly secure and maintain a perimeter around the DNC pipe bomb.	25
i. Despite awareness of the device, law enforcement failed to stop pedestrians and vehicles from coming within feet of the active device.	26
ii. Law enforcement permitted vehicles and pedestrians to pass within the blast zone while the bomb robot engaged with the device.	34
iii. Law enforcement allowed vehicular and pedestrian traffic to contaminate the crime scene.	40
C. Federal law enforcement failed to secure and maintain a perimeter around the pipe bomb and suspicious vehicle found near the RNC.	41
D. By not securing the perimeters around the pipe bombs, federal law enforcement risked the safety of USCP and USSS protectees who were being evacuated from the Capitol Complex.	45
E. Federal law enforcement failed to prevent commuter trains from passing on tracks in close proximity to the DNC pipe bomb.	47
F. Federal law enforcement failed to ensure adequate resources were available to respond to both pipe bomb scenes and protect the perimeter of the Capitol.	49
II. THE FBI INITIALLY TOOK SIGNIFICANT STEPS TO IDENTIFY THE PIPE BOMBER BUT HAS FAILED TO APPREHEND THE SUSPECT	54
A. The FBI has failed to identify the suspect responsible for planting the pipe bombs.	54
i. The suspect repeatedly appeared on CCTV footage near the DNC and RNC.	55
ii. The FBI tracked purchases of similar shoes and backpack worn by the suspect.	58
iii. The FBI initially identified multiple persons of interest.	60
iv. The FBI identified a vehicle of interest driving past the RNC minutes after the device was planted.	61
v. The FBI identified a person of interest who searched “Pipe Bomb DC” on [REDACTED].	64
B. Despite contrary statements from telecommunications providers, the FBI claims it could not complete a geofence or use cellular data to identify the suspect because it received corrupted data.	65
i. The FBI analyzed data provided by major cellular carriers, [REDACTED], and AdTech companies pursuant to warrants.	66

ii. The FBI accused major cell companies of providing “corrupted” data to excuse its inability to identify the suspect using cellular data..... 70

C. The FBI assessed the pipe bombs to be viable, but refused to specify how determinations of viability were established..... 73

i. The FBI attempted to identify the suspect by tracking purchases of the various components used in the pipe bombs. 74

CONCLUSION 79

BACKGROUND

On January 6, 2021, thousands of demonstrators assembled in Washington, D.C. to protest the certification of the 2020 presidential election.¹¹ Early that morning, a crowd of approximately 25,000 to 30,000 demonstrators gathered at the White House Ellipse to attend President Trump’s “Save America” rally, while other demonstrators headed directly to the Capitol.¹² Shortly before 11:00 AM, USCP identified “large crowd[s] of protesters” gathering around the Capitol.¹³

Around 12:00 PM, President Trump spoke at the rally.¹⁴ At approximately 12:30 PM, USCP received reports of a “very large group [of demonstrators]” moving towards the Capitol, and by 12:45 PM, a “wall of people” arrived about a “block west from the Capitol.”¹⁵

At approximately 12:00 PM, Karlin Younger—a resident of the Capitol Hill neighborhood—exited her residence to use her apartment’s laundry room located in the alleyway behind the RNC and Capitol Hill Club.¹⁶

¹¹ U.S. DEP’T OF HOMELAND SECURITY, OFFICE OF INSPECTOR GEN., OIG-24-42, THE SECRET SERVICE’S PREPARATION FOR, AND RESPONSE TO, THE EVENTS OF JANUARY 6, 2021 14, 46, 48, 50, 52 (2024) [hereinafter USSS PREP. & RESPONSE TO JAN. 6], <https://www.oig.dhs.gov/sites/default/files/assets/2024-08/OIG-24-42-Aug24-Redacted.pdf>.

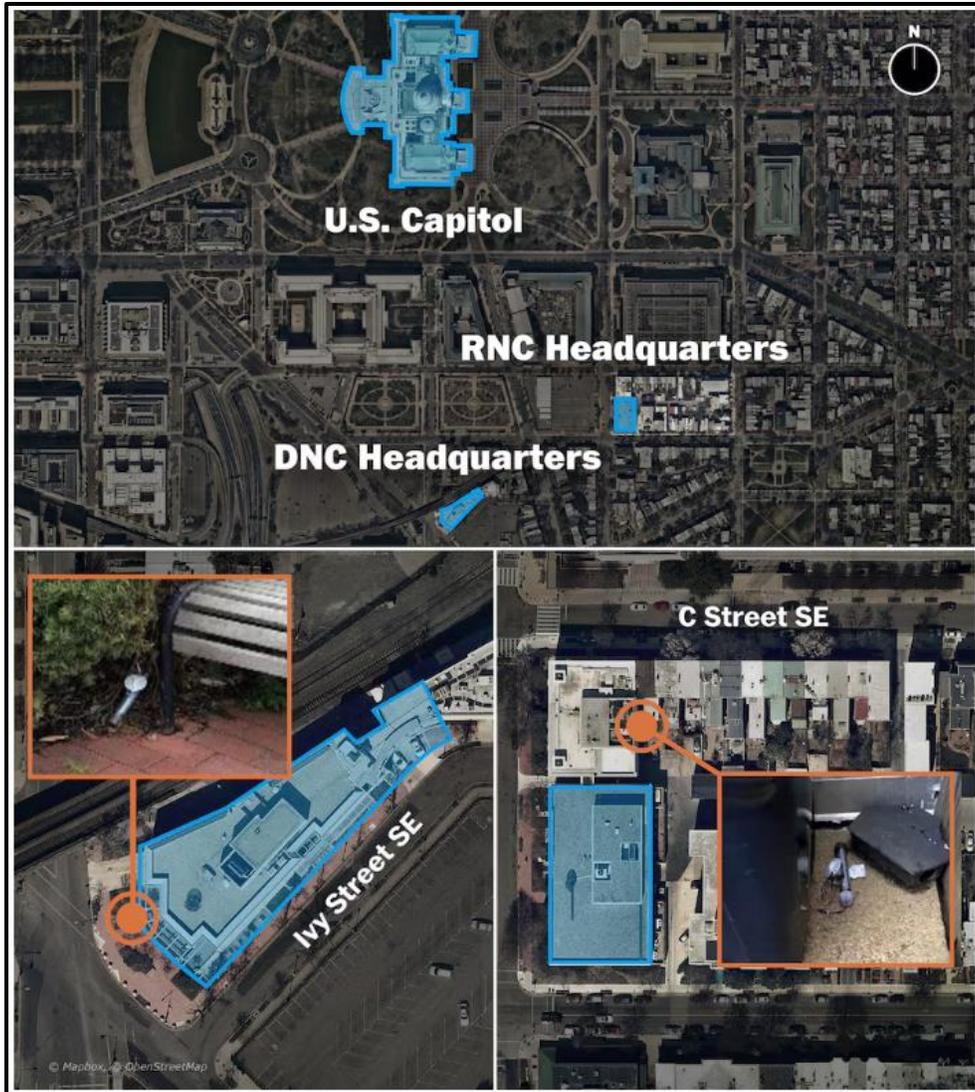
¹² U.S. CAPITOL POLICE, TIMELINE OF EVENTS FOR JANUARY 6, 2021 ATTACK 9 (2021) [hereinafter USCP TIMELINE], <https://www.govinfo.gov/content/pkg/GPO-J6-DOC-CTRL0000000056/pdf/GPO-J6-DOC-CTRL0000000056.pdf>.

¹³ *Id.*

¹⁴ *Id.* at 10.

¹⁵ *Id.* at 10, 11.

¹⁶ Videotape: Camera 4471 – January 6th, at 12:00 PM (USCP 2021) (on file with the Subcommittee).



Location of U.S. Capitol, DNC & RNC Headquarters, and Pipe Bombs.¹⁷

At approximately 12:38 PM, when she returned to retrieve her laundry, Younger discovered a pipe bomb lying next to a dumpster behind the Capitol Hill Club and RNC.¹⁸ USCP CCTV footage then captured her running out of the alleyway, entering the Capitol Hill Club in an apparent effort to notify a security guard, and then subsequently running back into the alleyway toward the pipe bomb.¹⁹ At approximately 12:42 PM, Younger and an RNC security guard then

¹⁷ Dalton Bennett et al., *Pipe bombs found near Capitol on Jan. 6 are believed to have been placed the night before*, WASHINGTON POST (Jan. 29, 2021), <https://www.washingtonpost.com/investigations/2021/01/29/pipe-bomb-suspect-video/>.

¹⁸ Ricardo Torres, *The pipe bomb found near the RNC on Jan. 6 was spotted by a Madison native while she was doing laundry*, MILWAUKEE J. SENT. (Jan. 16, 2021), <https://www.jsonline.com/story/news/2021/01/16/pipe-bomb-near-rnc-found-madison-native-karlin-younger/4189043001/>; Videotape: Camera 810 – January 6th, at 12:38 PM (USCP 2021) (on file with the Subcommittee).

¹⁹ Videotape: Camera 4472 – January 6th, at 12:38 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 810 – January 6th, at 12:38 PM (USCP 2021) (on file with the Subcommittee).

exited the alleyway.²⁰ Afterwards, the RNC security guard approached a USCP officer stationed at the intersection of First Street and C Street and showed the officer a picture of the pipe bomb.²¹ The USCP officer immediately notified USCP dispatch at 12:42 PM of a possible pipe bomb behind the Capitol Hill Club.²² The officer stated over the radio:

I had the head of security of the Republican Club come[] up to me, and he has what it appears to be an explosive in . . . the back of the building. Can you have some units respond?²³

By 12:46 PM, USCP units responded on scene,²⁴ began blocking off surrounding streets,²⁵ and established an incident command post.²⁶

Shortly after the discovery of the pipe bomb near the RNC, three USCP Countersurveillance Units (“CSU”), each unit comprised of two USCP plain-clothes officers, deployed to the surrounding area to search for similar devices.²⁷ One of these units headed toward the DNC.²⁸ At approximately 1:05 PM, one of the USCP CSU teams identified an explosive device next to a bench on the west side of the DNC building and notified the D.C. Metropolitan Police Department (“MPD”) officers and U.S. Secret Service (“USSS”) agents sitting inside nearby vehicles.²⁹ Two minutes later, one of the USCP CSU officers notified USCP dispatch of the pipe bomb at the DNC.³⁰ The officer stated:

10-100 at the DNC as well. A similar device that was found at the RNC as well. Advising . . .the units on the scene what’s going on.³¹

Meanwhile, as additional USCP units began to respond to the DNC, USSS agents and MPD officers exited their vehicles and began to search for the explosive device.³² Around the same time, USCP began evacuating the Cannon House Office Building and the James Madison Memorial Building of the Library of Congress, two office buildings near the RNC.³³

²⁰ Videotape: Camera 4472 – January 6th, at 12:42 PM (USCP 2021) (on file with the Subcommittee).

²¹ Videotape: Camera 4471 – January 6th, at 12:42 PM (USCP 2021) (on file with the Subcommittee).

²² Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION MAIN OPS 2, at 4:26:05–4:26:19 (Jan. 6, 2021) (on file with the Subcommittee).

²³ *Id.*

²⁴ Videotape: Camera 4471 – January 6th, at 12:44 PM (USCP 2021) (on file with the Subcommittee).

²⁵ Videotape: Camera 4471 – January 6th, at 12:45 PM (USCP 2021) (on file with the Subcommittee).

²⁶ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION MAIN OPS 2, at 4:29:54–4:30:25 (Jan. 6, 2021) (on file with the Subcommittee).

²⁷ *Threat Assessment of January 6 Attack on U.S. Capitol*, C-SPAN (May 10, 2021), <https://www.c-span.org/video/?511542-1/threat-assessment-january-6-attack-us-capitol>.

²⁸ Videotape: Camera 3173 – January 6th, at 12:58 PM (USCP 2021) (on file with the Subcommittee).

²⁹ *Three Years Later: Assessing the Law Enforcement Response to Multiple Pipe Bombs on January 6, 2021: Hearing Before the Subcomm. on Oversight*, 118th Cong. 11 (2024) [hereinafter *Assessing LEO Resp. Transcript*, <https://www.congress.gov/118/chr/CHRG-118hrg55095/CHRG-118hrg55095.pdf>; USSS PREP. & RESPONSE TO JAN. 6, *supra* note 11, at 51.

³⁰ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION MAIN OPS 2, at 4:50:12–4:50:27 (Jan. 6, 2021) (on file with the Subcommittee).

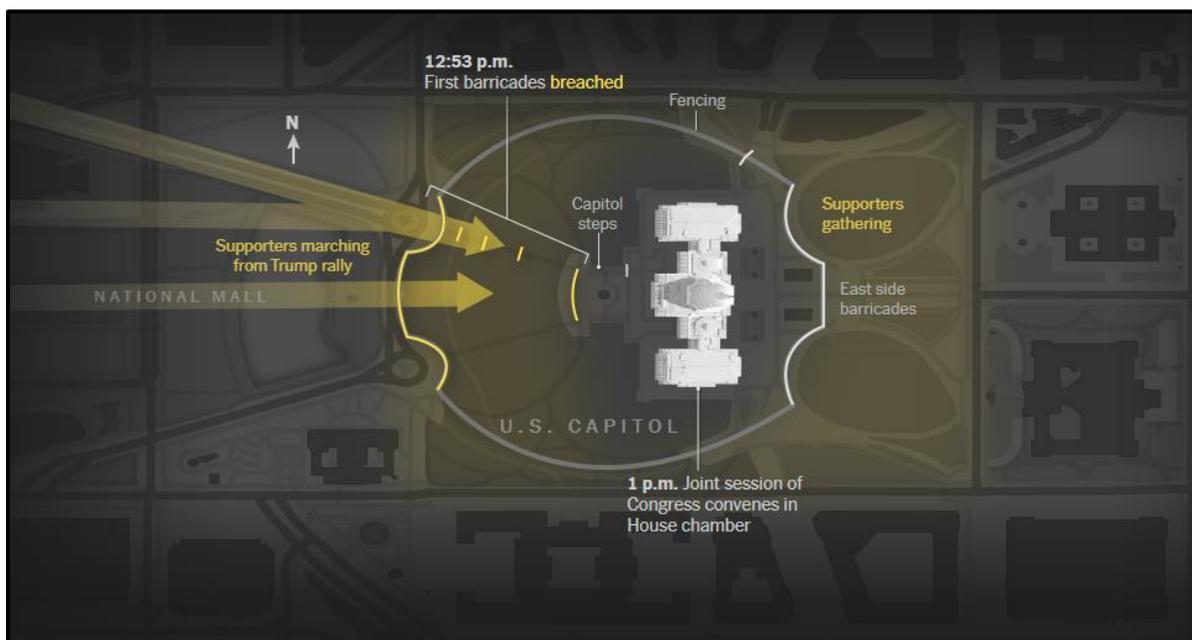
³¹ *Id.*

³² Videotape: Camera 3173 – January 6th, at 1:08 PM (USCP 2021) (on file with the Subcommittee).

³³ USCP TIMELINE, *supra* note 12, at 12-13.

Shortly after the discovery of the RNC pipe bomb, demonstrators breached the first set of security barriers surrounding the Capitol. At 12:53 PM, less than 10 minutes after USCP responded to the RNC, demonstrators gathering near the Capitol Reflecting Pool breached the Capitol’s outer perimeter, which USCP had marked with a line of bike racks along the outer edge of the Capitol’s West Front.³⁴ The West Front refers to the west-facing exterior of the Capitol including the Capitol’s West Front lawn.³⁵

After breaching the outer perimeter, demonstrators began to rush onto the West Front lawn and advanced closer to the Capitol building before USCP and MPD officers briefly stopped the crowd on the West Front of the Capitol.³⁶ As the security situation outside the Capitol worsened, Congress convened a Joint Session of both Chambers at 1:03 PM and began certifying the 2020 presidential election results.³⁷



*Map depicting the Capitol grounds, fence line, and presence of demonstrators.*³⁸

Around the same time the Joint Session convened, USCP officers responding to the RNC pipe bomb discovered a red pickup truck containing eleven Molotov cocktails, several loaded

³⁴ Lauren Leatherby et al., *How a Presidential Rally Turned Into a Capitol Rampage*, N.Y. TIMES (Jan. 12, 2021), <https://www.nytimes.com/interactive/2021/01/12/us/capitol-mob-timeline.html>.

³⁵ EXPLORE! HIGHLIGHTS AND MAP OF THE U.S. CAPITOL GROUNDS 3-4 (U.S. Capitol Visitor Center), https://www.visitthecapitol.gov/sites/default/files/documents/brochures/low-res/CVC_17-118_CapitolGrounds.pdf.

³⁶ STAFF OF S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFS. AND COMM. ON RULES AND ADM’N, 117TH CONG., REP. ON EXAMINING THE U.S. CAPITOL ATTACK: A REVIEW OF THE SECURITY, PLANNING, AND RESPONSE FAILURES ON JANUARY 6 23 (Comm. Print 2021) [hereinafter S. REPORT: A REVIEW OF JAN. 6], https://www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/HSGAC&RulesFullReport_ExaminingU.S.CapitolAttack.pdf.

³⁷ *Id.* at 23-24.

³⁸ Leatherby et al., *supra* note 34.

firearms, hundreds of rounds of ammunition, and other weapons parked outside the RNC.³⁹ The officer transmitted over radio:

I've got a suspicious vehicle outside the Capitol Hill Club. . . . [We] search[ed] the vehicle with a dog. No indications; however, it's definitely suspicious—possible [inaudible] under the vehicle and shell casings.⁴⁰

As law enforcement responded to the RNC and DNC pipe bombs and investigated the suspicious vehicle outside the RNC, the security situation at the Capitol continued to deteriorate. At approximately 1:50 PM, law enforcement declared the scene at the Capitol a riot⁴¹ and at 2:00 PM, a USCP official ordered a lockdown of the Capitol building.⁴² By 2:12 PM, the first demonstrators entered the Capitol building.⁴³

As demonstrators entered the Capitol, significant USCP resources responded to both pipe bomb scenes. USCP resources evacuated nearby buildings, attempted to secure perimeters around the RNC and DNC, and rendered both explosive devices safe.⁴⁴ USCP declared the DNC scene clear at 4:20 PM⁴⁵ and the RNC scene clear at 6:30 PM.⁴⁶ At 8:00 PM, USCP declared the Capitol secure after conducting clearing operations, and by 9:00 PM, Congress reconvened, ultimately certifying the 2020 presidential election results.⁴⁷

While law enforcement has not identified the suspect responsible for planting both pipe bombs, the explosive devices played a critical role in how the events of that day unfolded. Whether intended to or not, both pipe bombs acted as diversions, forcing law enforcement to draw resources away from the Capitol. On February 23, 2021, in testimony before two Senate Committees, USCP Former Chief of Police Steven Sund stated that USCP diverted “extensive . . . resources . . . to the [RNC and DNC]” and suggested that the pipe bombs were “part of a coordinated plan related to the attack on the Capitol.”⁴⁸ Chief Sund noted that the pipe bombs were planted “right off the edge of [USCP’s] perimeter” to likely “draw resources away” from

³⁹ *Assessing LEO Resp. Transcript*, *supra* note 29, at 10-11.

⁴⁰ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION MAIN OPS 2, at 4:45:07–4:47:43 (Jan. 6, 2021) (on file with the Subcommittee).

⁴¹ H.R. Comm. on Appropriations, Testimony of Robert J. Contee, III 2 (Jan. 26, 2021), https://mpdc.dc.gov/sites/default/files/dc/sites/mpdc/release_content/attachments/TESTIMONY_COP_January%206_FINAL.pdf

⁴² USCP TIMELINE, *supra* note 12, at 15.

⁴³ Leatherby et al., *supra* note 34.

⁴⁴ USCP TIMELINE, *supra* note 12, at 11; *Assessing LEO Resp. Transcript*, *supra* note 29, at 11 (testimony of Sean Gallagher).

⁴⁵ E-mail from USCP ALERTS to ██████████, ██████████ (Jan. 6, 2021, 9:20 PM) (on file with the Subcommittee).

⁴⁶ USCP Incident Report, Capitol File No. 210106000033 (Jan. 6, 2021) (on file with the Subcommittee).

⁴⁷ S. REPORT: A REVIEW OF JAN. 6, *supra* note 36, at 26.

