

Congress of the United States

Washington, DC 20515

Jeffrey A. Rosen
Acting U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

January 15, 2021

Dear Acting Attorney General Rosen,

We write to you with a grave sense of urgency as Washington, D.C. and all fifty state capitals prepare for the arrival of armed protesters beginning as early as tomorrow, January 16th. Numerous rioters who descended on the U.S. Capitol Building on January 6th were found to be in possession of firearms and explosives, including one man who brought eleven bombs, an assault rifle, and three handguns.¹ We appreciate that several of these individuals have been charged with federal crimes and expect the announcement of additional charges as the Justice Department identifies more of the insurrectionists.

As the Department's own Federal Bureau of Investigation knew prior to the events of January 6th, online far-right extremists plotted a day of violence in the nation's capital that was to include "war" and "glass breaking, doors being kicked in, and blood from ... BLM and Pantifa slave soldiers being spilled."² One user of "The Donald," a pro-Trump online forum, wrote that "All this bull**** about not bringing guns to D.C. needs to stop. This is America. F*** D.C. it's in the Constitution. Bring your goddamn guns." Another wrote, "ARMED WITH RIFLE, HANDGUN, 2 KNIVES AND AS MUCH AMMO AS YOU CAN CARRY."³ We know that at least some insurrectionists followed through on these calls to bring firearms to Washington, D.C. in violation of the law.

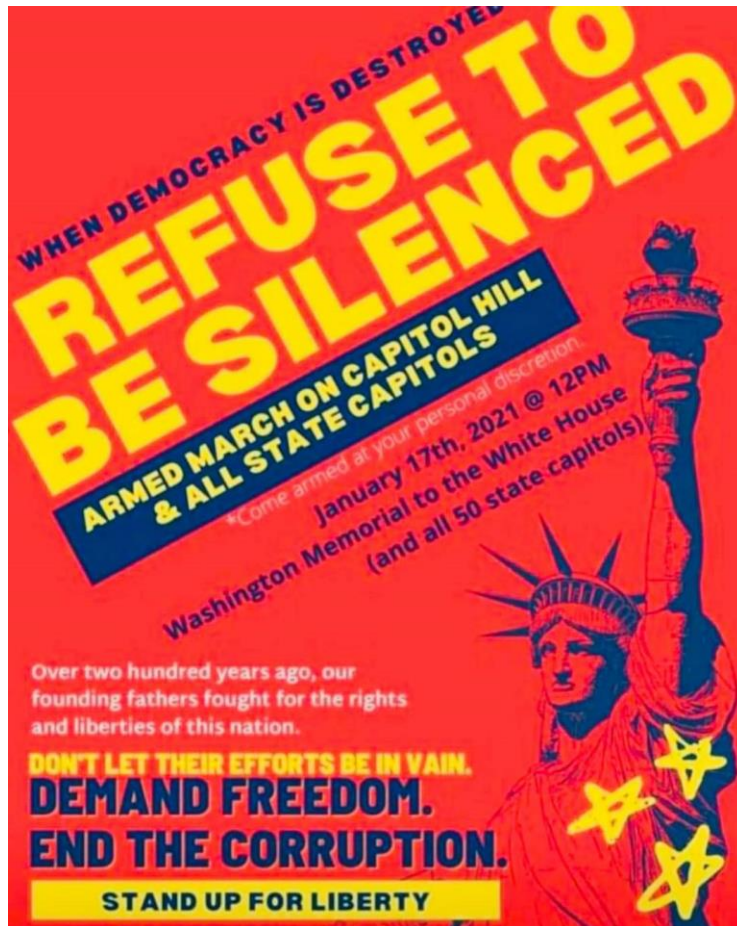
The FBI is likewise aware of plans for further unlawful activity in the days surrounding the presidential inauguration on January 20th, including the possession and use of deadly weapons. According to an FBI bulletin obtained by ABC News, "The FBI received information about an identified armed group intending to travel to Washington, DC on 16 January."⁴ Files that purport to contain the U.S. Army's "explosives and demolitions manual" have circulated on the encrypted messaging application Telegram, along with calls to "shoot politicians." Alarmed constituents have contacted their Members of Congress about fliers spreading online calling for an "ARMED MARCH ON CAPITOL HILL & ALL STATE CAPITOLS," such as the one below.

¹ U.S. Department of Justice, Office of the Acting U.S. Attorney for the District of Columbia, press release, [1/8/21](#)

² The Washington Post, [1/12/21](#)

³ BuzzFeed News, [1/6/21](#)

⁴ ABC News, [1/11/21](#)



Prior to January 6th, District of Columbia officials warned protesters that, under most circumstances, it is illegal to possess firearms in the district.⁵ It is also illegal to possess firearms on U.S. Capitol grounds under a law passed in 1967 that carries penalties of up to \$5,000 in fines and five years in prison for violations.⁶ Unfortunately, not all in attendance heeded these laws, and the country narrowly avoided a mass casualty event involving protesters, Members of Congress, and U.S. Capitol personnel as a result. The video statement you issued this week regarding the Justice Department’s intent to prosecute protesters who break the law was necessary and welcome, but we believe it is incumbent upon the Department to specifically communicate that possession of firearms will not be tolerated at events planned for the coming days or at any point in the future at the U.S. Capitol.

We therefore urge the Department of Justice to make a public declaration, preferably on live national television, stating the following:

1. Pursuant to Public Law 90-108, it is unlawful for any person or group of persons
 - a. to carry on or have readily accessible to the person of any individual upon the United States Capitol Grounds or within any of the Capitol Buildings any firearm, dangerous weapon, explosive, or incendiary device; or
 - b. to discharge any firearm or explosive, to use any dangerous weapon, or to ignite any incendiary device, upon the United States Capitol Grounds or within any of the Capitol Buildings; or

⁵ Government of the District of Columbia, Office of the Mayor, [1/3/21](#)

⁶ Public Law 90-108, [10/20/67](#)

- c. to transport by any means upon the United States Capitol Grounds or within any of the Capitol Buildings any explosive or incendiary device, and that any violation shall be a felony punishable by a fine not exceeding \$5,000, or imprisonment not exceeding five years, or both.⁷
2. The Department of Justice is committed to enforcing the above-mentioned law to the fullest extent and will share with Congress classified details of its implementation.
3. The Department of Justice will work collaboratively with Congress to update the above-mentioned law, enacted in 1967, to impose penalties commensurate with committing the relevant crimes in 2021.

We look forward to you making the requested announcements as soon as possible. The safety of our citizens and democratic institutions require our coordinated efforts at this most precarious time.

Sincerely,



Raja Krishnamoorthi
Member of Congress



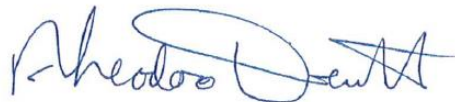
Mike Thompson
Member of Congress



Jahana Hayes
Member of Congress



Madeleine Dean
Member of Congress



Theodore E. Deutch
Member of Congress

⁷ Public Law 90-108, [10/20/67](#)