

**Hearing Before the U.S. Senate Committee on Homeland Security and
Governmental Affairs
and the Committee on Rules and Administration**

**Testimony of Paul D. Irving
Former Sergeant at Arms for the U.S. House of Representatives**

February 23, 2021

Chairman Peters, Chairwoman Klobuchar, Ranking Member Portman, Ranking Member Blunt, and distinguished Members of the Committees: Thank you for the opportunity to appear before you today.

My name is Paul Irving and I served as the House Sergeant at Arms for nearly nine years. I resigned from my position on January 7, 2021. Serving as the House Sergeant at Arms was one of the great honors of my life. As the thirty-sixth Sergeant at Arms, I worked with Speakers of the House of Representatives from both the Democratic and Republican parties.

I am a law enforcement officer by training. I began my career as an intern at the Department of Justice more than 40 years ago, and later became a clerk at the Federal Bureau of Investigation (FBI). I eventually became a Special Agent at the U.S. Secret Service and served for twenty-five years, working on two different presidential protection details and ultimately rising to the rank of Assistant Director. Immediately after that, I was the Managing Partner of an international security and intelligence consulting firm.

I appreciate the Committees' role in investigating the horrific events of January 6, 2021, and I welcome the opportunity to answer your questions. The events of January 6 shook me to my core, and I am deeply saddened and dismayed by what happened on that tragic day. The entire world witnessed horrific acts of violence and destruction carried out by our own citizens against a global symbol of democracy. I am particularly saddened by the loss of life, which included three police officers. My heart goes out to all the families that lost a loved one.

During my tenure as Sergeant at Arms, we implemented many security enhancements to make the U.S. Capitol safer for Members, staff, and the public. More has to be done. There are important lessons to learn from January 6, and I commend the Committees for conducting this review of the events leading up to and on January 6. I want to help the staff and Members make changes and improvements to the security of the U.S. Capitol, and to ensure the tragedies of January 6 never happen again.

Intelligence and Security Planning in Advance of January 6, 2021

The U.S. Capitol Police Department (USCP) began planning in December 2020 for the January 6 Joint Session and the associated demonstrations and marches. The large rallies in support of former President Donald J. Trump in November and December 2020 informed the USCP's judgments about the intelligence for the January 6 events.

On January 3, 2021, the USCP issued its special event assessment for January 6—it specifically concluded that the protests were expected to be similar to the two prior First

Amendment marches in November and December. Both prior events saw multiple arrests during and after the demonstrations, with clashes between protesters and counter-protesters resulting in a number of injuries to law enforcement officers. January 6 was also expected to be a First Amendment march and demonstration. Intelligence reported that some groups encouraged protesters to come armed, that violence was a possibility as it had been in November and December, and that Congress would be the focus. The intelligence was not that there would be a coordinated assault on the Capitol, nor was that contemplated in any of the inter-agency discussions that I attended in the days before the attack.

The USCP's intelligence component relied on intelligence reporting from various state and federal agencies to draft its special event assessment. Those sources included the FBI and the Department of Homeland Security, neither of which assessed or forecast a coordinated assault on the Capitol like the one that took place. And for each of the days leading up to January 6—and indeed, on January 6 itself—the USCP issued a daily intelligence report in which it assessed the potential for civil disobedience and arrests as “remote” to “improbable.”

On January 4, I spoke with USCP Chief Sund and Senate Sergeant at Arms Stenger about a National Guard offer to incorporate 125 unarmed troops into the security plan to work traffic duty near the Capitol, with the expectation that those troops would free up Capitol Police officers to be at the Capitol. Certain media reports have stated that “optics” determined my judgement about using those National Guard troops. That is categorically false. “Optics” as portrayed in the media did not determine our security posture; safety was always paramount when evaluating security for January 6. We did discuss whether the intelligence warranted having troops at the Capitol, and our collective judgment at that time was no—the intelligence did not warrant that. The intelligence did warrant the plan that had been prepared by Chief Sund.

Chief Sund's plan was for “all hands on deck,” whereby every available sworn USCP employee with police powers was assigned to work on January 6. The Chief's plan included approximately 1,200 Capitol Police officers on site, including numerous Civil Disturbance Units and other Capitol Police tactical units. The D.C. Metropolitan Police Department (MPD) was also on 12-hour shifts, with no officers on days-off or leave,¹ and they staged officers just north of the Capitol to provide immediate assistance, if required. The plan also closed the entire Capitol square with a western perimeter beginning at 1st Street NW and SW. And in the course of the January 4 call, we agreed that Chief Sund would ask that the National Guard have the 125 troops standing by as an asset in reserve.