⁴⁸ *Written Testimony of USCP Former Chief of Police Steven A. Sund before the S. Comm. on Rules and Admin. and the S. Homeland Sec. and Gov't Affs. Comm.*, 117th Cong. 6 (Feb. 23, 2021) [hereinafter *Sund Testimony*], https://nsarchive.gwu.edu/themes/custom/nsarchive/templates/pdfjs/web/viewer.html?file=https%3A%2F%2Fnsarchive.gwu.edu%2Fsites%2Fdefault%2Ffiles%2Fpdf%2F8._testimony-sund-2021-02-23.pdf.

the Capitol.⁴⁹ He further described the significant resources USCP deployed in response to the pipe bombs, including “a number of officers, officials, and a bomb squad” and a team assigned to “[look] for other explosive devices, suspects, and vehicles.”⁵⁰

In addition to Chief Sund, then-USCP Inspector General Michael Bolton confirmed that the pipe bombs diverted significant resources away from the Capitol.⁵¹ On May 10, 2021, in testimony before the CHA, USCP Inspector General Bolton stated that three USCP CSU teams responded to the reports of the pipe bombs at the RNC and DNC, leaving only “one [USCP CSU] team to cover the [entire U.S.] Capitol Complex.”⁵² As a result, USCP Inspector General Bolton suggested that if the suspect intended for the pipe bombs “to be a diversion, plainly speaking, it worked.”⁵³

⁴⁹ Scott MacFarlane, *Pipe Bombs, a Plot and a Noose: 3 Mysteries a Year After Capitol Attack*, NBC WASHINGTON (Dec 30, 2021), <https://www.nbcwashington.com/news/local/pipe-bombs-a-plot-and-a-noose-3-mysteries-a-year-after-capitol-attack/2922186/>.

⁵⁰ *Sund Testimony*, *supra* note 48, at 5-6.

⁵¹ Cristina Marcos and Rebecca Beitsch, *Capitol Police watchdog calls for boosting countersurveillance*, THE HILL (May 10, 2021), <https://thehill.com/policy/national-security/552748-capitol-police-watchdog-calls-for-boosting-counter-surveillance/>.

⁵² *Threat Assessment of January 6 Attack on U.S. Capitol*, C-SPAN (May 10, 2021), <https://www.c-span.org/video/?511542-1/threat-assessment-january-6-attack-us-capitol>.

⁵³ *Id.*

THE SUBCOMMITTEES' WORK

As part of the Subcommittees' investigation into law enforcement's response to the pipe bombs and its oversight of the investigation into the suspect, Chairmen Barry Loudermilk, Thomas Massie, Jim Jordan, and Andy Biggs sent over fifteen letters to local and federal law enforcement agencies, private organizations, and companies.⁵⁴ These letters included requests for security camera footage, law enforcement radio transcripts, and documents related to the investigation into the pipe bomb suspect. For example:

- On January 17, 2023, Chairman Jordan sent a letter to FBI Director Christopher Wray requesting the FBI's voluntary cooperation in fulfilling the Committee's outstanding requests, including a briefing on the pipe bomb investigation.⁵⁵
- On April 26, 2023, Rep. Massie questioned Steven Dettelbach, Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") about the status of the pipe bomb investigation during a Judiciary Committee hearing on Oversight of the ATF.⁵⁶
- On April 27, 2023, Chairman Loudermilk sent a letter to USCP Chief of Police J. Thomas Manger requesting he provide original and unredacted documents, files, and records related to USCP radio broadcast recordings.⁵⁷ Chairman Loudermilk also requested Chief Manger provide a list of radio channels in use and all recordings of radio communications from January 6.⁵⁸ On May 12, 2023, Chief Manger produced USCP radio communication recordings and transcripts of these radio transmissions.⁵⁹
- On May 24, 2023, Chairmen Jordan and Biggs sent a letter to Director Wray highlighting concerns about the FBI's apparent mishandling of the pipe bomb investigation and reiterated an outstanding request for a briefing.⁶⁰
- On June 9, 2023, Chairman Loudermilk sent another letter to USCP Chief Manger requesting all complete, original, and unredacted USCP CCTV for every camera on the Capitol Complex, including the Library of Congress buildings, on January 5, 2021, and January 6, 2021.⁶¹ On June 9, 2023, a USCP representative on behalf of Chief Manger informed Subcommittee staff that the Library of Congress—not USCP—controls the

⁵⁴ Letters from Chairmen Loudermilk, Jordan, Massie, and Biggs to Local and Federal Law Enforcement Agencies (2023) (on file with the Subcommittee).

⁵⁵ Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Hon. Christopher A. Wray, Dir. Fed. Bureau of Investigation (Jan. 17, 2023) (on file with the Subcommittee).

⁵⁶ *Oversight of the ATF: Hearing Before the H. Comm. on the Judiciary*, 118th Cong. (April 26, 2023).

⁵⁷ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to Thomas Manger, USCP Chief (Apr. 27, 2023) (on file with the Subcommittee).

⁵⁸ *Id.*

⁵⁹ E-mail from [REDACTED], [REDACTED], to [REDACTED], [REDACTED] (May 11, 2023, 5:09 PM) (on file with the Subcommittee).

⁶⁰ Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, Rep. Andy Biggs, Chairman, H. Subcomm. on Crime and Fed. Gov. Surveillance, and Rep. Bill Posey, to Hon. Christopher A. Wray, Dir. Fed. Bureau of Investigation (May. 24, 2023) (on file with the Subcommittee).

⁶¹ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to Thomas Manger, USCP Chief (Jun. 9, 2023) (on file with the Subcommittee).

relevant Library of Congress footage.⁶² The Subcommittee later obtained this footage from the Library of Congress.⁶³

- On June 14, 2023, Chairmen Jordan, Loudermilk, Massie, and Biggs sent a joint letter to FBI Director Wray requesting all FBI reports, assessments, memoranda, transcripts, and other information pertaining to the investigation into the pipe bombs.⁶⁴ In addition to a document production, the letter also reiterated the Subcommittees' request for a briefing on the status of the investigation. To date, the FBI has failed to provide any responsive documents. On December 12, 2023, FBI Deputy Assistant Director Matthew Foder briefed the Committee on the status of the FBI's pipe bomb investigation. Deputy Assistant Director Foder's briefing failed to satisfy even the Committee's most basic informational needs and dealt exclusively with information already in the public domain.⁶⁵
- On July 12, 2023, Rep. Massie questioned Christopher Wray, Director of the FBI, about the status of the pipe bomb investigation during a Judiciary Committee hearing on Oversight of the FBI.⁶⁶
- On February 1, 2024, Chairmen Massie and Biggs sent a letter to ATF Director Steven Dettelbach requesting a briefing on the status of the ATF's pipe bomb investigation. In its response to the Chairmen, the ATF assured the Subcommittee of their commitment to bring those responsible for the pipe bombs to justice but failed to provide any substantive responses to the Chairmen's legitimate inquiries.
- On April 10, 2024, Chairman Loudermilk sent a letter to Democratic National Committee Chairman Jamie Harrison, requesting all exterior DNC security camera footage from the evening of January 5, 2021, and throughout the day on January 6, 2021.⁶⁷ Despite numerous attempts to obtain this footage and Chairman Loudermilk's willingness to review footage *in camera* instead of as a document production, the DNC has, to date, refused to comply.
- On April 11, 2024, Chairman Loudermilk sent a letter to MPD Chief of Police Pamela Smith requesting street camera footage in the area surrounding the RNC and DNC for the

⁶² E-mail from [REDACTED], to [REDACTED] (June 9, 2023, 12:18 PM) (on file with the Subcommittee).

⁶³ E-mail from [REDACTED], to [REDACTED] (June 9, 2023, 12:18 PM) (on file with the Subcommittee).

⁶⁴ Letter from Reps. Thomas Massie, Andy Biggs, Jim Jordan, and Barry Loudermilk, Chairmen, to Hon. Christopher A. Wray, Dir. Fed. Bureau of Investigation (Jun. 14, 2023) (on file with the Subcommittee).

⁶⁵ Memorandum, Pipe Bomb Briefing Follow-up and Notes (Dec. 12, 2023) (on file with the Subcommittee).

⁶⁶ *Oversight of the FBI: Hearing Before the H. Comm. on the Judiciary*, 118th Cong. (July 12, 2023).

⁶⁷ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to Jamie Harrison, Chair of the Democratic National Committee (Apr. 10, 2024) (on file with the Subcommittee).

evening of January 5, 2021.⁶⁸ On June 20, 2024, Chief Smith responded to Chairman Loudermilk refusing to provide any street camera footage to the Subcommittee.⁶⁹

- On April 11, 2024, Chairman Loudermilk sent a letter to USCP Chief Manger, requesting emails, text messages, communications, and other records related to the law enforcement response to the pipe bombs and the investigation into the suspect.⁷⁰ On April 24, 2024, Chief Manger produced the requested materials.⁷¹
- On April 11, 2024, Chairman Loudermilk sent a letter to USSS Director Kimberly Cheatle requesting emails, text messages, and other communications related to the security sweep of the DNC and all training certifications of the USSS canine units involved in the sweep.⁷² Initially, USSS failed to provide the requested documents due to the “highly sensitive details” contained therein.⁷³
- On May 23, 2024, Rep. Massie questioned ATF Director Steven Dettelbach about the status of the pipe bomb investigation during a Judiciary Committee hearing on Oversight of the ATF.⁷⁴
- On May 29, 2024, Chairman Loudermilk sent a follow-up letter to Director Cheatle reiterating his April 11, 2024, request.⁷⁵ On July 19, 2024, the USSS provided the Subcommittee with redacted copies of the relevant “canine certification and training records.”⁷⁶
- On June 26, 2024, Chairman Jordan sent a letter to former Executive Director of the National Capitol Region Threat Intelligence Center Donell Harvin requesting testimony relative to the FBI’s failures to prepare for January 6.⁷⁷ On September 12, 2024, Harvin testified at a transcribed interview before the Committee.

⁶⁸ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to Pamela Smith, MPD Chief (Apr. 11, 2024) (on file with the Subcommittee).

⁶⁹ Letter from Pamela Smith, MPD Chief, to Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight (Jun. 20, 2024) (on file with the Subcommittee).

⁷⁰ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to Thomas Manger, USCP Chief (Apr. 11, 2024) (on file with the Subcommittee).

⁷¹ Letter from Thomas Manger, USCP Chief, to Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight (Apr. 24, 2024) (on file with the Subcommittee).

⁷² Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to Kimberly Cheatle, fmr. Dir. of the U.S. Secret Service (Apr. 11, 2024) (on file with the Subcommittee).

⁷³ Letter from Special Agent in Charge [REDACTED] to Rep. Barry Loudermilk, Chairman of H. Subcomm. on Oversight (May 10, 2024) (on file with the Subcommittee).

⁷⁴ *Oversight of the ATF: Hearing Before the H. Comm. on the Judiciary*, 118th Cong. (May 23, 2024),

⁷⁵ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to Kimberly Cheatle, fmr. Dir. of the U.S. Secret Service (May 29, 2024) (on file with the Subcommittee).

⁷⁶ Letter from United States Secret Service Legis. Affs. Staff to Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight (Jul. 19, 2024) (on file with the Subcommittee).

⁷⁷ Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Mr. Donell Harvin, fmr. Executive Dir. of the Natl. Capitol Region Threat Intelligence Center (June 26, 2024) (on file with the Subcommittee).

- On June 26, 2024, Chairman Jordan sent a letter to Ashan Benedict, the former-Special Agent in Charge of ATF’s Washington Field Division.⁷⁸ To date, Benedict and the ATF, verion his behalf, have failed to cooperate with the Committee’s oversight.
- On August 7, 2024, Chairman Loudermilk sent letters to the Chief Executive Officers of [REDACTED], [REDACTED], [REDACTED] requesting a response to a public claim that the telecommunications providores may have provided corrupted data to the FBI in connection with the investigation into the pipe bomber.⁷⁹ All three companies confirmed that they did not provide any corrupted data to the FBI in connection with the pipe bomb investigation nor did the FBI ever contact the company about receiving corrupted data.⁸⁰
- On September 13, 2024, Chairman Loudermilk sent a letter to Stephen Gardner, Amtrak’s Chief Executive Officer, requesting responses to questions about Amtrak’s response to the discovery of the DNC pipe bomb.⁸¹ On September 20, 2024, Gardner provided a written response.⁸²
- On September 19, 2024, Chairman Loudermilk sent letters to three entities with property located along the route taken by the pipe bomb suspect requested information about their security camera footage.⁸³ The American Trucking Association and Borger Residential both confirmed that their properties did not maintain security cameras along the suspect’s route.⁸⁴ The third entity, Capitol Hill Hotel, did not respond.
- On October 16, 2024, Chairman Loudermilk sent a letter to FBI Director Wray requesting that he respond to the claim that the FBI received “corrupted” data from one of the major cell carrier companies during the pipe bomb investigation.⁸⁵ To date, the FBI has failed to respond.

⁷⁸ Letter from Rep. Jim Jordan, Chairman, H. Comm. on the Judiciary, to Mr. Ashan Benedict, fmr Special Agent in Charge, Bureau of Alcohol, Tobacco, Firearms and Explosives (June 26, 2024) (on file with the Subcommittee).

⁷⁹ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to [REDACTED] (Aug. 7, 2024) (on file with the Subcommittee); Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to [REDACTED] (Aug. 7, 2024) (on file with the Subcommittee); Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to [REDACTED] (Aug. 7, 2024) (on file with the Subcommittee).

⁸⁰ E-mail from [REDACTED] to H. Subcomm. on Oversight Republican Staff (Sept. 11, 2024, 3:00 EST) (on file with the Subcommittee); Letter from [REDACTED] to Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight (Sept. 5, 2024) (on file with the Subcommittee); Letter from [REDACTED] to Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight (Aug. 12, 2024) (on file with the Subcommittee).

⁸¹ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to Stephen Gardner, CEO of Amtrak (Sept. 13, 2024) (on file with the Subcommittee).

⁸² Letter from Stephen Gardner, CEO of Amtrak, to Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight (Sept. 20, 2024) (on file with the Subcommittee).

⁸³ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to [REDACTED] (Sept. 19, 2024) (on file with the Subcommittee).

⁸⁴ Letter from [REDACTED] to Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight (Oct. 8, 2024) (on file with the Subcommittee); E-mail from [REDACTED], to H. Subcomm. on Oversight Staff (Oct. 3, 2024, 1:54 PM) (on file with the Subcommittee).

⁸⁵ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. On Oversight, to Hon. Christopher A. Wray, Dir. Fed. Bureau of Investigation (Oct. 16, 2024) (on file with the Subcommittee).

In addition, on March 12, 2024, the Subcommittee held a hearing entitled, “*Three Years Later: Assessing the Law Enforcement Response to Multiple Pipe Bombs on January 6, 2021.*”⁸⁶ The hearing sought to evaluate the law enforcement response to the pipe bombs and consisted of testimony from four witnesses:

- Sean Gallagher, Assistant Chief of Police for Uniformed Operations;
- Sean Dennis, President of the U.S. Bomb Technician Association;
- Michael Keim, former Head K-9 Trainer for the Washington Metropolitan Area Transit Authority; and
- Barry Black, former FBI Special Agent Bomb Technician.

The Subcommittee’s hearing provided Members with an opportunity to question law enforcement experts about the numerous security failures associated with law enforcement’s response to the pipe bombs, including the failure to secure and maintain a perimeter around the devices.⁸⁷

⁸⁶ *Assessing LEO Resp. Transcript, supra* note 29, at 1.

⁸⁷ *Id.* at 1-81.

I. FEDERAL LAW ENFORCEMENT FAILED TO FIND AND PROPERLY RESPOND TO THE PIPE BOMBS

On January 6, 2021, the actions of federal law enforcement before, during, and after the discovery of the pipe bombs at the RNC and DNC constituted a series of egregious safety and security failures. First, federal law enforcement failed to conduct a thorough security sweep of the DNC, resulting in the delayed discovery of one of the pipe bombs.⁸⁸ As a result of the USSS's decision to not use critical explosive detection capabilities, the USSS failed to identify the device and allowed civilians and the Vice President-elect to pass within feet of the DNC pipe bomb.⁸⁹ Second, after learning of the pipe bombs, federal law enforcement failed to properly secure and maintain perimeters around the pipe bombs, allowed commuter trains to transit within close proximity of the pipe bomb, and failed to prevent contamination of the crime scene.⁹⁰ Lastly, federal law enforcement risked the safety and security of protectees during the evacuation from the Capitol.⁹¹ Despite repeated attempts to notify law enforcement stationed along the perimeter, numerous civilians, law enforcement officers, congressional leadership, and even trains passed by the pipe bombs, needlessly risking human life.⁹²

The breakdown in federal law enforcement's response to the pipe bombs began on the morning of January 6 when USSS agents arrived at the DNC in preparation for Vice President-elect Harris's visit later that day. Over the course of the morning, numerous USSS agents passed by the pipe bomb yet failed to identify it.

A. The USSS failed to conduct a thorough sweep of the DNC prior to protectee Vice President-Elect Kamala Harris's arrival.

On the morning of January 6, hours after an unidentified suspect planted both pipe bombs, the USSS conducted a security sweep of the DNC in preparation for a scheduled visit by

⁸⁸ U.S. DEP'T OF HOMELAND SECURITY, OFFICE OF INSPECTOR GEN., OIG-24-42, THE SECRET SERVICE'S PREPARATION FOR, AND RESPONSE TO, THE EVENTS OF JANUARY 6, 2021 14, 46, 48, 50, 52 (2024) [hereinafter USSS PREP. & RESPONSE TO JAN. 6], <https://www.oig.dhs.gov/sites/default/files/assets/2024-08/OIG-24-42-Aug24-Redacted.pdf>.

⁸⁹ *Id.* at 14, 46, 52; Videotape: Camera 8019 – January 6th, at 1:09 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 3173 – January 6th, at 11:25 AM (USCP 2021) (on file with the Subcommittee)

⁹⁰ Letter from Stephen Gardner, CEO, Amtrak, to Rep. Barry Loudermilk, Chairman, Subcomm. on Oversight (Sept. 20, 2024) (on file with the Subcommittee); Videotape: Camera 8021 – January 6th, at 1:19 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 3173 – January 6th, at 11:25 AM (USCP 2021) (on file with the Subcommittee).

⁹¹ Luke Broadwater, *Pelosi's Car Passed Near Pipe Bomb on Jan. 6, According to New Video*, N.Y. TIMES (Aug. 29, 2024), <https://www.nytimes.com/2024/08/29/us/politics/pelosi-jan-6-pipe-bomb.html>.

⁹² Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION MAIN OPS 2, at 4:50:12–4:50:27 (Jan. 6, 2021) (on file with the Subcommittee); Videotape: Camera 8019 – January 6th, at 1:09 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 8019 – January 6th, at 1:51 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 8021 – January 6th, at 1:52 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 8019 – January 6th, at 2:07 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 755 – January 6th, at 2:26 PM (USCP 2021) (on file with the Subcommittee); Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 6:08:16–6:08:44 (Jan. 6, 2021) (on file with the Subcommittee); Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 2:34:25–2:34:50 (Jan. 6, 2021) (on file with the Subcommittee).

Vice President-elect Kamala Harris.⁹³ During the security sweep, the USSS failed to discover the pipe bomb—which was located twenty feet from the DNC’s garage—resulting in Vice President-elect Harris’s motorcade driving within feet of the DNC pipe bomb.⁹⁴ On several occasions that morning, USSS personnel failed to discover the pipe bomb, even while mere feet away from the device.

Before 8:30 AM that morning, USSS personnel arrived at the DNC headquarters to prepare for the arrival of Vice President-elect Harris.⁹⁵ According to documents obtained by the Subcommittee, the USSS security sweep began at 8:30 AM and consisted of two canine units and at least ten USSS agents.⁹⁶ At approximately 8:21 AM, USCP CCTV footage captured what appears to be at least ten USSS agents—presumably preparing for the 8:30 AM security sweep—walking directly past a bench near the location of the pipe bomb.⁹⁷



Prior to Vice President-elect Harris’s 11:25 AM arrival, at least ten different USSS agents and two canine units came within feet of the pipe bomb yet never discovered the device. In fact, at least one USSS agent spent five hours posted near the garage entrance throughout the morning and early afternoon before the pipe bomb’s discovery.⁹⁸ For example:

- At approximately 8:37 AM, an apparent USSS agent exited the DNC’s garage door and at one point was less than twenty feet away from the pipe bomb as he examined the area.⁹⁹

⁹³ USSS PREP. & RESPONSE TO JAN. 6, *supra* note 11, at 46.

⁹⁴ *Id.*

⁹⁵ *Id.* at 48.

⁹⁶ Staff of United States Secret Service, Site Post Assignment Log (Jan. 6, 2021) (on file with the Subcommittee); Staff of United States Secret Service, Site Post Standing Instructions (on file with the Subcommittee).

⁹⁷ Videotape: Camera 3173 – January 6th, at 8:21 AM (USCP 2021) (on file with the Subcommittee). (The graphic above contains a composite image of the area slightly out of the security camera’s view.)

⁹⁸ USSS PREP. & RESPONSE TO JAN. 6, *supra* note 11, at 52.

⁹⁹ Videotape: Camera 3173 – January 6th, at 8:37 AM (USCP 2021) (on file with the Subcommittee).



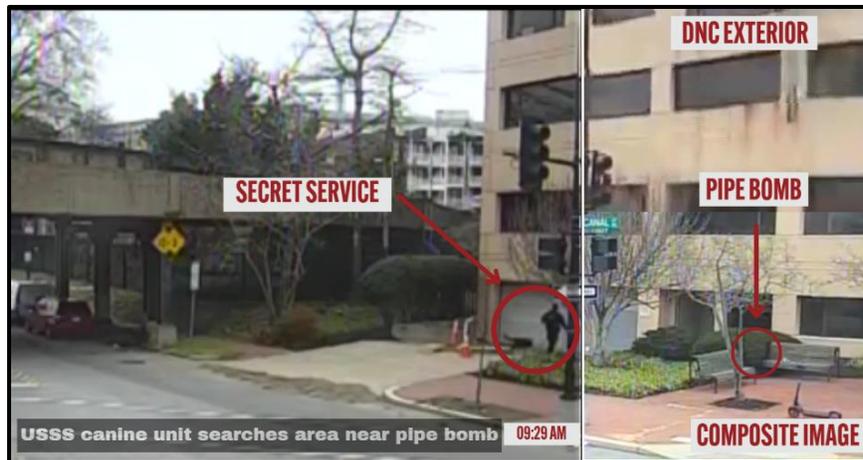
- At approximately 9:11 AM, another likely USSS agent again walked within feet of the pipe bomb.¹⁰⁰



- At approximately 9:29 AM, an apparent USSS canine unit trained for explosives detection conducted a security sweep of the DNC garage entrance and surrounding area yet failed to identify the pipe bomb laying in plain view next to the park bench.¹⁰¹

¹⁰⁰ Videotape: Camera 3173 – January 6th, at 9:10 AM (USCP 2021) (on file with the Subcommittee).

¹⁰¹ Videotape: Camera 3173 – January 6th, at 9:29 AM (USCP 2021) (on file with the Subcommittee).



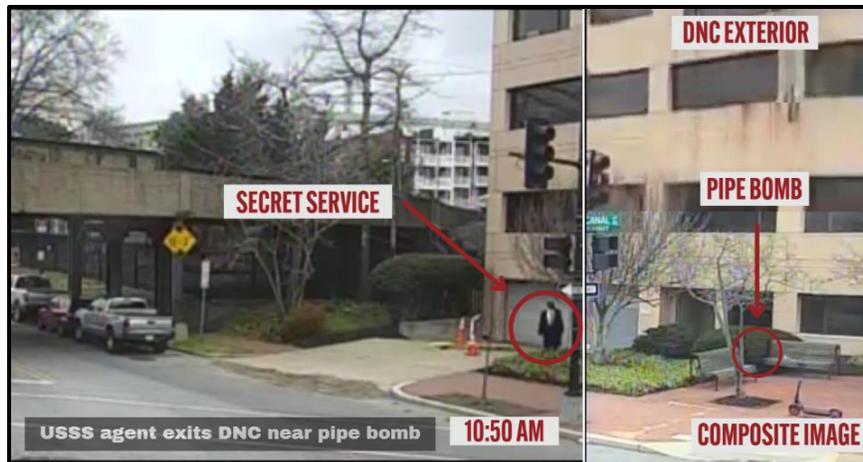
- Fifteen minutes later, a second USSS canine unit conducted a security sweep of a vehicle waiting to enter the DNC and surrounding area.¹⁰²



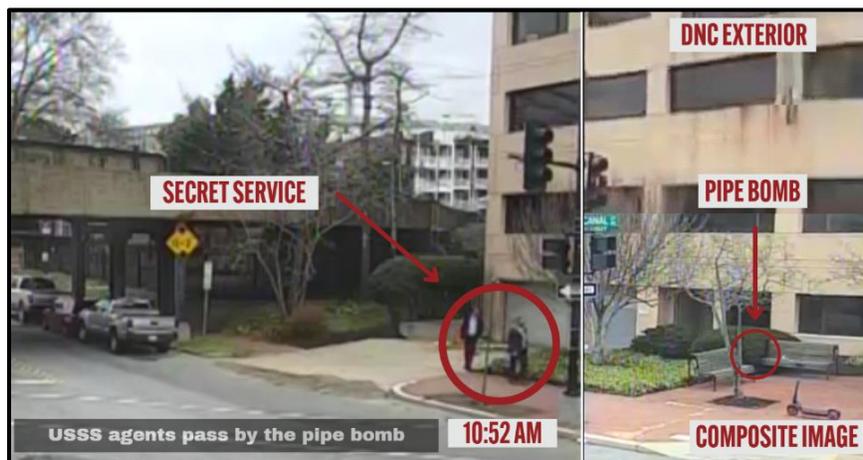
- At approximately 10:50 AM, an apparent USSS agent exited the DNC, looking south toward the pipe bomb.¹⁰³

¹⁰² Videotape: Camera 3173 – January 6th, at 9:44 AM (USCP 2021) (on file with the Subcommittee).

¹⁰³ Videotape: Camera 3173 – January 6th, at 10:50 AM (USCP 2021) (on file with the Subcommittee).



- Two minutes later, what appear to be two additional USSS agents exited the DNC and walked along the pedestrian walkway leading towards the pipe bomb.¹⁰⁴



- At approximately 11:04 AM, USCP CCTV footage captured another two apparent USSS agents walking within feet of the pipe bomb.¹⁰⁵

¹⁰⁴ Videotape: Camera 3173 – January 6th, at 10:52 AM (USCP 2021) (on file with the Subcommittee).

¹⁰⁵ Videotape: Camera 3173 – January 6th, at 11:04 AM (USCP 2021) (on file with the Subcommittee).



- At approximately 11:20 AM, another apparent USSS agent exited the building and walked within feet of the pipe bomb.¹⁰⁶



At 11:25 AM, Vice President-elect Harris’s motorcade arrived at the DNC and drove directly by the pipe bomb.¹⁰⁷ According to the Department of Homeland Security’s (“DHS”) Office of Inspector General (“OIG”), the pipe bomb was located approximately twenty feet from the Vice President-elect’s motorcade as it entered the garage.¹⁰⁸

¹⁰⁶ Videotape: Camera 3173 – January 6th, at 11:20 AM (USCP 2021) (on file with the Subcommittee).

¹⁰⁷ Videotape: Camera 3173 – January 6th, at 11:25 AM (USCP 2021) (on file with the Subcommittee).

¹⁰⁸ USSS PREP. & RESPONSE TO JAN. 6, *supra* note 11, at 14.



Vice President-elect Harris remained in the DNC building for over an hour before a plain-clothes USCP officer discovered the device at approximately 1:05 PM and notified the USSS.¹⁰⁹ Ten minutes later, USSS evacuated Vice President-elect Harris from the DNC building to her residence.¹¹⁰ As a sitting United States Senator, Vice President-elect Harris was initially scheduled to return to the Capitol later in the afternoon to participate in the Joint Session;¹¹¹ however, following the security breach at the Capitol, Vice President-elect Harris did not return.¹¹²

In July 2024, the DHS OIG released a report that examined the USSS’s actions on January 6, including the USSS’s security sweep of the DNC.¹¹³ According to the report, on the morning of January 6, the USSS site agent in charge of the security sweeps at the DNC “instructed the canine teams to sweep the Vice President-elect’s walking path within the building” but gave no order to sweep the exterior of the building.¹¹⁴ Despite this, one of the two canine teams assigned to the DNC conducted a search of “certain exterior areas,” including the garage entrance ramp.¹¹⁵ Notably, the officer responsible for the exterior sweep informed the DHS OIG that the sweep did not include the “bushes where the pipe bomb was located.”¹¹⁶ In fact, according to the DHS OIG, USSS operational guidance did not include specific directions regarding which exterior areas should or should not be swept at a site like the DNC.¹¹⁷

The DHS OIG also determined that the USSS “did not employ key explosive detection capabilities for the security sweep,” including utilizing a USSS site coordinator or Explosive Ordnance Disposal (“EOD”) team.¹¹⁸ According to the report, a site coordinator would have been “responsible for planning and managing the installation of technical assets and countermeasures to ensure a safe environment,” developing an action plan for the security sweep, and determining

¹⁰⁹ *Id.* at 50.

¹¹⁰ Videotape: Camera 4205 – January 6th, at 1:16 PM (USCP 2021) (on file with the Subcommittee).

¹¹¹ USSS PREP. & RESPONSE TO JAN. 6, *supra* note 88, at 51.

¹¹² *Id.*

¹¹³ *Id.* at 48.

¹¹⁴ *Id.*

¹¹⁵ *Id.*

¹¹⁶ *Id.*

¹¹⁷ USSS PREP. & RESPONSE TO JAN. 6, *supra* note 11, at 53.

¹¹⁸ *Id.* at 52.

the number of canine units needed to conduct the sweep.¹¹⁹ In addition, the EOD team would have provided support services to the canine teams conducting the security sweep and are typically responsible for detecting, disarming, and disposing of explosive devices.¹²⁰ Without these resources, the USSS canine teams lacked guidance on which exterior areas to search.¹²¹ According to the report, the USSS did not utilize these resources in part because the USSS lacked “adequate policies and procedures for requesting [a site coordinator or EOD team]” for “elect protectees.”¹²²

Furthermore, USSS personnel told DHS OIG investigators that a USSS officer should have been stationed outside of the DNC throughout the morning.¹²³ Without an officer posted along the sidewalks or streets, the DNC was ultimately unsecured, allowing pedestrians to pass by the unidentified pipe bomb throughout the morning.¹²⁴ Others told the DHS OIG that “given its proximity” to Vice President-elect Harris’s route, USSS officials should have searched the area where the pipe bomb was located.¹²⁵

The USSS’s failure to identify the pipe bomb outside the DNC prior to Vice President-elect Harris’s arrival constituted a serious security failure. Caused in part by the USSS’s decision to not utilize critical explosive detection capabilities, more than ten different USSS agents and two canine units passed within close proximity of the pipe bomb yet failed to identify the device, resulting in Vice President-elect Harris passing within feet of the pipe bomb. In the subsequent hours, similar security failures plagued the federal law enforcement response to the pipe bombs, including law enforcement’s repeated inability to secure and maintain a perimeter around the pipe bomb.

B. Federal law enforcement failed to properly secure and maintain a perimeter around the DNC pipe bomb.

After the discovery of the pipe bomb, law enforcement failed to immediately secure and maintain a perimeter around the pipe bomb located on a pedestrian walkway outside the DNC.¹²⁶ As a result, civilians and law enforcement officers routinely breached the perimeter and came within close proximity—in some cases within feet—of the viable device.¹²⁷ At one point, even the motorcade transporting Speaker of the House Nancy Pelosi drove within feet of the pipe bomb.¹²⁸

¹¹⁹ *Id.* (unredacted version reviewed *in camera* by House Administration Oversight Subcommittee staff).

¹²⁰ *Id.*

¹²¹ *Id.*

¹²² *Id.*

¹²³ USSS PREP. & RESPONSE TO JAN. 6, *supra* note 11, at 49 (unredacted version reviewed *in camera* by House Administration Oversight Subcommittee staff).

¹²⁴ *Id.*

¹²⁵ *Id.*

¹²⁶ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 4:56:38–4:57:25, 5:49:30–5:50:03 (Jan. 6, 2021) (on file with the Subcommittee).

¹²⁷ House Committee on Administration, *Oversight Subcommittee*, “3 Years Later: Assessing Law Enforcement Response to Pipe Bombs on Jan. 6,” YOUTUBE (Mar. 12, 2024), <https://www.youtube.com/watch?v=wNX08uGSbwg>.

¹²⁸ Broadwater, *supra* note 90.

According to the FBI and DHS, standard procedure following the discovery of a viable explosive device, such as a pipe bomb, is to establish a perimeter at least seventy feet, but preferably 1,200 feet away from the device, preventing vehicular and pedestrian traffic from entering the restricted zone.¹²⁹

Threat Description	Explosives Capacity	Mandatory Evacuation Distance	Shelter-in-Place Zone	Preferred Evacuation Distance
Pipe Bomb	5 lbs	70 ft	71-1199 ft	+1200 ft
Suicide Bomber	20 lbs	110 ft	111-1699 ft	+1700 ft
Briefcase/Suitcase	50 lbs	150 ft	151-1849 ft	+1850 ft
Car	500 lbs	320 ft	321-1899 ft	+1900 ft
SUV/Van	1,000 lbs	400 ft	401-2399 ft	+2400 ft
Small Delivery Truck	4,000 lbs	640 ft	641-3799 ft	+3800 ft
Container/Water Truck	10,000 lbs	860 ft	861-5099 ft	+5100 ft
Semi-Trailer	60,000 lbs	1570 ft	1571-9299 ft	+9300 ft

*DHS-DOJ Bomb Threat Stand-off Card.*¹³⁰

Furthermore, as part of the Subcommittee’s March 2024 hearing, Sean Dennis, President of the U.S. Bomb Technicians Association (“USBTA”), testified that a “properly established initial perimeter” is 300 feet from the suspicious package and ensures individuals are not within the “line of sight of the explosive device.”¹³¹ The USBTA is an organization that provides “training [to] active bomb technicians,”¹³² preparing law enforcement to “render safe [explosive devices] in a safe, efficient, and effective manner.”¹³³ Based on USCP CCTV footage and radio communications, USCP and other law enforcement personnel failed on multiple occasions to establish a secure perimeter—needlessly risking the safety of civilians and law enforcement officers.

i. Despite awareness of the device, law enforcement failed to stop pedestrians and vehicles from coming within feet of the active device.

After the plain-clothes USCP officer reported the device on the radio channel and officers responded to the scene, pedestrians and vehicular traffic continued to pass within close proximity of the pipe bomb for the next seven minutes.¹³⁴

¹²⁹ *DHS-DOJ Bomb Threat Stand-off Card*, DHS, <https://tripwire.dhs.gov/training/264351>.

¹³⁰ *Id.*

¹³¹ *Assessing LEO Resp. Transcript*, *supra* note 29, at 65 (questions for the record submitted by Sean Dennis).

¹³² U.S. Bomb Technician Ass’n, <https://usbta.us/> (last visited Dec. 10, 2024).

¹³³ House Committee on Administration, *Oversight Subcommittee*, “3 Years Later: Assessing Law Enforcement Response to Pipe Bombs on Jan. 6,” YOUTUBE (Mar. 12, 2024), <https://www.youtube.com/watch?v=wNX08uGSbwg>.

¹³⁴ Videotape: Camera 3173 – January 6th, at 1:05 PM – 1:12 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 8019 – January 6th, at 1:05 PM – 1:12 PM (USCP 2021) (on file with the Subcommittee).

At approximately 1:09 PM, a group of civilians walked north along the pedestrian walkway towards the pipe bomb.¹³⁵ A police officer can be seen approaching these civilians; however, the officer did not stop these civilians or direct them away from the device.¹³⁶



One minute later, another group of civilians can be seen crossing the street and walking directly towards the pipe bomb.¹³⁷ At the same time, USCP footage shows an apparent USSS agent walking alongside them.¹³⁸ At one point, the USSS agent spoke to the civilians, but the civilians continued along the path near the pipe bomb.¹³⁹ Despite presumably knowing of the device's location, neither this agent nor the other agents on scene stopped these pedestrians from walking by the device.¹⁴⁰



At approximately 1:12 PM, seven minutes after the discovery of the second pipe bomb at the DNC, an apparent civilian vehicle drove past the DNC.¹⁴¹ A police officer stopped the vehicle yet still directed the driver to drive past the device.¹⁴²

¹³⁵ Videotape: Camera 8019 – January 6th, at 1:09 PM (USCP 2021) (on file with the Subcommittee).

¹³⁶ *Id.*

¹³⁷ Videotape: Camera 3173 – January 6th, at 1:09 PM (USCP 2021) (on file with the Subcommittee).

¹³⁸ Videotape: Camera 8019 – January 6th, at 1:09 PM (USCP 2021) (on file with the Subcommittee) (The individual labeled Secret Service was identified as law enforcement by additional footage showing a badge attached to the individual's belt.).

¹³⁹ *Id.*

¹⁴⁰ *Id.*

¹⁴¹ Videotape: Camera 8019 – January 6th, at 1:12 PM (USCP 2021) (on file with the Subcommittee).

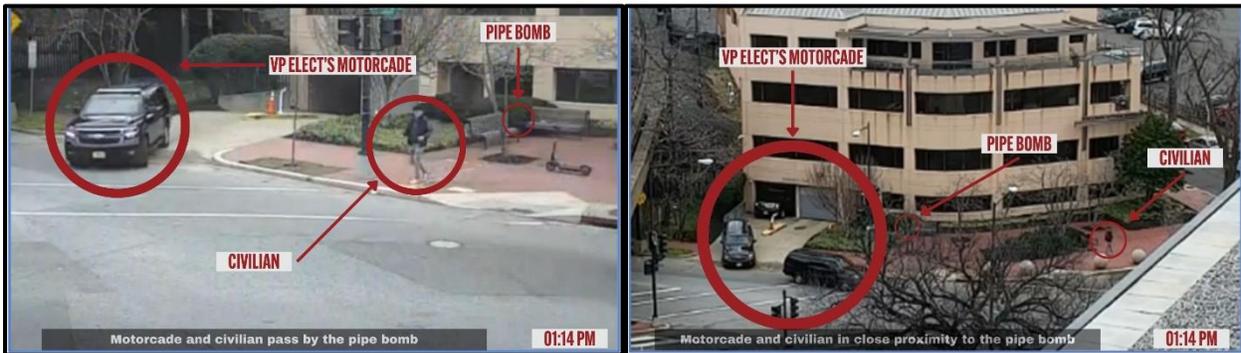
¹⁴² *Id.*



One minute later, a USCP officer advised over radio that units near the DNC were too close to the pipe bomb and directed officers to expand the perimeter.¹⁴³ The officer stated:

The units in the area of the DNC are way too close. I have an eye on the package in question. They need to expand their perimeter.¹⁴⁴

At approximately 1:14 PM, an apparent civilian walked along the pedestrian walkway within mere feet of the pipe bomb while Vice President-elect Harris’s motorcade exited the DNC garage.¹⁴⁵ As this civilian walked past the device, law enforcement remained posted outside the DNC.¹⁴⁶ Despite this, the civilian entered the restricted area and walked past the pipe bomb.



At approximately 1:15 PM, a USCP officer advised over radio that USCP units needed to stop all traffic from driving by the pipe bomb.¹⁴⁷ A USCP dispatcher subsequently reiterated the order to stop all traffic going by the DNC.¹⁴⁸ The USCP officer stated:

We have . . . vehicles that are driving right past the package and coming up. We need to make sure that officers are posted right now

¹⁴³ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 4:54:48–4:56:00 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁴⁴ *Id.*

¹⁴⁵ Videotape: Camera 3173 – January 6th, at 1:13 PM (USCP 2021) (on file with the Subcommittee).

¹⁴⁶ *Id.*

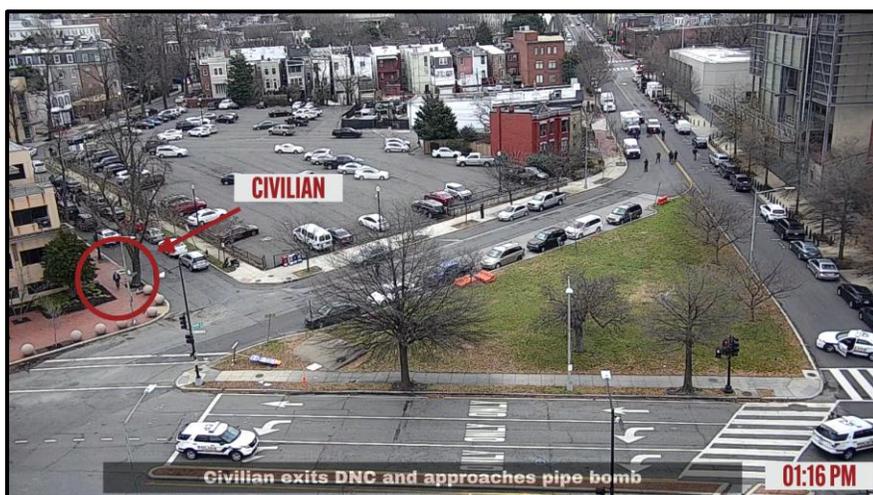
¹⁴⁷ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 4:56:38–4:57:25 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁴⁸ *Id.*

just above Canal and Washington in order to ensure nobody walks past this package.¹⁴⁹

Despite this order, vehicular and pedestrian traffic continued to enter the restricted area surrounding the device.

At approximately 1:16 PM, another apparent civilian exited the main entrance of the DNC on the south side of the building and headed west on Ivy Street toward the pedestrian walkway where the pipe bomb was located.¹⁵⁰ After entering the pedestrian walkway, an apparent law enforcement officer got the civilian's attention, causing them to then turn around. Despite the law enforcement officer's intervention, the individual was able to come within feet of the pipe bomb.¹⁵¹



At 1:16 PM, a USCP officer again advised that units needed to “establish command” at the DNC scene, that units were “way too close” to the device, and that pedestrians were continuing to exit the DNC.¹⁵² The officer stated:

Right now we need to establish command for this 10-100 at DNC. We have units way too close. We still have pedestrian flow coming out of the DNC. So I'm working my way to the [incident command] right now.¹⁵³

¹⁴⁹ *Id.*

¹⁵⁰ Videotape: Camera 4205 – January 6th, at 1:16 PM (USCP 2021) (on file with the Subcommittee).