Had I thought for an instant that the intelligence called for the presence of 125 unarmed National Guard troops to work traffic duty (as was contemplated in the January 4 discussion), I would not have hesitated to do everything necessary to ensure their presence. Moreover, had Chief Sund, Senate Sergeant at Arms Stenger, or any of the law enforcement leaders involved in the planning concluded that the intelligence called for the National Guard or any other resource on January 6 (or that the security plan fell short in any respect whatsoever), I would not have hesitated to ensure the National Guard's presence or to make any other changes necessary to

¹ Testimony of Robert J. Contee, III, Acting Chief of Police, Metropolitan Police Department, before Committee on Appropriations (January 26, 2021) (Contee), 1.

ensure the security and safety of the Capitol. Our ultimate need for the National Guard was starkly different than unarmed troops for traffic duty.

On January 5, Chief Sund and I participated in a web-based interagency conference call with multiple law enforcement partners: the FBI, the MPD, the U.S. Secret Service, the U.S. Park Police, and the Military District of Washington, among other law enforcement agencies from the National Capitol Region. Based on the intelligence and threat assessment, everyone on the call believed that we were prepared and the plan met the threat.

Also on January 5, Chief Sund briefed the security plan to the Chairs of the two committees of jurisdiction; I attended the briefings. He stressed there would be “all hands on deck” and described the law enforcement and contingent National Guard assets that would be on call. Like Chief Sund, based on the intelligence and the extensive deployment of law enforcement resources, I erroneously believed that we were prepared.

As we now know, the security plan was not sufficient for the unprecedented attack that unfolded on January 6. As Sergeant at Arms and as a senior official responsible for the security of the Capitol, I accept responsibility for my approval of that plan. And as you know, I resigned from my position on January 7.

The Tragic Events of January 6, 2021

I started the day believing that my official duties on the House floor for the Joint Session would predominate my day. At around 1:00 p.m., I announced to the Speaker in the House Chamber the arrival of the Vice-President and the Senate.

It has been reported that Chief Sund contacted me to request National Guard support shortly after that at 1:09 p.m. I was in the House Chamber working protocol for the Electoral College Joint Session at that point. I have no memory of a call at 1:09 p.m. and I have reviewed my phone records: there is no call from Chief Sund (or any other person) at that time; the first call from Chief Sund in the one o'clock hour is at 1:28 p.m. My records also do not show any text messages from Chief Sund at that time.

Shortly after I left the House Chamber, I recall speaking with Chief Sund more than once in the period between 1:28 p.m. and 2:00 p.m. regarding the conditions outside. At one point, Chief Sund informed me that conditions were deteriorating outside and that he might need to make a request for the National Guard. I told Chief Sund that I would soon be with the Senate Sergeant at Arms and that I would also alert House Leadership, which I did. I believe that I arrived in the Senate Sergeant at Arms office around 2:00 p.m. I remember a call after that in which Chief Sund requested National Guard support, and the request was approved on that call.

Since that time, I have seen the timeline published by the Department of Defense (DOD). I have no personal knowledge of the information in DOD's timeline, but I am aware that it reports the Secretary of the Army received a request from Mayor Bowser at 1:34 p.m., and that the National Guard received a request from Chief Sund at 1:49 p.m. Regardless of whether the National Guard was requested at 1:34 p.m. and 1:49 p.m. according to the DOD's own timeline, or shortly after 2:00 p.m., it is clear that the National Guard was not quick to respond—as we

had planned—and it was several hours before they were onsite. I am of course very grateful for their support.

I am also incredibly grateful for the support of the MPD and our other law enforcement partners. In the same period of time, the MPD routed hundreds of officers to the U.S. Capitol. Chief Contee has stated in Congressional testimony that he had as many as 850 officers on-site at one point that afternoon.² We also activated the Mutual Aid Agreement with law enforcement agencies in the surrounding jurisdictions, and I understand that brought more than 1,000 additional officers to the Capitol that afternoon.

Thanks to the heroic efforts of law enforcement, the National Guard, my own staff, and many others, the House recommenced the Electoral College vote at approximately 9:00 p.m.

I am honored to have worked beside the brave men and women of the USCP, including Chief Sund, each and every day of my tenure as the House Sergeant at Arms. I hold them in the highest regard.

I am also grateful to the House Leadership, the Committees of Jurisdiction to whom I reported, and to all the Members and staff that supported me throughout my tenure as the House Sergeant at Arms. It was truly an honor to serve.

Thank you, and I look forward to your questions.

² Contee at 3.