¹⁵¹ Videotape: Camera 8019 – January 6th, at 1:16 PM (USCP 2021) (on file with the Subcommittee).

¹⁵² Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 4:58:02–4:58:56 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁵³ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 4:58:05–4:58:17 (Jan. 6, 2021) (on file with the Subcommittee).

On the same radio transmission, while the USCP dispatcher instructed units to “push out their perimeter,” another officer interrupted, urgently requesting units stop pedestrians from walking towards the pipe bomb.¹⁵⁴ The other officer said:

I need individuals who are walking down Washington Street right now to be stopped before they hit Canal. Immediately officers need to respond.¹⁵⁵

At approximately 1:18 PM, an individual exited a door next to the DNC garage.¹⁵⁶ The DNC garage door is directly behind the bush where the pipe bomb was located and leads to the pedestrian walkway. Meanwhile, a USCP officer advised over radio that individuals should not be exiting the “garage area” and directed units to “assist with traffic cuts and pedestrian cuts.”¹⁵⁷ It is unclear why this area was not cleared of pedestrian traffic more than thirteen minutes after discovery of the pipe bomb.



However, confusion regarding the perimeter and traffic around the pipe bomb persisted. For example, a USCP officer provided inaccurate evacuation directions over the radio, likely resulting in more civilians exiting the DNC and approaching the pedestrian walkway near the device.¹⁵⁸ At approximately 1:24 PM, an apparent civilian—following these same directions—exited the front of the DNC and began heading toward the pedestrian walkway.¹⁵⁹ As the civilian entered the pedestrian walkway, two apparent law enforcement officers intercepted the civilian, and instructed the civilian to turn around.¹⁶⁰

¹⁵⁴ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 4:58:02–4:58:56 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁵⁵ *Id.*

¹⁵⁶ Videotape: Camera 8021 – January 6th, at 1:18 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 3173 – January 6th, at 1:18 PM (USCP 2021) (on file with the Subcommittee).

¹⁵⁷ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 4:59:39–5:00:40 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁵⁸ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 4:59:19–5:01:03 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁵⁹ Videotape: Camera 8019 – January 6th, at 1:24 PM (USCP 2021) (on file with the Subcommittee).

¹⁶⁰ *Id.*



Nearly 20 minutes after the discovery of the pipe bomb outside of the DNC, a USCP officer noted over the radio:

We still got people coming out of the DNC walking towards the device.¹⁶¹

In response, a USCP dispatcher instructed units to direct civilians exiting the DNC to go in the “correct direction.”¹⁶² The dispatcher, however, did not repeat the specific directions nor did he instruct a specific unit to carry out the command.¹⁶³

At approximately 1:25 PM, a USCP officer, noticeably frustrated with the failure to secure the DNC scene, implored officers to contact DNC security to transmit the correct evacuation plans.¹⁶⁴ He stated over the radio:

Once again, call the DNC security. Tell them evacuate the west end of the building to the east end or evacuate . . . from Ivy east to New Jersey Avenue south. I also need the Fairchild [building] restricted from pedestrians leaving, and I need those units on watch—on South Capitol and E Street to clear out one block south.¹⁶⁵

In the timespan between that radio call and 1:40 PM, six law enforcement vehicles drove directly in front of the pipe bomb. A USCP officer, in a notably frustrated voice, repeated once again the need to secure the perimeter around the pipe bomb and to prevent vehicles from responding north on South Capitol Street past the pipe bomb.¹⁶⁶ The USCP officer stated:

¹⁶¹ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 5:06:22–5:06:38 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁶² *Id.*

¹⁶³ *Id.*

¹⁶⁴ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 5:07:03–5:07:35 (Jan. 6, 2021) (on file with the Subcommittee).

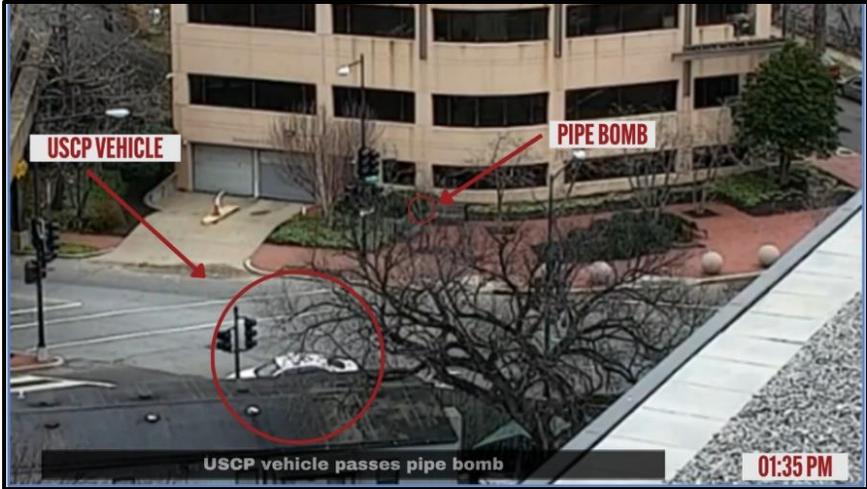
¹⁶⁵ *Id.*

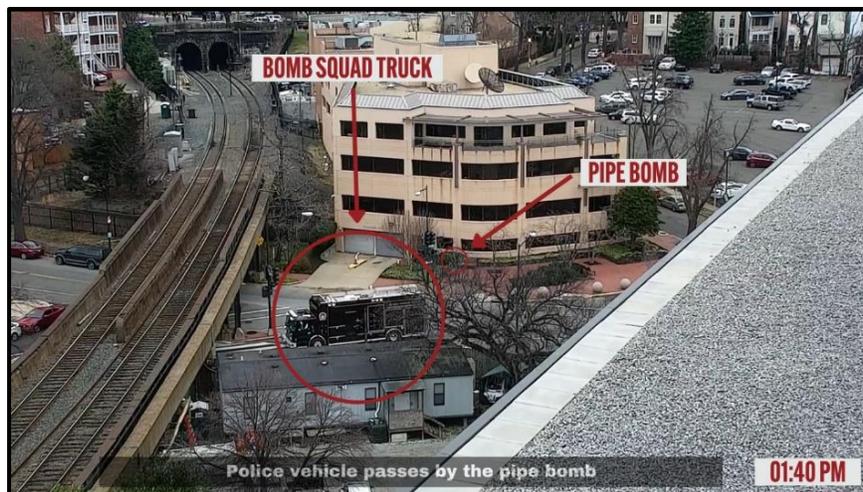
¹⁶⁶ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 5:23:37–5:24:02 (Jan. 6, 2021) (on file with the Subcommittee).

This is the last time I'm going to ask this request. We need the unit in front of the Fairchild [building] at South Capitol and E to go one block south. They are in line of sight of this package. Additionally, whoever is in that K9 vehicle parked on the east curb of South Capitol needs to move ASAP. **No more vehicles need to be responding north on South Capitol past the package.** Thank you.¹⁶⁷



¹⁶⁷ *Id.*





ii. Law enforcement permitted vehicles and pedestrians to pass within the blast zone while the bomb robot engaged with the device.

Two minutes later, at approximately 1:43 PM, USCP deployed its bomb robot from the Incident Command Post.¹⁶⁸ While the bomb robot engaged with the device in an attempt to transport it to the street for a controlled disruption, law enforcement continued to allow cars to pass on the street in front of the DNC. For example, at approximately 1:51 PM, a white four-door sedan drove directly in front of the bomb robot and pipe bomb outside of the DNC.¹⁶⁹ Although officers stationed along the security perimeter initially approached the car to speak to the driver, officers allowed the driver to continue on the path in front of the DNC and pipe bomb.¹⁷⁰



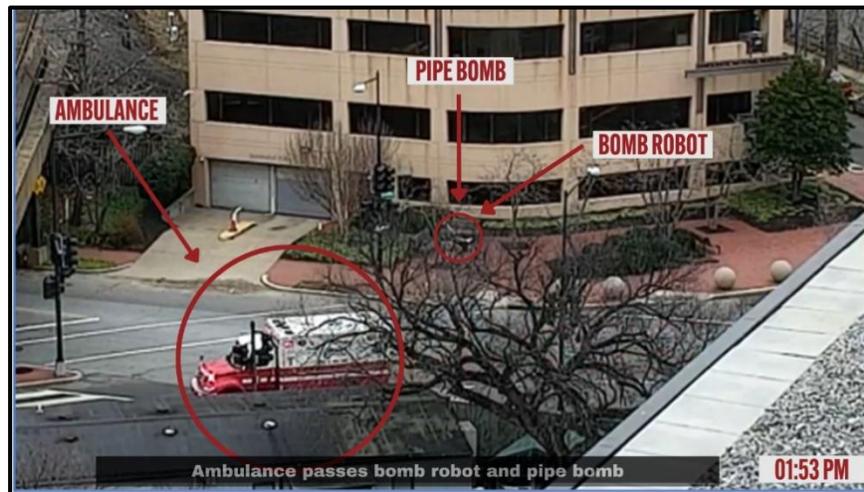
Two minutes later, an ambulance passed the pipe bomb and came within mere feet of the explosive device.¹⁷¹

¹⁶⁸ Videotape: Camera 8021 – January 6th, at 1:43 PM (USCP 2021) (on file with the Subcommittee).

¹⁶⁹ Videotape: Camera 8019 – January 6th, at 1:51 PM (USCP 2021) (on file with the Subcommittee).

¹⁷⁰ Videotape: Camera 8021 – January 6th, at 1:52 PM (USCP 2021) (on file with the Subcommittee).

¹⁷¹ *Id.*



Shortly after this, at approximately 1:54 PM, and nearly fifty minutes after discovery of the device, a USCP officer again directed units to stop vehicles from driving past the pipe bomb.¹⁷² The USCP officer stated:

Just remind the units on E Street on the southwest sector, any vehicles they [let] past them have to go southbound. We just had one go north. We can't have that happen.¹⁷³

A USCP dispatcher confirmed and reiterated the officer's message, stating:

No vehicles heading north. All vehicles coming out of E Street, Southwest have to head south at this time.¹⁷⁴

Despite the radio transmissions, approximately a minute later, two law enforcement vehicles drove past the pipe bomb while the bomb robot prepared to transport the pipe bomb to the street for a controlled disruption.¹⁷⁵

¹⁷² *Id.*

¹⁷³ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 5:36:16–5:36:36 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁷⁴ *Id.*

¹⁷⁵ Videotape: Camera 8021 – January 6th, at 1:54 PM (USCP 2021) (on file with the Subcommittee).



At approximately 1:58 PM, USCP’s bomb robot transported the device from the pedestrian walkway to the adjacent street for a controlled disruption.¹⁷⁶ At 2:01 PM, while the bomb robot had the pipe bomb in the middle of the street, law enforcement permitted another vehicle to drive near where the controlled disruption was set to take place.¹⁷⁷ As the vehicle drove past the DNC device, a USCP officer mistakenly announced over radio, “At the RNC, fire in the hole, fire in the hole, fire in the hole,”¹⁷⁸ when the officer likely meant the DNC. The term “fire in the hole” is an announcement designed to notify law enforcement personnel at the scene that the bomb squad is preparing to disrupt a suspicious package and that a possible inadvertent detonation of the device is imminent.¹⁷⁹ The notification provides law enforcement with an opportunity to ensure the blast zone is free of any pedestrian or law enforcement personnel and to harden the security perimeter.¹⁸⁰



Less than a minute later at approximately 2:02 PM, a USCP officer transmitted over radio the following broadcast: “Vehicles need to stop driving by the package on Canal and

¹⁷⁶ Videotape: Camera 8021 – January 6th, at 2:01 PM (USCP 2021) (on file with the Subcommittee).

¹⁷⁷ *Id.*

¹⁷⁸ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 5:46:57–5:47:13 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁷⁹ *Assessing LEO Resp. Transcript, supra* note 29, at 67 (questions for the record submitted by Sean Dennis).

¹⁸⁰ *Id.*

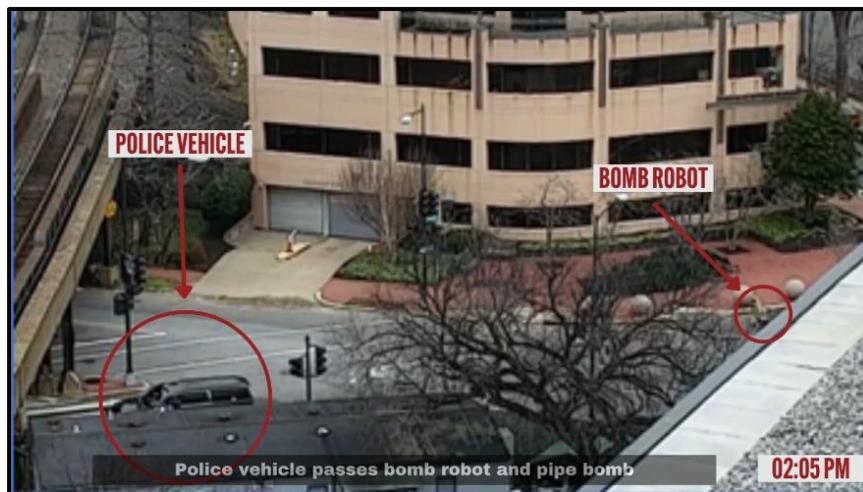
Washington.”¹⁸¹ A USCP dispatcher then repeated the order, saying “Units need to stop vehicles on Canal and Washington...Stop driving by the package.”¹⁸²

At approximately 2:04 PM, the officer who initially called “fire in the hole” for the RNC corrected her mistake, stating: “A hold on the RNC. Fire in the hole at the DNC. Fire in the hole at the DNC.”¹⁸³ A USCP dispatcher then repeated the advisement over radio.¹⁸⁴ Calling “fire in the hole” at the wrong scene is particularly dangerous because it places units at the wrong scene on notice for a possible disruption of the bomb while failing to notify units at the correct scene.

Shortly after the officer corrected her mistake, another USCP officer directed units once again to stop all vehicles driving north on South Capitol Street past the pipe bomb and advised that USCP would be conducting a controlled disruption of the device momentarily.¹⁸⁵ He stated:

All right, sir. I need a sergeant to respond to E Street, Southwest. I cannot have any more vehicles responding northbound, nor pedestrians. I need everyone to clear out from this area. We will be disrupting this device here momentarily. I need it clear, and I need a sergeant on the scene to tell me when it’s clear.¹⁸⁶

At 2:05 PM, after the USCP officer notified units that the bomb squad would be “disrupting this device . . . momentarily,” and that law enforcement prepared to detonate the DNC device, an unmarked police car drove north on South Capitol Street past the bomb robot and pipe bomb.¹⁸⁷



¹⁸¹ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 5:44:31–5:44:57 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁸² *Id.*

¹⁸³ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 5:46:57–5:47:13 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁸⁴ *Id.*

¹⁸⁵ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 5:47:30–5:47:53 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁸⁶ *Id.*

¹⁸⁷ Videotape: Camera 8021 – January 6th, at 2:05 PM (USCP 2021) (on file with the Subcommittee).

Two minutes later at approximately 2:07 PM, a civilian on a scooter approached the pipe bomb and robot before stopping at the intersection of South Capitol Street and E Street.¹⁸⁸ The person made it within several yards of the pipe bomb, well within the blast zone and within sight of the device.¹⁸⁹



Immediately after this, a USCP officer, notably frustrated, once again directed USCP units to stop all “pedestrian and vehicular traffic” and noted that pedestrians and vehicles continued to move “past the package.”¹⁹⁰ She transmitted:

We keep having vehicles and pedestrians walking on Washington Street right past the package. We please need everyone to use vigilance and stop all traffic, all pedestrian and vehicular traffic at this time on Washington and E Street.¹⁹¹

A USCP dispatcher broadcasted the officer’s order, saying:

All units on Washington and E Street, you need to stop pedestrian and vehicular traffic at this time. They’re going by the package. All units on Washington and E Street stop all traffic at this time. Keep them from the package.¹⁹²

¹⁸⁸ Videotape: Camera 8019 – January 6th, at 2:07 PM (USCP 2021) (on file with the Subcommittee).

¹⁸⁹ *Id.*

¹⁹⁰ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 5:49:30–5:50:03 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁹¹ *Id.*

¹⁹² *Id.*

One minute later, a USCP lieutenant called the DNC to confirm employees had evacuated from the building.¹⁹³ A DNC employee advised that the DNC evacuation was ongoing. At approximately 2:11 PM, a USCP officer called “fire in the hole” at the DNC.¹⁹⁴ Less than a minute later, USCP’s robot engaged in the first of two controlled disruptions of the pipe bomb.¹⁹⁵ The Subcommittee has obtained no record indicating USCP received a final notification from the DNC that the evacuation was complete.

At 2:26 PM, the same white four-door sedan that drove north past the pipe bomb at 1:51 PM could be seen turning left onto South Capitol Street from D Street.¹⁹⁶ As the driver approaches the yellow police tape blocking access to South Capitol Street, the driver can be seen lifting the police tape over the vehicle, proceeding south on South Capitol Street, and once again passing the pipe bomb.¹⁹⁷



Meanwhile, a USCP officer again directed USCP units to “maintain the perimeter” noted that a vehicle was driving past the pipe bomb and advised that USCP would be “disrupting the package again” shortly.¹⁹⁸ He transmitted:

I need the units to maintain. We have a vehicle coming southbound. I need all the units to maintain the perimeter. We’re going to be disrupting the package again here momentarily. I need units once again to maintain their perimeters and to clear out if they’re in visual contact with the robot.¹⁹⁹

A USCP dispatcher responded, saying:

¹⁹³ Audiotape: 1.6.2021 VCF POS.#2 DNC CALL (Jan. 6, 2021) (on file with Subcommittee).

¹⁹⁴ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 5:53:53–5:54:12 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁹⁵ Videotape: Camera 4205 – January 6th, at 2:11 PM (USCP 2021) (on file with the Subcommittee).

¹⁹⁶ Videotape: Camera 755 – January 6th, at 2:26 PM (USCP 2021) (on file with the Subcommittee).

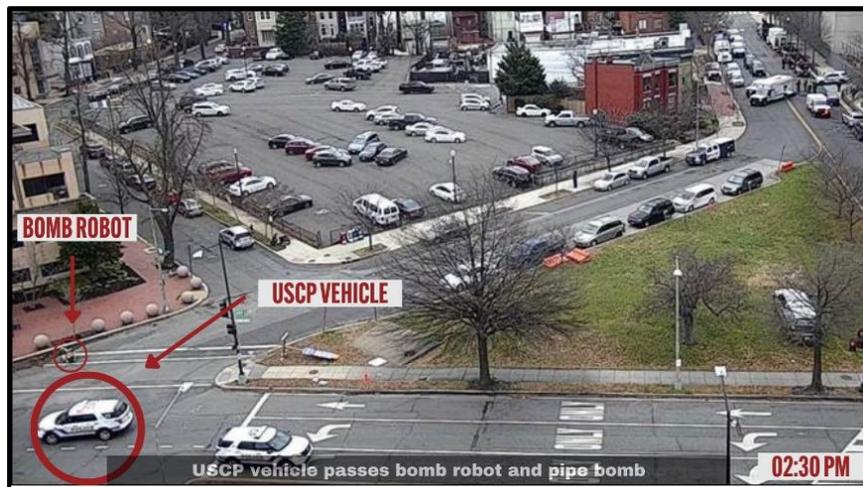
¹⁹⁷ *Id.*

¹⁹⁸ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 6:08:16–6:08:44 (Jan. 6, 2021) (on file with the Subcommittee).

¹⁹⁹ *Id.*

All units maintain your perimeter at this time. Stay out of eye contact with the robot. Again, maintain your perimeter at this time.²⁰⁰

Despite the repeated orders, at approximately 2:30 PM, another USCP police car drove north on South Capitol Street past the pipe bomb while the bomb robot prepared to disrupt the pipe bomb for a second time.²⁰¹ A minute later, the USCP's bomb robot engaged in a second controlled disruption of the device.²⁰²



iii. Law enforcement allowed vehicular and pedestrian traffic to contaminate the crime scene.

After the second disruption of the device, USCP personnel approached the scene and began collecting pieces of the device for evidence collection.²⁰³ Before USCP officially cleared the scene, at 2:34 PM, a red and black utility vehicle entered the crime scene and drove next to the robot.²⁰⁴ This began what would become a parade of over thirty law enforcement vehicles that violated the integrity of the immediate crime scene before USCP declared the scene clear at 4:20 PM.

In addition to permitting law-enforcement vehicles to contaminate the scene, law enforcement permitted two individuals to walk into the crime scene near the bomb robot. Meanwhile, USCP personnel were still in the process of collecting the explosive device's components.

²⁰⁰ *Id.*

²⁰¹ Videotape: Camera 8019 – January 6th, at 2:38 PM (USCP 2021) (on file with the Subcommittee).

²⁰² *Id.*

²⁰³ Videotape: Camera 8019 – January 6th, at 2:48 PM – 2:53 PM (USCP 2021) (on file with the Subcommittee).

²⁰⁴ Videotape: Camera 8019 – January 6th, at 2:34 PM (USCP 2021) (on file with the Subcommittee).



Throughout the afternoon, federal law enforcement failed to secure and maintain a safety perimeter around the DNC pipe bomb. In total, according to video footage of the scene, more than 40 vehicles and 10 pedestrians breached the security perimeter between the pipe bomb's discovery and when law enforcement cleared the scene. The inability to prevent this security failure reflects a breakdown in command and control around the DNC scene and endangered the lives of law enforcement personnel and civilians.

C. Federal law enforcement failed to secure and maintain a perimeter around the pipe bomb and suspicious vehicle found near the RNC.

While federal law enforcement's response to the DNC pipe bomb was a serious security failure of that day, the scene at the RNC was plagued by similar problems. Much like the security breakdown at the DNC, law enforcement allowed numerous civilians to breach the secure perimeter surrounding both the pipe bomb and the suspicious vehicle found near the RNC before law enforcement cleared the scene.

At approximately 12:42 PM, an RNC security guard notified a USCP officer of the pipe bomb’s presence behind the RNC and Capitol Hill Club.²⁰⁵ The USCP officer immediately notified dispatch, and within seconds, USCP units responded on scene.²⁰⁶ Following their response, USCP units began establishing a perimeter around the RNC by blocking off the surrounding streets and started evacuating nearby residences, businesses, and office buildings.²⁰⁷ At 12:52 PM, a USCP dispatcher directed all units responding to the RNC to use a separate radio channel designated specifically for the response to the RNC pipe bomb.²⁰⁸ Around 1:00 PM, USCP officers responding to the RNC pipe bomb also discovered a “suspicious vehicle” outside the RNC.²⁰⁹ The officer told dispatch:

I’ve got a suspicious vehicle outside the Capitol Hill Club. . . . [We] search[ed] the vehicle with a dog. No indications; however, it’s definitely suspicious—possible [inaudible] under the vehicle and shell casings.²¹⁰

In response, a USCP official directed USCP units to “make the [evacuation]” of the surrounding area the “priority” and to “maintain [the] integrity” of the perimeter until USCP had disarmed the pipe bomb.²¹¹ Around this time, the same USCP official also directed units to stop individuals from “com[ing] in or out of” the Capitol South Metro Station—located next to the RNC and Capitol Hill Club.²¹² Despite the order to maintain the perimeter around the pipe bomb and suspicious vehicle, within minutes, USCP allowed pedestrians to breach the secure area.

At approximately 1:19 PM, USCP deployed a bomb robot from its Command Post at the intersection of D Street and First Street.²¹³ Approximately two minutes later at 1:21 PM, thirty-nine minutes after USCP became aware of the explosive device, two civilians crossed an intersection, passing a rolled-up bundle of police tape, and walked towards the RNC and Capitol Hill Club.²¹⁴

²⁰⁵ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION MAIN OPS 2, at 4:26:05–4:26:19 (Jan. 6, 2021) (on file with the Subcommittee).

²⁰⁶ *Id.*; Videotape: Camera 4472 – January 6th, at 12:43 PM (USCP 2021) (on file with the Subcommittee).

²⁰⁷ USCP TIMELINE, *supra* note 12, at 11-13.

²⁰⁸ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION MAIN OPS 2, at 4:34:27–4:34:42 (Jan. 6, 2021) (on file with the Subcommittee).

²⁰⁹ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION MAIN OPS 2, at 4:45:07–4:47:07 (Jan. 6, 2021) (on file with the Subcommittee).

²¹⁰ *Id.*

²¹¹ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION MAIN OPS 2, at 4:47:28–4:47:43 (Jan. 6, 2021) (on file with the Subcommittee).

²¹² Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION MAIN OPS 2, at 4:42:01–4:42:16 (Jan. 6, 2021) (on file with the Subcommittee).

²¹³ Videotape: Camera 3171 – January 6th, at 1:19 PM (USCP 2021) (on file with the Subcommittee).

²¹⁴ Videotape: Camera 4471 – January 6th, at 1:21 PM (USCP 2021) (on file with the Subcommittee).



The individuals then walked past the Capitol Hill Club and entered the Capitol South Metro Station.²¹⁵ Four minutes later at 1:25 PM, the two civilians exited the Capitol South Metro Station and headed back towards the Capitol Hill Club before a nearby police officer ordered them to immediately evacuate the area.²¹⁶

As this was unfolding, a USCP officer transmitted the following message over the radio:

Sir, I have people walking down First Street right in front of the Republican Club. . . . Somebody's not doing their job.²¹⁷

In response to this transmission, the USCP dispatcher stated over the radio, "You have units walking in front of the Republican Club."²¹⁸ Notably, the dispatcher did not instruct specific units in the area of the RNC to respond to the intersection of First Street and C Street.

Shortly thereafter, two other civilians walked towards the RNC and Capitol Hill Club, again passing the same rolled-up bundle of police tape.²¹⁹ As they approached the Capitol Hill Club, however, an officer ordered them to turn around.²²⁰

²¹⁵ Videotape: Camera 3457 – January 6th, at 1:22 PM (USCP 2021) (on file with the Subcommittee).

²¹⁶ Videotape: Camera 3457 – January 6th, at 1:25 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 4472 – January 6th, at 1:25 PM (USCP 2021) (on file with the Subcommittee).

²¹⁷ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 5:04:57–5:05:19 (Jan. 6, 2021) (on file with the Subcommittee).

²¹⁸ *Id.*

²¹⁹ Videotape: Camera 4471 – January 6th, at 1:22 PM (USCP 2021) (on file with the Subcommittee).

²²⁰ *Id.*



The perimeter surrounding the RNC, Capitol Hill Club, and the suspicious vehicle remained relatively secure until approximately 3:31 PM when a USCP officer allowed two apparent civilians at the corner of First Street and C Street to walk to their vehicle, located next to the suspicious vehicle.²²¹ A minute later, the same officer prevented two other civilians at the corner of First Street and C Street from approaching the RNC and Capitol Hill Club.²²²

At 3:34 PM, approximately two minutes later, a civilian in a blue shirt could be seen jogging toward and then entering the Capitol South Metro Station, only feet away from the suspicious vehicle.²²³ The metro station at the time remained closed.²²⁴ Seconds later, he exited the Capitol South Metro Station and officers stationed at the Incident Command Post appear to order him to immediately evacuate the area.²²⁵ It remains unclear why law enforcement allowed certain civilians to enter the perimeter around the RNC, Capitol Hill Club, and suspicious vehicle before declaring the scene clear at 6:30 PM.

Although it is undeniable that law enforcement faced the immense challenge of responding to multiple critical incidents on January 6, including the events occurring at the Capitol, two active bomb scenes, and a suspicious vehicle outside the RNC, the failure to maintain a secure perimeter at both the RNC and DNC underscores the need to ensure USCP is prepared in the future to properly respond to multiple critical incidents.

²²¹ Videotape: Camera 4472 – January 6th, at 3:31 PM (USCP 2021) (on file with the Subcommittee).

²²² Videotape: Camera 4472 – January 6th, at 3:32 PM (USCP 2021) (on file with the Subcommittee).

²²³ Videotape: Camera 4471 – January 6th, at 3:34 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 3457 – January 6th, at 3:34 PM (USCP 2021) (on file with the Subcommittee).

²²⁴ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 7:05:31–7:06:08 (Jan. 6, 2021) (on file with the Subcommittee).

²²⁵ Videotape: Camera 3457 – January 6th, at 3:36 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 809 – January 6th, at 3:36 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 3171 – January 6th, at 3:36 PM (USCP 2021) (on file with the Subcommittee).

D. By not securing the perimeters around the pipe bombs, federal law enforcement risked the safety of USCP and USSS protectees who were being evacuated from the Capitol Complex.

While law enforcement struggled to secure the perimeter surrounding the DNC throughout the afternoon, the most concerning example of this failure occurred when then-Speaker of the House Nancy Pelosi’s detail drove within feet of the DNC pipe bomb during her evacuation from the Capitol.²²⁶ Despite multiple requests from officers on scene to stop all traffic from passing the DNC pipe bomb, law enforcement allowed Speaker Pelosi’s motorcade to drive past the explosive device and through an active bomb scene, placing the Speaker within the blast zone of the bomb.²²⁷

USCP’s Dignitary Protection Division (“DPD”), which is responsible for providing security details to congressional leadership, including the Speaker of the House, was communicating on a separate radio channel throughout the day on January 6.²²⁸ USCP’s DPD security detail assigned to Speaker Pelosi became aware of the DNC pipe bomb shortly after its discovery at 1:05 PM.²²⁹ Around approximately 1:11 PM, a DPD official advised all DPD units over radio that USCP was responding to a “second device” located near the DNC.²³⁰

Shortly after protestors entered the Capitol building at 2:12 PM, USCP DPD ordered each DPD detail to evacuate its protectees, including Speaker Pelosi.²³¹ Following the decision to evacuate her from the Capitol, Speaker Pelosi’s USCP security detail swiftly rushed her to the Rayburn House Office Building (“RHOB”) to her waiting motorcade.²³² At 2:25 PM, Speaker Pelosi’s motorcade exited the RHOB Garage and headed toward the DNC.²³³

²²⁶ Broadwater, *supra* note 99 (Details of then-Speaker Pelosi’s route have been widely reported in the public domain.).

²²⁷ *See, e.g.*, Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 4:56:38–4:57:25, 5:49:30–5:50:03 (Jan. 6, 2021) (on file with the Subcommittee).

²²⁸ E-mail from Thomas DiBiase, USCP Gen. Couns., to Tim Monahan, Dir. of House Operations for the Office of the Speaker (May 11, 2023, 5:09 PM) (on file with the Subcommittee) (list of radio channels used on Jan. 6).

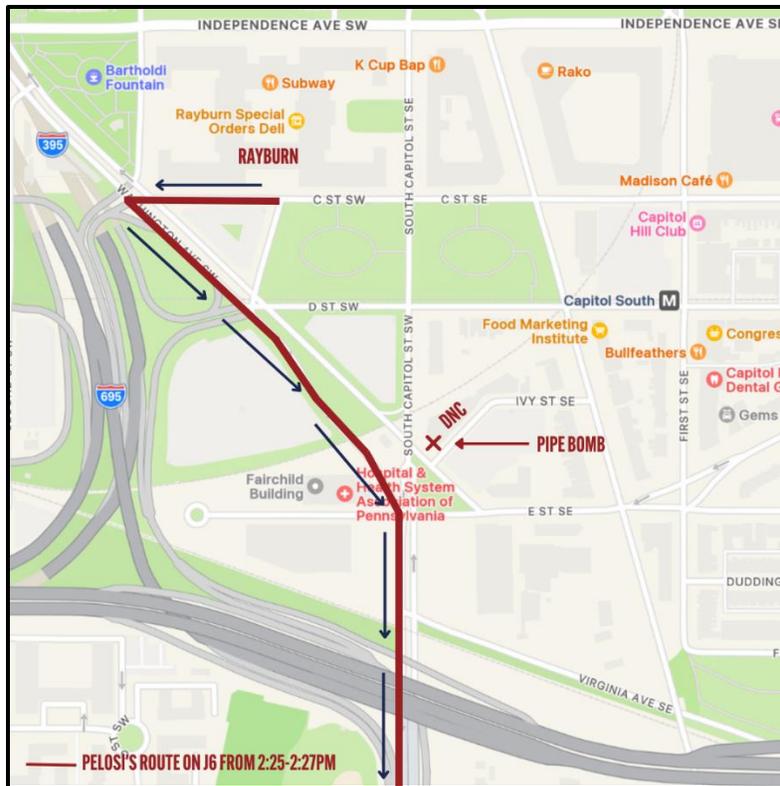
²²⁹ Audiotape: Radio Traffic – 1.6.21 DEMO DPD MOVEMENTS AND MEMBER EXTRACTION, at 3:10:20–3:10:32 (Jan. 6, 2021) (on file with the Subcommittee).

²³⁰ *Id.*

²³¹ Audiotape: Radio Traffic – 1.6.21 DEMO DPD MOVEMENTS AND MEMBER EXTRACTION, at 4:13:54–4:14:07 (Jan. 6, 2021) (on file with the Subcommittee).

²³² Videotape: Camera 6145 – January 6th, at 2:25 PM (USCP 2021) (on file with the Subcommittee).

²³³ Videotape: Camera 8021 – January 6th, at 2:25 PM (USCP 2021) (on file with the Subcommittee).



As it approached the DNC en route to her relocation site, Speaker Pelosi’s motorcade stopped at the intersection where law enforcement had cordoned off part of the street leading towards the DNC.²³⁴



²³⁴ *Id.*

In footage obtained by the Subcommittee and filmed by Alexandria Pelosi,²³⁵ Speaker Pelosi's daughter, the Speaker's USCP security detail can be heard on video asking officers at the DNC perimeter if the street was "all the way blocked off."²³⁶ Shortly after this, law enforcement allowed the Speaker's motorcade to continue driving towards the DNC pipe bomb.²³⁷

As Speaker Pelosi's motorcade approached the DNC, at approximately 2:26 PM, a USCP officer again directed USCP units over radio to "maintain the perimeter," and advised that USCP would be "disrupting" the pipe bomb shortly.²³⁸ The officer stated:

I need the units to maintain. We have a vehicle coming southbound. I need all the units to maintain the perimeter. We're going to be disrupting the package again here momentarily. I need units once again to maintain their perimeters and to clear out if they're in visual contact with the robot.²³⁹

As Speaker Pelosi's motorcade drove by the pipe bomb, USCP security camera footage captured USCP's bomb robot preparing to disrupt the bomb for the second time.²⁴⁰

Prior to Speaker Pelosi's motorcade driving by the DNC pipe bomb, federal law enforcement had allowed more than fifteen vehicles to drive past the DNC pipe bomb despite repeated calls over the radio for law enforcement units to stop all traffic passing by the explosive device.²⁴¹ The breakdown in command and control around the DNC pipe bomb and the failure to correct the breaches of the security perimeter culminated in law enforcement risking the safety of congressional leadership.

E. Federal law enforcement failed to prevent commuter trains from passing on tracks in close proximity to the DNC pipe bomb.

Immediately following the discovery of the DNC pipe bomb, law enforcement personnel failed to notify commuter trains running on tracks directly adjacent to the DNC. For nearly twenty minutes, law enforcement, despite the presence of a pipe bomb, allowed commuter trains to transit along the bridge adjacent to the DNC, placing civilians within close proximity to one of the viable devices.²⁴²

At approximately 1:21 PM, more than fifteen minutes after the discovery of the DNC pipe bomb, a Virginia Railway Express ("VRE") commuter train traveled along a bridge next to

²³⁵ Broadwater, *supra* note 90.

²³⁶ *Id.*

²³⁷ *Id.*

²³⁸ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 6:08:16–6:08:44 (Jan. 6, 2021) (on file with the Subcommittee).

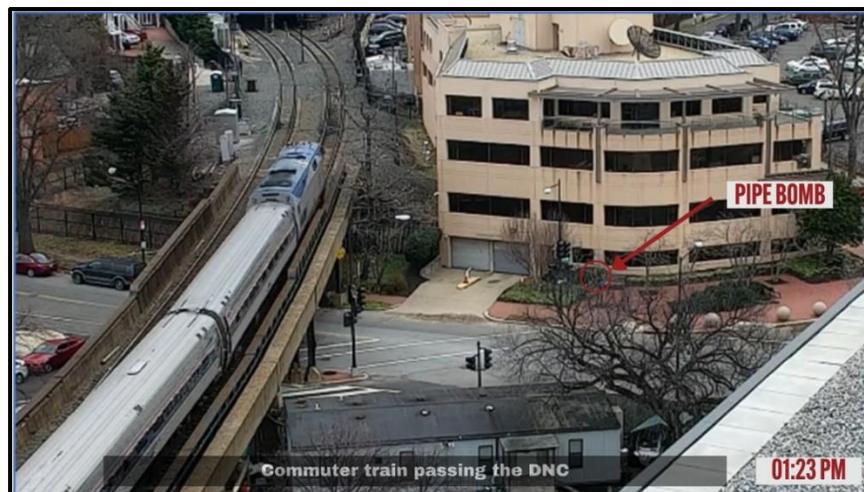
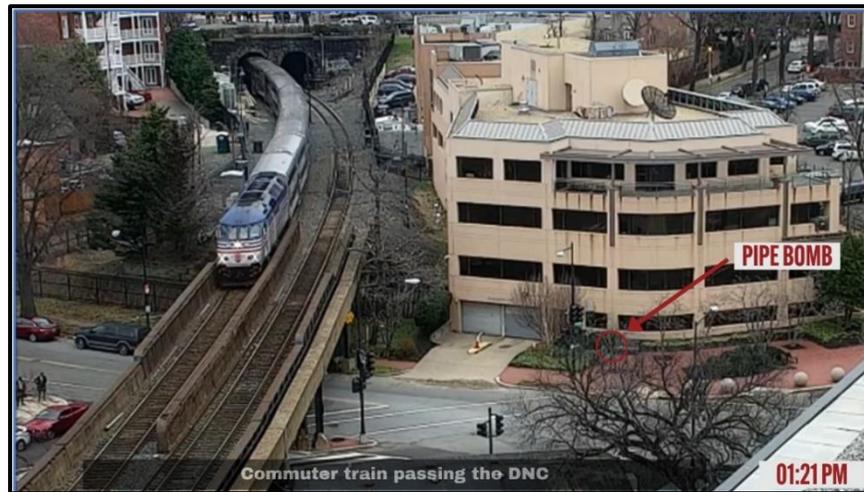
²³⁹ *Id.*

²⁴⁰ Videotape: Camera 4205 – January 6th, at 2:26 PM (USCP 2021) (on file with the Subcommittee).

²⁴¹ Audiotape: Radio Traffic – 1-6-21 DEMONSTRATION EVENT 1, at 4:56:38–4:57:25, 5:49:30–5:50:03 (Jan. 6, 2021) (on file with the Subcommittee).

²⁴² Videotape: Camera 8021 – January 6th, at 1:19 PM (USCP 2021) (on file with the Subcommittee).

the DNC.²⁴³ Two minutes later—and nearly eighteen minutes after the discovery of the device—an Amtrak train crossed the same bridge.²⁴⁴ As the trains went over the bridge near the DNC, the trains were within several yards of the viable device.



USCP Assistant Chief of Police Sean Gallagher testified that standard operating procedure dictates that the USCP incident commander was responsible for requesting that USCP dispatch notify Amtrak and VRE of the device’s presence.²⁴⁵ However, Assistant Chief Gallagher testified that no record exists indicating that the “incident commander[,] on scene [USCP Hazardous Device Section,] or MPD [explosive ordnance division] team” requested the trains be stopped.²⁴⁶

In his response to a request for information from Chairman Loudermilk, Stephen Gardner, Amtrak’s Chief Executive Officer, noted that Amtrak’s security personnel first became

²⁴³ *Id.*

²⁴⁴ Videotape: Camera 8021 – January 6th, at 1:22 PM (USCP 2021) (on file with the Subcommittee).

²⁴⁵ *Assessing LEO Resp. Transcript, supra* note 29, at 50 (questions for the record submitted by Sean Gallagher).

²⁴⁶ *Id.*

aware of the pipe bomb at 1:34 PM—nearly 30 minutes after law enforcement’s discovery of the device—through an Amtrak Police Department (“APD”) detective assigned to the FBI’s Joint Terrorism Task Force and through monitoring USCP’s radio channel.²⁴⁷ By 1:43 PM, nearly 40 minutes after discovery of the devices, APD personnel “initiated a hold on train operations” in the area around the DNC.²⁴⁸

According to standard operating procedure, USCP incident commander, upon learning of the pipe bomb located near the commuter rail tracks, should have promptly notified Amtrak and VRE of the presence of an explosive device.²⁴⁹ Evidence indicates that no such notification occurred.²⁵⁰ If the pipe bomb had detonated while these trains transited along the bridge, the explosive may have produced “heavy fragmentation,” resulting in shrapnel “flying through” the exterior of the trains and causing “serious bodily injury and or death.”²⁵¹

F. Federal law enforcement failed to ensure adequate resources were available to respond to both pipe bomb scenes and protect the perimeter of the Capitol.

While the security perimeter around the DNC and RNC was frequently breached, the perimeter notably prevented USCP from receiving an additional 400 bike racks early that afternoon. USCP requested these additional security resources to serve as “protective barriers” around the Capitol and to combat the worsening security situation outside the Capitol.²⁵² The absence of this visual cue may have left demonstrators—particularly those not within the front line of the crowd—without clear indication of where the line of demarcation was between public space and restricted Capitol grounds.

The need for an additional 400 bike racks was particularly acute because of an inexplicable last-minute demand at 9:10 PM on January 5 to take the “absolutely illogical” step of removing approximately 500 bike racks from around the Capitol.²⁵³ The removal of these 500 bike racks on the evening of January 5 may have obscured the line between what was deemed public and restricted space. Valerie Hasberry, then-Chief Security Officer for the Architect of the Capitol, testified to the Select Committee that removing 500 bike racks prior to a known event taking place at the Capitol complex “was so different than what we would normally do.”²⁵⁴ She stated:

²⁴⁷ Letter from Stephen Gardner, CEO, Amtrak, to Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight (Sept. 20, 2024) (on file with the Subcommittee).

²⁴⁸ *Id.*

²⁴⁹ *Assessing LEO Resp. Transcript*, *supra* note 29, at 50 (questions for the record submitted by Sean Gallagher).

²⁵⁰ *Id.*

²⁵¹ *Id.* at 67 (questions for the record submitted by Sean Dennis).

²⁵² SELECT COMMITTEE TO INVESTIGATE THE JANUARY 6TH ATTACK ON THE UNITED STATES CAPITOL, FINAL REPORT, 117TH CONG. 708 (2022).

²⁵³ Select Committee to Investigate the January 6th Attack on the United States Capitol, Transcribed Interview of Valerie Hasberry 49–56 (Apr. 14, 2022), https://ia801906.us.archive.org/33/items/january-6th-committee-witness-testimony-20220414-valerie-hasberry/20220414_Valerie%20Hasberry_text.pdf. It is unclear who the specific individual is that demanded the removal of the bike racks; however, it is believed to be a United States Capitol Police official.

²⁵⁴ *Id.* at 49.

Q. . . . So Exhibit 9, you characterize this request for bike removal as—it’s on January 5th at 9:10 p.m.—as a “late request to remove approximately 500 bike racks along First Street, Northeast/Southeast and along the south curb of Constitution Avenue between the north barricade and First Street Northeast. My team was told the reason for the change was due to USCP’s concern that demonstrators would be trapped on [the two egg-shaped areas of grass on the East Front of the Capitol]. This explanation did not track with past setups including those used in November and December. In addition, the change didn’t make sense from a security perspective.” So tell us first, how was this different from the setup in November and December.

A. . . . [I]t was so different than what we would normally do. And I was so concerned, that’s when I let [Brett Blanton, Architect of the Capitol,] know because it was out of the norm of what we had done in the past . . . it was my opinion that it was different and laxer security than we had put in place in previous events . . . again, bike rack is normally used—the best use of it is just as a directional mechanisms for crowd marking where they can and cannot go.²⁵⁵

Hasberry also explained that the critical timing of the discovery of the pipe bombs prevented USCP from reestablishing the bike rack lines on January 6 while simultaneously diverting security resources from the Capitol.²⁵⁶ She testified:

Q. So on January 6th at 1:28 p.m. in Exhibit 10, you’re asking whether “the team is ready to move the 400 bike racks to the east front.” And so this is after the President’s speech, this is after crowds have started moving to the Capitol. And you’ve just told me . . . you removed the bike racks in question the night before. So talk to us—what is this? What is this development? What is this about?

A. So on the 6th, one of the numerous calls I received was from Robert Ford, again, [USCP’s] Security Services Bureau, saying we need you to get bike rack[s] to the east front. They’re being overrun. So I called my team first and said, hey, I’m going to send you traffic, but I need you to at least start the process, have the contractor be ready to move

. . . I can explain what happened, why it didn’t get there. So our contractor loaded it up. If you’re familiar with the

²⁵⁵ *Id.* at 49-52.

²⁵⁶ *Id.* at 59-61.

campus, my office is in the Fairchild Building. Our contractor lay-down area is in front of the Fairchild Building. They loaded up the bike rack. They were ready with a police escort to get it to the east front and that was when one of the unexploded—improvised explosive devices at the DNC, which is right across the street from our contractor compound, that’s when pretty much that whole area was shut down due to those improvised explosive devices. So that contract team could not get that bike rack because you had the larger issue of potential explosive devices at multiple locations. And so there was stop movement.

Q. So is it fair to say that that additional 400 bike racks, that was never put in place, right?

A. It was later that night. So it wasn’t until later that night after . . . they had cleared the building that we actually put additional bike rack[s] in place.²⁵⁷

The removal of the bike racks on January 5 and discovery of the pipe bombs on January 6 resulted in a severely exposed Capitol. When Hasberry attempted to send 400 bike racks to the Capitol on January 6, the delivery attempt was thwarted by the police perimeter established around the DNC pipe bomb. This is in stark contrast to the 40 vehicles and 10 pedestrians that were able to freely move through this very same perimeter at the same time. Notwithstanding these facts and FBI Section Chief Steven Jensen’s testimony that the “two pipe bombs placed in proximity to the Capitol . . . took resources away from the Capitol,”²⁵⁸ the former Assistant Director of the FBI’s Washington Field Office, Steven D’Antuono, attempted to downplay the notion that the pipe bombs were a diversion calling it “pure speculation.”²⁵⁹ D’Antuono stated:

Q. Are you familiar with the diversion thesis, that these were set up to be a diversion?

A. Yeah, I’ve heard people say that, but if you watch—I’ve done a lot of media reports. I was trying to get the information out there, tips and stuff like that, right. I will not speculate. I’m not going to speculate on that. I think that’s speculation, at best, when people say that it’s a diversionary tactic.

²⁵⁷ *Id.*

²⁵⁸ H. Comm. on the Judiciary, Transcribed Interview of Steve Jensen 102 (May 19, 2023) (on file with the Subcommittee).

²⁵⁹ H. Comm. on the Judiciary, Transcribed Interview of Steve D’Antuono 35 (June 7, 2023) [hereinafter D’Antuono Interview], <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2023-06-07-ti-of-steven-dantuono-redacted.pdf>

We'll never know until we find the person that actually did—or persons that actually did it. So I can't speculate on that. Could it have been? Yes, that's one theory. Obviously, it's one theory. But is it the only theory? I don't—I really don't know.

Q. It looks like the head [of] Capitol Police believes it was a diversion.

A. So Steve Sund, chief of police, yes. I believe he wrote that in his book. Again, it's pure speculation. There's no intelligence—look, I ran the investigation for 2 years until I stepped out. We don't know. We don't even know the gender at this point as to—we could speculate, and there's a lot of people that are speculating as to the gender

Q. How confident are you that the individual depicted in the surveillance footage on January 5th set both of those pipe bombs in place?

A. So the video that we saw, I feel confident that by the video that we have, that that person planted those.

Q. Do you think they intended for the bomb to go off the next day?

A. I can't speculate on that, sir.

Q. Well, let me ask you this: Do you think it was technically possible for a kitchen timer—

A. No, no.

Q. —that has 1-hour duration—

A. No.

Q. —to detonate a bomb 17 hours later?

A. No, I don't. And I saw the same kitchen timer as you. I agree. I don't know when they were supposed to go off. Maybe they weren't supposed to go off. We can't—we don't know. We honestly don't know, and that's some of the pain²⁶⁰

²⁶⁰ *Id.* at 34-36.

As the FBI has failed to apprehend the suspect, the pipe bomber's intent for placing the devices has not been definitively established; however, the effect that the pipe bombs had in diverting law enforcement resources from the Capitol is without dispute. The refusal of top FBI officials to acknowledge even the most self-evident aspects of the pipe bomb investigation nearly four years after they were planted is striking. The significance of the pipe bombs to how the events of January 6 unfolded cannot be overstated. The evidence suggests that the pipe bomber diverted significant law enforcement attention and resources away from the Capitol at the exact time they were needed most.

* * *

The delayed discovery of the pipe bombs and the law enforcement response to both explosive devices marked a serious security failure associated with January 6. Once the devices were discovered, federal law enforcement, including USCP personnel, struggled to prevent civilian and law enforcement from breaching the perimeter around the devices and from coming within close proximity to both pipe bombs. In some cases, unauthorized individuals passed by one of the pipe bombs even after law enforcement had ordered the bomb squad to disrupt the device. As a result, the actions of law enforcement in failing to secure and maintain a perimeter around the pipe bombs placed countless individuals, including the Vice President-elect and the Speaker of the House, in danger and represented a serious breach of security protocol.

After the USCP declared both the DNC and RNC scenes clear at 4:20 PM and 6:30 PM, respectively, the next phase in the investigation into the pipe bomb incident began. Federal authorities immediately opened an investigation into the suspect responsible for planting both explosive devices. As Section II of the report highlights, the FBI's initial aggressive investigation in the immediate aftermath of the pipe bombs' discovery produced several credible leads, yet nearly four years later, the FBI has been unable to apprehend the pipe bomber.

II. THE FBI INITIALLY TOOK SIGNIFICANT STEPS TO IDENTIFY THE PIPE BOMBER BUT HAS FAILED TO APPREHEND THE SUSPECT

Following the discovery of the pipe bombs near the RNC and DNC on January 6, the FBI opened an investigation into the suspect who planted the explosive devices.²⁶¹ Early in its investigation, the FBI began to focus on an unidentified suspect or person of interest (“POI1”) captured on security camera footage near both the RNC and DNC.²⁶² In the early weeks and months of the investigation, the FBI took significant investigative steps to identify the suspect. However, nearly four years later, the FBI has been unable to identify the suspect despite access to the most sophisticated law enforcement resources.

A. The FBI has failed to identify the suspect responsible for planting the pipe bombs.

On the night of January 5, 2021, security cameras captured a suspect wearing a grey-hooded sweatshirt, a white mask, black gloves, glasses, and a pair of Nike Air Max Speed Turf sneakers, and carrying an unidentified backpack.²⁶³ The FBI estimated the suspect’s height is approximately 5’7” and the suspect’s shoe length is approximately 12.37 inches in length, which translates to a male shoe size of 9.5 to 12.²⁶⁴

As of January 2023, the FBI and its law enforcement partners had interviewed approximately 1,000 individuals, visited more than 1,200 residences and businesses, assessed more than 500 tips, and collected more than 39,000 video files.²⁶⁵ Furthermore, as of April 2021, the FBI had compiled thirty different datasets from multiple sources, including hardware stores, shoe vendors, and cell carrier companies, and had collected over 105,000,000 data points.²⁶⁶ Astoundingly, despite these investigative efforts, the FBI has been unable to identify, arrest, and prosecute the suspect.

²⁶¹ Press Release, FBI Washington, *\$500,000 Reward Remains in Effect for Information About Capitol Hill Pipe Bomber*, FBI WASHINGTON: OFFICE OF PUBLIC AFFAIRS (Jan. 4, 2024), <https://www.fbi.gov/contact-us/field-offices/washingtondc/news/500000-reward-remains-in-effect-for-information-about-capitol-hill-pipe-bomber>.

²⁶² *Id.*

²⁶³ FBI, *PIPE BOMBS IN WASHINGTON, D.C.*, FBI: MOST WANTED (Jan. 5, 2021), <https://www.fbi.gov/wanted/seeking-info/suspected-pipe-bombs-in-washington-dc>.

²⁶⁴ E-mail from ██████████, ██████████, to ██████████, ██████████, and ██████████, ██████████ (Feb. 17, 2021, 1:41 AM) (on file with the Subcommittee); E-mail from ██████████, ██████████, to ██████████, ██████████, and ██████████, ██████████, ██████████, and ██████████, ██████████ (Apr. 21, 2021, 10:59 AM) (on file with the Subcommittee).

²⁶⁵ Press Release, FBI Washington, *FBI Washington Field Office, ATF Washington Field Division, and Metropolitan Police Department Raise Reward for Information About Capitol Hill Pipe Bomber to \$500,000*, FBI WASHINGTON: OFFICE OF PUBLIC AFFAIRS (Jan. 4, 2023), <https://www.fbi.gov/contact-us/field-offices/washingtondc/news/fbi-washington-field-office-atf-washington-field-division-and-metropolitan-police-department-raise-reward-for-information-about-capitol-hill-pipe-bomber-to-500000>

²⁶⁶ E-mail from ██████████, ██████████, to ██████████, ██████████, ██████████, ██████████, ██████████, and ██████████, ██████████ (Apr. 14, 2021, 5:20 PM) (on file with the Subcommittee).



*Surveillance of the suspect on January 5.*²⁶⁷

i. The suspect repeatedly appeared on CCTV footage near the DNC and RNC.

A review of open-source information and security camera footage obtained by the Subcommittees revealed some of the suspect's movements between approximately 7:30 PM and 8:30 PM on January 5.

- 7:35 PM: The suspect was first seen on camera in the Southeast part of the Capitol Hill neighborhood near the Capitol Hill Power Plant.²⁶⁸ The suspect then headed north toward the Sharon Armesto Memorial Park on his or her way to the DNC.²⁶⁹
- 7:38PM: The suspect headed west toward the Spirit of Justice Park and continued to approach the DNC.²⁷⁰
- 7:39 PM: The suspect turned left, walking south towards the DNC.²⁷¹

²⁶⁷ *PIPE BOMBS IN WASHINGTON, D.C.*, *supra* note 262.

²⁶⁸ Videotape: Camera 5050 – January 5th, at 7:35 PM (USCP 2021) (on file with the Subcommittee).

²⁶⁹ *Id.*

²⁷⁰ Videotape: Camera 795 – January 5th, at 7:38 PM (USCP 2021) (on file with the Subcommittee).

²⁷¹ Videotape: Camera 753 – January 5th, at 7:39 PM (USCP 2021) (on file with the Subcommittee).

- 7:40 PM: After walking about halfway towards the DNC, the suspect stopped, turned around, and briefly retraced his or her steps to the top of the street.²⁷²



- 7:41 PM – 7:47 PM: The suspect again walked south toward the DNC.²⁷³ This time, the suspect approached the west end of the DNC building and sat on a park bench next to the DNC before continuing to walk around the DNC towards the front of the building.²⁷⁴



- 7:47 PM: The suspect walked past the front entrance of the DNC and approached the rear of the building.²⁷⁵

²⁷² Videotape: Camera 4400 – January 5th, at 7:40 PM (USCP 2021) (on file with the Subcommittee).

²⁷³ Videotape: Camera 3173 – January 5th, at 7:41 PM (USCP 2021) (on file with the Subcommittee).

²⁷⁴ *Id.*

²⁷⁵ Videotape: Camera 795 – January 5th, at 7:47 PM (USCP 2021) (on file with the Subcommittee).

- 7:50PM – 7:52 PM: The suspect retraced his or her steps, again walking around the DNC and passing in front of the DNC’s main entrance before sitting on a second bench, next to the initial one.²⁷⁶ The suspect appears to remove an object from the backpack before placing what appears to be the device next to the bench.²⁷⁷



- 7:52 – 7:59PM: The suspect retraced his or her steps around the block containing the DNC before again approaching the Capitol Power Plant and then disappearing out of view of USCP CCTV security cameras.²⁷⁸
- 8:09 PM: The suspect was seen on security camera footage before entering an alleyway behind the RNC and Capitol Hill Club.²⁷⁹
- 8:13 PM – 8:14 PM: The suspect approached the rear of the RNC and Capitol Hill Club, walked through an alleyway between the RNC and Capitol Hill Club, and then walked around the Capitol Hill Club.²⁸⁰
- 8:14 PM – 8:16 PM: The suspect reentered the alleyway behind the RNC and Capitol Hill Club.²⁸¹
- 8:16 PM: The suspect reapproached the rear of the RNC and Capitol Hill Club, and likely planted the device at this time.²⁸²

²⁷⁶ FBI, *Seeking Information: Pipe Bombs in Washington, D.C.*, YOUTUBE (Mar. 9, 2021), <https://www.youtube.com/watch?v=YJ80LJIO3E>.

²⁷⁷ *Id.*

²⁷⁸ Videotape: Camera 3173 – January 5th, at 7:54 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 795 – January 5th, at 7:58 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 5061 – January 5th, at 7:59 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 5065 – January 5th, at 7:59 PM (USCP 2021) (on file with the Subcommittee).

²⁷⁹ Videotape: Camera 4471 – January 5th, at 8:09 PM (USCP 2021) (on file with the Subcommittee).

²⁸⁰ Bennett et al., *supra* note 17.

²⁸¹ Videotape: Camera 4471 – January 5th, at 8:14 PM (USCP 2021) (on file with the Subcommittee); Videotape: Camera 4471 – January 5th, at 8:15 PM (USCP 2021) (on file with the Subcommittee).

²⁸² Bennett et al., *supra* note 17.

- 8:17 PM: The suspect then turned around and walked away from the RNC and Capitol Hill Club along this same alleyway. This is the last time the suspect was captured on publicly available video.²⁸³



- 8:31 PM: According to internal USCP communications, the suspect was last seen on Sixth Street turning onto D Street, heading towards Eastern Market.²⁸⁴

After reviewing the suspect’s movement and the “manner in which the suspect carried [his or her] backpack after placing the pipe bomb[s],” the FBI issued a press release on September 8, 2021, indicating that the FBI believed the suspect operated out of the area around Folger Park—a neighborhood park near the RNC.²⁸⁵ In an earlier press release seeking information from the public, the FBI suggested that the suspect may have “entered a vehicle or taken an item from a vehicle” parked near Folger Park.²⁸⁶

ii. The FBI tracked purchases of similar shoes and backpack worn by the suspect.

Early in the investigation, the FBI identified the shoes the suspect wore on the night of January 5. In an effort to identify the suspect, the FBI issued eighteen subpoenas to shoe vendors for individuals who purchased POI1’s specific sneaker model: Nike Air Max Speed Turf sneakers.²⁸⁷

²⁸³ *Id.*

²⁸⁴ E-mail from [REDACTED], [REDACTED], to [REDACTED], [REDACTED] (May 22, 2021, 1:44 AM) (on file with the Subcommittee).

²⁸⁵ *FBI Releases Add. Info. Re. Pipe Bomb 09/08/2021*, *supra* note 1.

²⁸⁶ Press Release, FBI Washington, *FBI Washington Field Office Releases Video and Additional Information Regarding Pipe Bomb Investigation*, FBI WASHINGTON: OFFICE OF PUBLIC AFFAIRS (Mar. 9, 2021) [hereinafter *FBI Releases Add. Info. Re. Pipe Bomb 03/09/2021*], <https://www.fbi.gov/contact-us/field-offices/washingtondc/news/press-releases/fbi-washington-field-office-releases-video-and-additional-information-regarding-pipe-bomb-investigation>.

²⁸⁷ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 1, 2021) (on file with the Subcommittee).



By early February 2021, the FBI received responses from all eighteen shoe vendors.²⁸⁸ In a document obtained by the Subcommittee, the FBI noted that as of early February 2021, the returns from the eighteen shoe vendor subpoenas resulted in a list of 307 individuals who purchased the specific sneaker model.²⁸⁹ However, the list of individuals was not inclusive of all customers who purchased the Nike Air Max Speed Turf sneaker because Nike, which stopped selling the sneaker model in 2018, did not maintain transaction records after more than one year.²⁹⁰ The case team also received subpoena results from ██████████, identifying approximately 400 transactions for Nike Air Max Speed Turf sneakers.²⁹¹ The FBI subsequently compared these results with other datasets in an effort to identify additional leads; however, it remains unclear the results of these specific investigative efforts.²⁹²

Most notably, the FBI identified a person of interest who owned a pair of Nike Air Max Speed Turf sneakers and who worked “in the area of the crime.”²⁹³ In response to this lead, the case team conducted a “deep dive” into this person of interest in an effort to establish “independent corroboration” of this individual’s whereabouts on January 5.²⁹⁴ The FBI requested and received returns from multiple internet based platforms and telecommunication service

²⁸⁸ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 5, 2021) (on file with the Subcommittee).

²⁸⁹ *Id.*

²⁹⁰ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 28, 2021) (on file with the Subcommittee).

²⁹¹ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 16, 2021) (on file with the Subcommittee).

²⁹² E-mail from ██████████, ██████████, to ██████████, ██████████, and ██████████, ██████████ (Feb. 17, 2021, 1:41 AM) (on file with the Subcommittee).

²⁹³ E-mail from ██████████, ██████████, to ██████████, ██████████ (Apr. 21, 2021, 4:39 PM) (on file with the Subcommittee).

²⁹⁴ *Id.*

providers.²⁹⁵ To date, it is unclear whether the FBI has determined if this person of interest was involved in the pipe bomb incident.

While the suspect's shoes were distinct, the suspect's backpack, which was used to transport both devices, lacked any unique features. Despite this, the case team attempted to identify the "make and model" of the backpack by contacting eighteen possible manufacturers.²⁹⁶



*Suspect carrying backpack.*²⁹⁷

In April 2021, the case team received "enhanced video" of the suspect's backpack.²⁹⁸ By May 2021, the FBI had received "no positive responses" from any of the manufacturers.²⁹⁹ It remains unclear how successful the FBI was in attempting to connect any persons of interest to the suspect's backpack. Despite the FBI's extensive efforts, including identifying hundreds of purchases and transactions of the suspect's shoes, the FBI has yet to identify the suspect.

iii. The FBI initially identified multiple persons of interest.

Almost immediately, the FBI identified multiple persons of interest whose actions on or before January 5 raised questions for the case team.³⁰⁰ In documents obtained by the Subcommittee, the FBI identified a person of interest ("POI2") who on the morning of January 5—approximately nine hours before the suspect planted the explosive devices—security cameras captured photographing a dumpster next to the location where the RNC pipe bomb would later

²⁹⁵ E-mail from [REDACTED], [REDACTED], to [REDACTED], [REDACTED] (May 22, 2021, 1:19 AM) (on file with the Subcommittee).

²⁹⁶ *Id.*

²⁹⁷ *PIPE BOMBS IN WASHINGTON, D.C.*, *supra* note 263.

²⁹⁸ E-mail from [REDACTED], [REDACTED], to [REDACTED], [REDACTED] (Apr. 21, 2021, 4:39 PM) (on file with the Subcommittee).

²⁹⁹ E-mail from [REDACTED], [REDACTED], to [REDACTED], [REDACTED] (May 22, 2021, 1:19 AM) (on file with the Subcommittee).

³⁰⁰ *See, e.g.*, Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 14, 2021) (on file with the Subcommittee).

be planted.³⁰¹ According to the FBI, after taking pictures of the dumpster, POI2 walked around the Capitol Complex, met with two “[unidentified subjects], returned to the same alleyway behind the RNC, then entered the Capitol South Metro Station, and rode the metro to Falls Church, Virginia.³⁰² Notably, agents assigned to the case team determined that POI2 used an Uber account and Metro SmartTrip card registered to a separate individual (“POI3”) who lived in Falls Church, Virginia.³⁰³ According to internal emails obtained by the Subcommittee, the FBI’s case team considered POI2’s movements to be “highly suspicious” and considered POI2 as a “possible accomplice” to the pipe bomber.³⁰⁴

In the weeks following January 6, the FBI directed significant resources towards investigating POI2 and POI3. For example, the FBI placed both POI2 and POI3 under “FISUR” or “physical surveillance” by the FBI’s Washington Field Office’s (“WFO”) Special Operations Group (“SOG”).³⁰⁵ The FBI also obtained grand jury subpoenas for the cell phone data associated with POI2’s and POI3’s phone numbers and issued preservation requests for their [REDACTED], [REDACTED], and [REDACTED] accounts. With help from USCP, the FBI also tracked the movements of the two “[unidentified subjects] POI2 met while walking around the Capitol Complex on January 5.³⁰⁶

On January 19, 2021, FBI agents interviewed POI2 and ultimately eliminated that individual as a person of interest.³⁰⁷ According to a summary of the interview obtained by the Subcommittee, the FBI learned that POI2 traveled to Washington, D.C. to attend First Amendment activities on Capitol Hill on January 5 and that throughout the day, POI2 photographed “objects bearing numerals” including doors, dumpsters, and other objects and intended to use these photographs in a book he was writing.³⁰⁸ The FBI’s review of POI2’s cell phone and photographs appear to corroborate his story; however, the interview summary does not elaborate further on how the case team verified POI2’s story.³⁰⁹ Following the interview with POI2, the FBI ruled out both POI2 and POI3 as possible persons of interest.³¹⁰

iv. The FBI identified a vehicle of interest driving past the RNC minutes after the device was planted.

According to documents obtained by the Subcommittee, the FBI also identified a vehicle of interest (“VOI1”) carrying an individual wearing a grey-hooded sweatshirt in the passenger seat as the vehicle drove by the RNC shortly after the suspect was last seen in the alleyway

³⁰¹ *Id.*

³⁰² *Id.*

³⁰³ *Id.*

³⁰⁴ E-mail from [REDACTED] to [REDACTED] (Jan. 12, 2021, 3:08 PM) (on file with the Subcommittee).

³⁰⁵ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 15, 2021) (on file with the Subcommittee).

³⁰⁶ E-mail from [REDACTED] to FBI Team (Jan. 14, 2021, 11:33 PM) (on file with the Subcommittee).

³⁰⁷ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 19, 2021) (on file with the Subcommittee).

³⁰⁸ *Id.*

³⁰⁹ *Id.*

³¹⁰ *Id.*

behind the RNC.³¹¹ The suspect was last seen on publicly available footage at approximately 8:17 PM.³¹² According to footage obtained by the Subcommittee, at 8:19 PM, VOI1 first appeared on USCP CCTV footage driving east on Independence Avenue.³¹³ At 8:22 PM, VOI1 then passed directly in front of the RNC.³¹⁴ USCP CCTV footage captured an individual wearing a grey-hooded sweatshirt in the passenger seat of the vehicle.³¹⁵



The route taken by VOI1 as captured on USCP CCTV footage appeared to follow Independence Avenue and Pennsylvania Avenue except for a brief detour around the block encompassing the RNC—just minutes after the suspect is last seen walking through the alleyway behind the RNC.

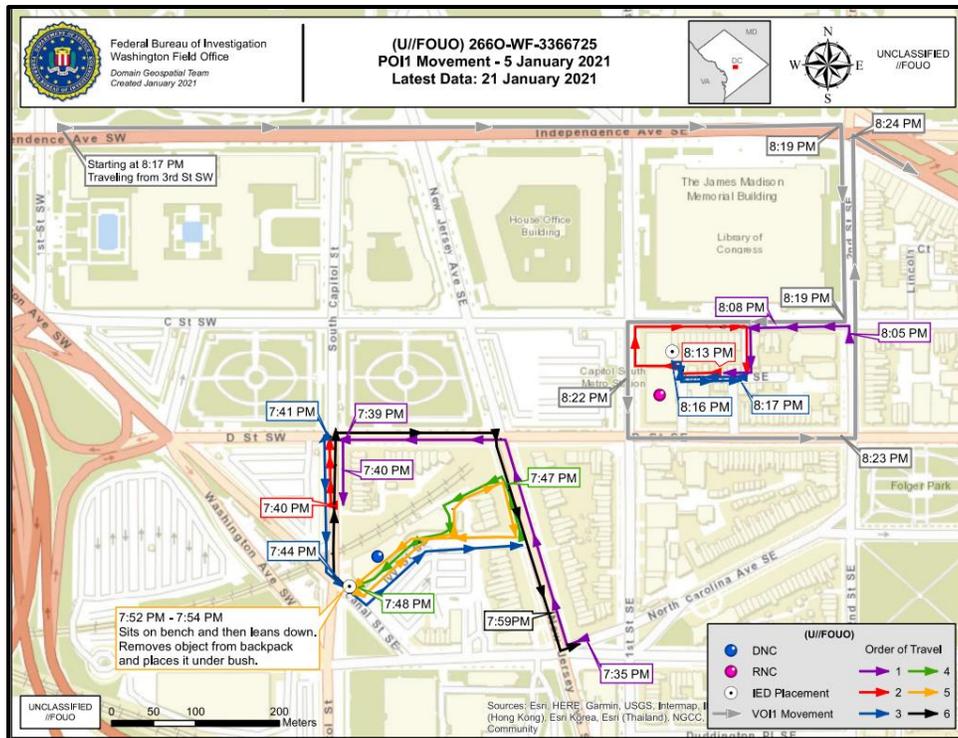
³¹¹ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 1, 2021) (on file with the Subcommittee).

³¹² Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 5, 2021) (on file with the Subcommittee).

³¹³ Videotape: Camera 3181 – January 6th, at 8:19 PM (USCP 2021) (on file with the Subcommittee).

³¹⁴ Videotape: Camera 4472 – January 6th, at 8:22 PM (USCP 2021) (on file with the Subcommittee).

³¹⁵ *Id.*



The FBI’s case team and partners at USCP acquired footage from properties along Independence Avenue and Pennsylvania Avenue, from D.C. traffic cameras in the surrounding area, and from the Library of Congress’s Madison Building in an effort to identify a license plate or other identifying information for VOI1.³¹⁶ Additionally, the FBI also submitted requests for License Plate Reader (“LPR”) data throughout D.C. and Virginia.³¹⁷ License plate reader systems, installed along public roads or mobile police cars, use high-speed cameras to capture photographs of passing license plates and software to analyze those photographs in order to identify a license plate number.³¹⁸

As initial efforts failed to identify VOI1, the FBI served an Emergency Data Request (“EDR”) to ██████ requesting the company identify 88 international mobile subscriber identities (“IMSI”) associated with vehicles found in the relevant cell tower data.³¹⁹ An IMSI is a 15-digit number that uniquely identifies every user of a cellular network and is directly tied to a user’s individual SIM card.³²⁰ According to the FBI, vehicle manufacturers, including VOI1’s

³¹⁶ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 5, 2021) (on file with the Subcommittee).

³¹⁷ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 19, 2021) (on file with the Subcommittee).

³¹⁸ AMERICAN CIVIL LIBERTIES UNION, YOU ARE BEING TRACKED: HOW LICENSE PLATE READERS ARE BEING USED TO RECORD AMERICANS’ MOVEMENTS at 12 (2013).

³¹⁹ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 17, 2021) (on file with the Subcommittee).

³²⁰ *What is IMSI (International Mobile Subscriber Identity)?*, SIMON IoT (Jan. 3, 2024), <https://www.simoniot.com/what-is-an-imsi/>.

manufacturer, install SIM cards in their vehicle models in order to offer online streaming services, remote diagnostics, and other features.³²¹

Three days after submitting the EDR, the FBI received 84 vehicle VINs from █████ tied to IMSIs associated with the VOI1's vehicle manufacturer.³²² The FBI then began cross-referencing the names of the registered owners associated with the 84 vehicle VINs with their "existing data sets" and prioritized the vehicles "belonging to non-residents."³²³

In early February 2021, the FBI eliminated VOI1 as a vehicle of interest.³²⁴ According to an internal document obtained by the Subcommittee, the FBI determined that the passenger in the grey-hooded sweatshirt was first captured within the vehicle at approximately 8:17 PM at Third Street and Independence Avenue.³²⁵ Meanwhile, according to the FBI, the suspect can be seen on camera walking along the alleyway behind the RNC, approximately three-quarters of a mile away.³²⁶ However, the Subcommittee's review of USCP CCTV footage indicates that the VOI1 is first seen crossing the intersection of Third Street and Independence Avenue at 8:19 PM, two minutes after the FBI's established time. Although a minor discrepancy, the accuracy of the FBI's timeline of VOI1's movements is critically important given VOI1's suspicious behavior.

v. The FBI identified a person of interest who searched "Pipe Bomb DC" on █████.

Unable to identify the suspect within the first month, by February 2021, the FBI issued a search warrant to █████ requesting the identities of any user who "searched specific terms" such as "RNC," "DNC," and/or "pipe bomb" in the days leading up to January 5, and in the hours after the devices' placement but before their discovery on January 6.³²⁷ In March, the FBI identified "one █████ user that [searched the term] 'pipe bomb dc'" within the data received from the February 2021 █████ search warrant.³²⁸

• **Big Data**

- The case team is working with DC USAO to swear out a search warrant which requests the identities of anyone who searched specific terms ("RNC," "DNC," "pipe bomb," etc) in 1) the days leading up to 5 January placement of the pipe bombs; and 2) the hours after placement but before the discovery of the pipe bombs.

³²¹ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 17, 2021) (on file with the Subcommittee).

³²² Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 20, 2021) (on file with the Subcommittee).

³²³ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 28, 2021) (on file with the Subcommittee).

³²⁴ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 5, 2021) (on file with the Subcommittee).

³²⁵ *Id.*

³²⁶ *Id.*

³²⁷ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 1, 2021) (on file with the Subcommittee).

³²⁸ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Mar. 12, 2021) (on file with the Subcommittee).

Following the collection and analysis of the cellular data, former FBI officials have claimed that some of the data provided to the FBI was corrupted. However, the providers have disputed this claim in statements provided to the Subcommittee.

i. The FBI analyzed data provided by major cellular carriers, ██████, and AdTech companies pursuant to warrants.

Almost immediately following January 6, the FBI issued a “geofence warrant” to ██████ attempting to identify devices that were in the vicinity of the DNC and RNC on January 5.³³⁶ Geofence warrants are a type of warrant that law enforcement uses to identify individuals who were located within a specific geographical area by collecting cellular data associated with individuals’ electronic devices.³³⁷ Specifically, using a geofence warrant, law enforcement can access a ██████ service called “Location History,” which collects and retains a record of a device’s locations based on data transmitted to ██████ by the device.³³⁸ ██████ “Location History” data is stored on ██████ servers and is tied directly to the ██████ account of the device’s user.³³⁹

Upon receiving search warrant returns from ██████, the FBI began identifying “devices of interest” that appeared within close proximity to the suspect’s location on January 5.³⁴⁰ Following identification of these “devices of interest,” the FBI submitted “supplemental affidavit[s]” to further uncover the names associated with these devices.³⁴¹ In the first two weeks of the investigation, the FBI identified eleven devices of interest from the ██████ geofence warrant and the names of possible owners of seven of these devices.³⁴² By late January, the FBI also identified five devices that were present in the ██████ geofence data for both the pipe bomb case and for cases stemming from the events that occurred at the Capitol.³⁴³

After analyzing these five devices, the FBI determined that all five devices had “Arizona phone numbers tied to their accounts” and that “all five appear[ed] . . . in the vicinity of the Capitol South metro station . . . rather than near the part of the RNC where the pipe bomb was placed.”³⁴⁴ The FBI also noted in documents obtained by the Subcommittee that none of the five devices “appear[ed] near the DNC or in the intersection between [the] DNC and RNC through

³³⁶ *Id.*

³³⁷ NATIONAL ASSOCIATION OF CRIMINAL DEFENSE LAWYERS, GEOFENCE WARRANT PRIMER (2022), <https://www.nacdl.org/getattachment/816437c7-8943-425c-9b3b-4faf7da24bba/nacdl-geofence-primer.pdf>.

³³⁸ *Id.*

³³⁹ *How to Turn off & Delete Google Location History on iPhone & iPad*, OSXDAILY (Nov. 21, 2020), <https://osxdaily.com/2020/11/21/how-turn-off-delete-google-maps-location-history/>.

³⁴⁰ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 14, 2021) (on file with the Subcommittee).

³⁴¹ *Id.*

³⁴² Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 17, 2021) (on file with the Subcommittee).

³⁴³ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 24, 2021) (on file with the Subcommittee).

³⁴⁴ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 25, 2021) (on file with the Subcommittee).

By early February 2021, the FBI identified “186 [phone] numbers of interest derived from [the FBI’s] analysis of the [REDACTED] geofence and cell tower dumps.”³⁵⁵ According to an internal document obtained by the Subcommittee:

- 36 of these phone numbers were assigned to agents for interviews;
- 98 of these phone numbers required additional investigative steps; and
- 51 of these phone numbers were identified as “not needing further action” because the phones “belong[ed] to law enforcement officers or persons on the exclusion list.”³⁵⁶

As the FBI continued analyzing large datasets from the carriers, certain devices exhibited behavior consistent with the suspect.³⁵⁷ For example, in April 2021, the case team identified a [REDACTED] user who was in the area of the DNC at the time the suspect can be seen on video footage using their phone.³⁵⁸ The FBI requested and received the “historical cell tower data” for the user, and as of April 2021, the case team was attempting to “further analyze” the user’s movements.³⁵⁹ It is ultimately unclear what happened with respect to this lead.

In addition to [REDACTED] and the major cell carriers, the FBI also issued search warrants and subpoenas to ten AdTech companies during the first two weeks of the investigation.³⁶⁰ The term “AdTech” refers to different analytical or digital technologies used for advertising purposes.³⁶¹ AdTech companies use data compiled on online users to target users for specific online advertising.³⁶² This data includes information about the websites a user visited, their internet activity, and a user’s location.³⁶³ AdTech companies in turn buy and sell this data to third parties, other AdTech companies, and mobile application providers.³⁶⁴

³⁵⁵ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 3, 2021) (on file with the Subcommittee).

³⁵⁶ *Id.*

³⁵⁷ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 20, 2021) (on file with the Subcommittee).

³⁵⁸ E-mail from [REDACTED], [REDACTED], to [REDACTED], [REDACTED], [REDACTED] (Apr. 21, 2021, 4:39 PM) (on file with the Subcommittee).

³⁵⁹ *Id.*

³⁶⁰ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 18, 2021) (on file with the Subcommittee).

³⁶¹ *Glossary: What is AdTech?*, APPSFLYER,

<https://www.appsflyer.com/glossary/adtech/#:~:text=AdTech%20allows%20advertisers%20to%20segment,to%20sell%20and%20intermediaries> (last visited Dec. 18, 2024).

³⁶² *User Identification*, CLEARCODE, <https://adtechbook.clearcode.cc/user-identification/> (last visited Dec. 12, 2024).

³⁶³ *Data Management Platforms (DMPs) and Data Usage*, CLEARCODE, <https://adtechbook.clearcode.cc/dmp-and-data-usage/#:~:text=monetize%20their%20data>. (last visited Dec. 18, 2024).

³⁶⁴ *Id.*

AdTech data does not include a user’s personally identifiable information;³⁶⁵ instead, AdTech companies use anonymized³⁶⁶ Advertising Identifiers (“AdID”s),³⁶⁷ cookies, or other numerical identifiers that are not directly associated with a specific user.³⁶⁸ AdIDs consist of random sets of digits associated with a specific device or computer—not the individual user—and as such allows for data collection on these devices without collecting the user’s identity.³⁶⁹

The FBI’s Counterterrorism Advanced Projects Unit (“CTAPU”) compared the data from the AdTech subpoenas and search warrants with the █████ geofence data and other datasets. The returns from these search warrants or subpoenas led the case team to identify “three potential targets.”³⁷⁰ However, internal FBI documents noted that none of these targets were “particularly high-confidence candidates.”³⁷¹ In January and February of 2021, the FBI identified an additional five devices or “potential targets” whose movements, according to internal documents, may have “align[ed] with [the suspect’s] known locations” and were “within several minutes of [the suspect’s] known times.”³⁷² The FBI’s internal documents indicate that the case team then pursued additional steps in linking these devices to specific “phone numbers and accounts.”³⁷³

By March 2021, the case team identified one AdId whose movements matched the suspect’s movements as outlined by the video the FBI released tracking the suspect’s whereabouts.³⁷⁴ The case team, as a result, conducted “further research” and requested the FBI’s Special Operations Group conduct surveillance on the person of interest tied to the AdTech ID.³⁷⁵ It ultimately remains unclear what happened to this lead; however, the allocation of resources for surveillance purposes suggests the user associated with this AdTech Id was a significant lead.

The FBI’s efforts to collect and analyze a significant amount of data yielded credible leads. The data the FBI collected and analyzed provided information about a user’s location, search history, and internet activity—enabling the FBI to narrow in on individuals whose behavior or movements appeared suspicious. Despite the information available to the FBI through these investigative means, the suspect remains at large nearly four years later.

³⁶⁵ *User Privacy in Digital Advertising*, CLEARCODE, <https://adtechbook.clearcode.cc/user-privacy-in-digital-advertising/#:~:text=In%20the%20past%2C%20AdTech%20vendors,considered%20examples%20of%20personal%20data> (last visited Dec. 30, 2024).

³⁶⁶ Natalia Figas, *Privacy-Enhancing Technologies for AdTech Companies*, CLEARCODE (May 15, 2024).

³⁶⁷ *AdId*, DEVELOPERS, <https://developer.android.com/design-for-safety/privacy-sandbox/reference/adservices/adid/AdId> (last visited Dec. 20, 2024).

³⁶⁸ *User Identification*, *supra* note 362.

³⁶⁹ *Advertising ID*, TECHTERMS, https://techterms.com/definition/advertising_id (last visited Dec. 18, 2024).

³⁷⁰ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 20, 2021) (on file with the Subcommittee).

³⁷¹ *Id.*

³⁷² Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 28, 2021) (on file with the Subcommittee).

³⁷³ *Id.*

³⁷⁴ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Mar. 12, 2021) (on file with the Subcommittee).

³⁷⁵ *Id.*

ii. The FBI accused major cell companies of providing “corrupted” data to excuse its inability to identify the suspect using cellular data.

In June 2023, the former Assistant Director in Charge of the FBI’s Washington Field Office Steven D’Antuono testified before the Judiciary Committee.³⁷⁶ D’Antuono served as the Assistant Director in Charge from October 2020 to November 2022 and oversaw the FBI’s investigation into the suspect who planted the pipe bombs near the RNC and DNC, as well as the FBI’s investigation into the events that occurred at the Capitol on January 6, 2021.³⁷⁷ During this interview, D’Antuono confirmed that the FBI established a “geofence” to further its pipe bomb investigation.³⁷⁸ D’Antuono testified that the FBI received “corrupted data” from one of the three major cell carriers and suggested that the corrupted data may have contained the identity of the suspect.³⁷⁹ He stated:

Q. We received a video of this. The alleged perpetrator uses a cell phone. . . . [T]hat produced nothing; it’s a geofence of data cell phone records?

A. So . . . there’s a lot of phone data that came in. Yes, I’ve seen the same video. I’ve watched the same video. We put out the same video. It looks like a phone. Was it a real phone, a not a real phone, was it a ruse? . . . So was the person just sitting there trying to pretend like they’re on a bench taking a phone call? We don’t know until we find the person, right, and ask them those questions.

We did a complete geofence. We have complete data. Not complete, because there’s some data that was corrupted by one of the providers, not purposely by them, right. It just—unusual circumstance that we have corrupt data from one of the providers. . . . I can’t remember right now which one. But for that day, which is awful because we don’t have that information to search. So could it have been that provider? Yeah, with our luck, you know, with this investigation it probably was, right. So maybe if we did have that—that data wasn’t corrupted—and it wasn’t purposely corrupted. . . . So that is painful for us to not to have that. So we looked at everything.³⁸⁰

³⁷⁶ D’Antuono Interview, *supra* note 258.

³⁷⁷ *Id.* at 8.

³⁷⁸ *Id.* at 41.

³⁷⁹ *Id.*

³⁸⁰ *Id.*

Following D'Antuono's testimony, the Subcommittee sent letters to the major cell carriers—██████████,³⁸¹ ██████████,³⁸² and ██████████³⁸³—asking each cell carrier to confirm whether they provided corrupted cell tower data to the FBI or whether the FBI contacted the cell carriers to inform them that a portion of the provided data was corrupted.³⁸⁴ In written responses to the Subcommittee, all three of the carriers confirmed that they did not provide corrupted data to the FBI and that the FBI never notified them of any issues with accessing the cellular data.³⁸⁵

██████████ was provided warrants by law enforcement, including the FBI, seeking cell site information for specific areas within the greater Washington D.C. area for the dates January 5 and 6, 2021. We provided responsive, accessible cell site information for all devices that pinged the indicated cell sites during the time in the warrants. That would often include devices that were powered on but were not being "used" by an individual actively interacting with the device.

To the best of our knowledge, we did not provide "corrupted" data in response to any of these warrants. Depending on the size of the files, Verizon may have shared them in encrypted form, through our workflow management system or Citrix's ShareFile, a file sharing platform. To the best of our knowledge, no law enforcement entity indicated that any of the above-referenced data we provided was "corrupted or unreadable." If we were made aware of any such issue, we would work with law enforcement officers to try to solve the issue.

Letter from ██████████ to Chairman Barry Loudermilk.

³⁸¹ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to ██████████ (Aug. 7, 2024) (on file with the Subcommittee).

³⁸² Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to ██████████ (Aug. 7, 2024) (on file with the Subcommittee).

³⁸³ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to ██████████ (Aug. 7, 2024) (on file with the Subcommittee).

³⁸⁴ Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to ██████████ (Aug. 7, 2024) (on file with the Subcommittee); Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to ██████████ (Aug. 7, 2024) (on file with the Subcommittee); Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight, to ██████████ (Aug. 7, 2024) (on file with the Subcommittee).

³⁸⁵ Letter from ██████████ to Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight (Aug. 12, 2024) (on file with the Subcommittee); E-mail from ██████████ to H. Subcomm. on Oversight Republican Staff (Sept. 11, 2024, 3:00 EST) (on file with the Subcommittee); Letter from ██████████ to Rep. Barry Loudermilk, Chairman, H. Subcomm. on Oversight (Sept. 5, 2024) (on file with the Subcommittee).

FBI and Federal Investigative Entity Requests for the greater Washington, D.C. region for January 5-6, 2021

██████████ stores information about legal requests only to the extent needed and only for a limited period of time. Moreover, ██████████ is not able to identify with particularity legal requests that sought information within a specific geographic area (i.e., the greater Washington, D.C. region). However, ██████████ did receive a number of law enforcement requests and legal demands relating to the events of January 6, and it is likely that such requests related to cell phones in the D.C. region. ██████████ responded to each of these legal demands at the time they were received.

██████████ has not identified any communications or reports from the FBI, or any other federal investigative entity, suggesting that cell phone data relating to January 5, 2021, or January 6, 2021, was “corrupted or unreadable.”

More generally, if a law enforcement agency identifies a concern with data produced in response to a legal request, ██████████ will promptly address the concern and provide all responsive information that is available.

Letter from ██████████ to Chairman Barry Loudermilk.

From: ██████████
Sent: Wednesday, September 11, 2024 3:00 PM
To: ██████████
Subject: RE: Follow-up

I'm so sorry for the delay. Here you go!

In response to Chairman Loudermilk's August 7th letter to ██████████ I am confirming that, based on a reasonable internal inquiry, none of the records ██████████ provided law enforcement regarding cellular phone use around the Capitol on January 5/6 2021 were corrupted.

Letter from ██████████ to Chairman Barry Loudermilk.

Furthermore, in documents obtained by the Subcommittee outlining updates in the investigation, the FBI provided no indication that any data received from the cell carriers was corrupted or otherwise inaccessible. In fact, in one document, the FBI confirmed they received “returns” from the cell carriers and was “continuing to [investigate] . . . the names associated” with specific phone numbers of interest.³⁸⁶

- Case team has received returns from ██████████ in response to the cell tower warrant, and is continuing to scrub the names associated with those phone numbers which appeared in all three target areas or exhibited other behavior consistent with POI1 (e.g., making calls at times when the footage shows POI1 doing so, or moving from one location to another) in the known footage.

During a follow-up discussion with the Subcommittee, D’Antuono reiterated that he was likely briefed by case agents assigned to the investigation about the corrupted data but was unable to provide any additional specifics.³⁸⁷ The cellular carriers' responses to Chairman Loudermilk’s inquiry, however, undermines the previous testimony provided to Congress.

³⁸⁶ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 18, 2021) (on file with the Subcommittee).

³⁸⁷ H. Comm. on House Adm’n, Subcomm. on Oversight, Informal Interview of Steven D’Antuono (Oct. 1, 2024).

Nearly four years after the pipe bombs were planted, this contradictory testimony raises questions about the status of the investigation and the reason for why the suspect remains at large.

Following January 6, the FBI identified security camera footage showing the suspect appearing to use a cellular device on multiple occasions. As a result, the FBI took significant investigative steps, including issuing search warrants to major technology companies, in an effort to identify the suspect through the use of his or her phone. From this information, the FBI derived credible leads, the outcomes of which largely remain unknown. In response to questions about the FBI's inability to identify the suspect using cellular data, one former senior FBI official blamed cellular companies for providing "corrupted" data. To date, the FBI has refused to comply with multiple requests from the Subcommittees regarding this claim.³⁸⁸

C. The FBI assessed the pipe bombs to be viable, but refused to specify how determinations of viability were established.

According to the FBI, both pipe bombs consisted of 60-minute kitchen timers and were "viable" explosive devices that could have "detonated" and "seriously injured or killed" innocent bystanders.³⁸⁹ Furthermore, according to the FBI, the suspect planted both pipe bombs the night before January 6, raising questions about how explosive devices with 60-minute timers could detonate approximately 16 hours later. Given the suspect's use of 60-minute timers, it remains unclear whether the pipe bombs were capable of detonating on January 6 and how the FBI defined the term "viable" when describing the explosive devices.

According to an FBI bomb technician who agreed to speak to Committee staff on the condition of anonymity for fear of reprisal, the FBI's use of the term "viable" is a deviation from the standard descriptions used by bomb technicians.³⁹⁰ Traditionally, bomb technicians deliberately avoid using vague language, choosing instead to refer to a bomb as a "device" if it would "function as designed" or as a "hoax."³⁹¹ In the case of the pipe bombs, it is unclear why the FBI insists on using a vague, non-standard description.

In the initial weeks and months of the investigation, the FBI invested significant resources into identifying the suspect through the pipe bombs' component parts. In furtherance of this effort, the FBI contacted major commercial distributors such as ██████████, ██████████, ██████████, ██████████, and others to identify individuals who purchased these specific components.³⁹²

³⁸⁸ Letter from Rep. Thomas Massie, Chairman, H. Subcomm. on Admin. State, Reg. Reform, and Antitrust, et al. , to Hon. Christopher A. Wray, Dir. Fed. Bureau of Investigation (Jun. 14, 2023) (on file with the Subcommittee); Letter from Rep. Barry Loudermilk, Chairman, H. Subcomm. On Oversight, to Hon. Christopher A. Wray, Dir. Fed. Bureau of Investigation (Oct. 16, 2024) (on file with the Subcommittee).

³⁸⁹ *FBI Releases Add. Info. Re. Pipe Bomb 03/09/2021*, *supra* note 285; *FBI Releases Add. Info. Re. Pipe Bomb 09/08/2021*, *supra* note 1; Robert Legare et al., *FBI still looking for person who planted pipe bombs ahead of Jan. 6 Capitol riot*, CBS NEWS (Jan. 6, 2024).

³⁹⁰ Informal Interview with FBI Bomb Technician, H. Comm. on the Judiciary (Nov. 22, 2024)

³⁹¹ *Id.*

³⁹² *See e.g.*, Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 16, 2021) (on file with the Subcommittee).

i. The FBI attempted to identify the suspect by tracking purchases of the various components used in the pipe bombs.

Following law enforcement’s disruption of the pipe bombs, the FBI Explosives Unit conducted a forensic analysis of both devices’ components.³⁹³ According to the FBI, both pipe bombs consisted of eight inch by one inch threaded galvanized pipes, end caps, kitchen timers, wires, metal clips, and homemade black powder.³⁹⁴ Documents provided to the Subcommittee confirmed that both pipe bombs contained [REDACTED]

³⁹⁵

In addition to analyzing the pipe bombs’ components, the FBI examined the devices for any human fingerprints or DNA; however, according to documents obtained by the Subcommittee, the FBI found “no latent prints or DNA on either device.”³⁹⁶



Within the first two weeks of the investigation, the FBI identified the specific brand of timers used in the pipe bombs and began taking steps to identify the individual who purchased the timers.³⁹⁷ The FBI’s initial efforts sought to identify customers who purchased two or more timers between December 1, 2020 and January 5, 2021.

As a result of this request, by mid-January 2021, the FBI identified six individuals who “purchased more than one white kitchen timer since December 2020.”³⁹⁸ Specifically, the FBI identified an individual who bought four of the specific brand of kitchen timers just days before

³⁹³ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 15, 2021) (on file with the Subcommittee).

³⁹⁴ *PIPE BOMBS IN WASHINGTON, D.C.*, *supra* note 262.

³⁹⁵ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Oct. 31, 2024) (on file with the Subcommittee).

³⁹⁶ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 14, 2021) (on file with the Subcommittee).

³⁹⁷ E-mail from [REDACTED] to [REDACTED] (Jan. 15, 2021, 11:13:52 PM) (on file with the Subcommittee).

³⁹⁸ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 18, 2021) (on file with the Subcommittee).

January 5.³⁹⁹ According to a document obtained by the Subcommittee, the FBI appears to have reviewed security camera footage related to this lead;⁴⁰⁰ however, it is unclear what ultimately happened with this lead.

By February 2021, the FBI expanded the timeframe and scope of its request from all purchases of two or more timers to all “in store” and “online” purchases of the specific timer.⁴⁰¹ The FBI approximated the responsive number of returns for “in-store” purchases to be approximately 230,000 purchases and for “online” purchases to be approximately 11,000.⁴⁰² Additionally, the FBI provided a list of persons of interest to ██████████ “to compare against ██████████ data,” resulting in additional leads and investigative action.⁴⁰³

After determining the chemical components of the black powder found inside the pipe bomb devices, the FBI attempted to contact stores and other commercial distributors to inquire about purchases of products containing these chemical inputs.⁴⁰⁴ The FBI’s initial request to ██████████, for example, asked for customer information on all purchases of certain products containing these chemical inputs between December 1, 2020, and January 5, 2021.⁴⁰⁵ The FBI also solicited ██████████ assistance in identifying individuals who purchased the raw chemical inputs of black powder in the same purchase.⁴⁰⁶ As a result of this request, by mid-January 2021, the FBI identified sixty individuals who bought two of the chemical inputs in the same transaction since December 2020.⁴⁰⁷ The FBI then compared these identities with a “variety of datasets” in hopes of finding persons of interest who appeared in multiple datasets.⁴⁰⁸ It remains unclear whether the FBI was successful in further identifying persons of interest using this information.

As with other components, the FBI reached out to stores and other commercial distributors in an effort to track the suspect through the pipe nipples and endcaps used in the pipe bombs.⁴⁰⁹ The FBI, working with ██████████, identified ten customers who purchased eight inch pipe nipples and endcaps in the same transaction.⁴¹⁰ By early February 2021, the case team

³⁹⁹ E-mail from ██████████ to ██████████ (Jan. 15, 2021, 11:13:52 PM) (on file with the Subcommittee).

⁴⁰⁰ *Id.*

⁴⁰¹ E-mail from ██████████, ██████████, to ██████████, ██████████, ██████████, and ██████████, ██████████ (Feb. 17, 2021, 1:41 AM) (on file with the Subcommittee).

⁴⁰² *Id.*

⁴⁰³ *Id.*

⁴⁰⁴ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 17, 2021) (on file with the Subcommittee).

⁴⁰⁵ *Id.*

⁴⁰⁶ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 19, 2021) (on file with the Subcommittee).

⁴⁰⁷ *Id.*

⁴⁰⁸ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 28, 2021) (on file with the Subcommittee).

⁴⁰⁹ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 1, 2021) (on file with the Subcommittee).

⁴¹⁰ *Id.*

had conducted interviews of all ten customers, who reported purchasing the pipe nipples and endcaps for “home or work projects.”⁴¹¹

As the case team’s initial efforts to identify the suspect failed, the FBI expanded its request, asking commercial distributors for information on all customers who purchased pipe nipples within the last year.⁴¹² Similarly, the FBI also requested commercial distributors provide information on all customers who purchased the specific type of end caps used in the device from January 1, 2020 to January 5, 2021.⁴¹³ According to a document obtained by the Subcommittee, by March 2021, the FBI identified five individuals that purchased the “pipe and timer.”⁴¹⁴

- Case team is manually going through component data obtained from vendors. Thus far, case team identified 5 individuals that purchased the pipe and timer. Further investigative steps are being taken.
 - Case team still does not have a dedicated resource to assist in processing data.
 - Case team is coordinating with DTOS to obtain a 2 week TDY Data Analyst to assist in going through the volumes of data.

In its analysis of the pipe bombs, the FBI determined that the batteries used in the devices were nine-volt ██████████ batteries.⁴¹⁵ The FBI contacted ██████████ parent company to determine which retail stores received and sold the devices’ batteries.⁴¹⁶ ██████████ informed the FBI that the batteries used in the devices originated in “a lot which was not sold by any of ██████████ four US distribution centers” and that the company was contacting the “external supplier” in Malaysia to identify the other locations where the batteries may have been shipped.⁴¹⁷ By late January 2021, ██████████ informed the FBI that the devices’ batteries originated in a lot whose products were distributed to locations in twenty-six U.S. states and that other batteries from the same lot may have been shipped from additional distribution centers.⁴¹⁸ As a result, the FBI determined that the batteries used in the pipe bombs were available in “every state in the U.S.,” limiting its ability to identify the suspect through the pipe bombs’ batteries.⁴¹⁹

During the course of the investigation, the FBI identified a “partial print” (possible serial number, logo, etc.) on the wires used in the devices.⁴²⁰ The case team contacted the manufacturer in an effort to identify a purchasing order or other identifying information that could link the

⁴¹¹ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 9, 2021) (on file with the Subcommittee).

⁴¹² Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Feb. 5, 2021) (on file with the Subcommittee).

⁴¹³ E-mail from ██████████, ██████████, to ██████████, ██████████, ██████████, and ██████████, ██████████ (Feb. 17, 2021, 1:41 AM) (on file with the Subcommittee).

⁴¹⁴ E-mail from ██████████, ██████████, ██████████ to ██████████, ██████████, ██████████ (Mar. 5, 2021, 11:57 PM) (on file with the Subcommittee).

⁴¹⁵ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 19, 2021) (on file with the Subcommittee).

⁴¹⁶ *Id.*

⁴¹⁷ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 21, 2021) (on file with the Subcommittee).

⁴¹⁸ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 25, 2021) (on file with the Subcommittee).

⁴¹⁹ *Id.*

⁴²⁰ *Id.*

wire used in the devices to a person of interest.⁴²¹ However, the manufacturer informed the FBI that the “partial print” did not provide enough information to link the wire used in the pipe bombs to a specific customer order.⁴²²

As the case team attempted to track down each individual component part of the devices, it also tried to identify [REDACTED]. Within the first two weeks of the investigation, the FBI identified approximately 532 individuals who [REDACTED].⁴²³ [REDACTED].⁴²⁴ After further investigation of the 532 individuals, the FBI narrowed the list of persons of interest to sixty-eight.⁴²⁵ The FBI subsequently compared these names against a “variety of datasets” in hopes of identifying persons of interest who appeared in multiple datasets.⁴²⁶ However, it remains unclear what resulted from this analysis.

The FBI’s analysis of the pipe bombs’ components yielded investigators a significant body of data to further their investigation into the suspect. The FBI contacted commercial distributors in an effort to identify customers who purchased the specific components of the explosive devices. As these efforts proved unsuccessful, the FBI expanded the scope of its requests and collected significantly more data on purchases of the pipe bombs’ components. Despite these efforts, the suspect remains at large nearly four years later.

In addition, after analyzing the pipe bombs, the FBI publicly released information describing both pipe bombs as “viable” explosive devices. However, given that the suspect used 60-minute timers and 16 hours lapsed between the time of placement and discovery, it remains unclear whether the pipe bombs were capable of detonating on January 6. To date, the FBI has refused to provide additional information on the pipe bombs’ viability.

* * *

In the immediate aftermath of January 6, the FBI’s case team worked aggressively to cultivate and pursue leads toward apprehending the pipe bomb suspect. As of January 2021, the FBI’s investigation consisted of over fifty investigators, including special agents, data analysts, Task Force officers, and support staff.⁴²⁷ Of those more than fifty investigators, thirty were special agents assigned to the case. The investigation also comprised of a range of investigative support teams such as the Cellular Analysis Survey Team (“CAST”), the Computer Analysis

⁴²¹ *Id.*

⁴²² *Id.*

⁴²³ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 20, 2021) (on file with the Subcommittee).

⁴²⁴ *Id.*

⁴²⁵ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 24, 2021) (on file with the Subcommittee).

⁴²⁶ Memorandum, Pipe Bomb Investigation 266O-WF-3366725 – Operational Update (Jan. 28, 2021) (on file with the Subcommittee).

⁴²⁷ Memorandum, 266O-WF-3366725 (RNC and DNC Pipe Bombs) – Roster (Jan. 13, 2021) (on file with the Subcommittee).

Response Team (“CART”), and the Digital Imaging and Video Recovery Team (“DIVRT”).⁴²⁸ As a result, by April 2021, the FBI had collected over 105,000,000 data points in connection with the investigation.⁴²⁹

Their investigative efforts yielded a promising array of data and revealed numerous persons of interest. By the end of February 2021, the FBI began diverting resources away from the pipe bomb investigation.⁴³⁰ One possible explanation for the reduction in resources is that the number of credible leads began to decline, no longer requiring as many special agents to cover the workload. Ultimately, however, almost four years after the placement of the pipe bombs, no suspect has been arrested or identified.

⁴²⁸ *Id.*

⁴²⁹ E-mail from [REDACTED], [REDACTED], to [REDACTED], [REDACTED], [REDACTED], [REDACTED], [REDACTED], and [REDACTED], [REDACTED] (Apr. 14, 2021, 5:20 PM) (on file with the Subcommittee).

⁴³⁰ E-mail from [REDACTED], [REDACTED], to [REDACTED], [REDACTED] (Feb. 26, 2021, 10:58 PM) (on file with the Subcommittee).

CONCLUSION

Discovered shortly before and after the initial breach of the Capitol's outer perimeter, the pipe bombs played a role in enabling the security breach at the Capitol by causing USCP to divert significant resources away from the Capitol. Additionally, according to the FBI, both pipe bombs were viable explosive devices that could have "seriously injured or killed" innocent bystanders. Despite the role the pipe bombs played in facilitating the breach of the Capitol and the threat they posed, the individual(s) responsible for planting both pipe bombs remain at large nearly four years later.

The Subcommittees' investigation revealed numerous security lapses and a breakdown in law enforcement's command and control of critical incidents. For example, prior to the discovery of both pipe bombs, federal law enforcement, after failing to identify the pipe bomb outside the DNC, allowed Vice President-elect Harris to pass by the explosive device on her way into the DNC and to remain in the DNC for more than an hour before locating the pipe bomb. In response to the discovery of the pipe bombs, law enforcement also repeatedly allowed civilians, law enforcement personnel, and even the Speaker of the House to pass within feet of the pipe bombs, thereby violating safety protocols and endangering human life.

The Subcommittees' investigation also revealed numerous findings about the FBI's investigation into the pipe bomb suspect. Following January 6, the FBI took considerable steps to identify the suspect, including reviewing hours of security camera footage, issuing geofence and cellular data warrants, and tracking the components of the devices. As a result, the FBI identified a series of credible leads, including identifying an individual who searched the term "Pipe Bomb DC" online prior to the discovery of the explosive devices. However, four years after the incidents, no suspect has been arrested or identified.

The Subcommittees began this investigation to shed light on law enforcement's failures that day in an attempt to prevent these events from occurring in the future. The Committees will continue their oversight to inform potential legislative reforms to protect the security of the Capitol Complex and improve federal law enforcement.