

United States Senate

WASHINGTON, DC 20510-1309

January 11, 2021

VIA ELECTRONIC DELIVERY

Mr. Christopher Miller
Acting Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Acting Secretary Miller:

The attack on the United States Capitol on January 6, 2021 was one of the darkest days in our Nation's history. Our allies and adversaries alike witnessed President Donald Trump incite a violent mob to attack a Joint Session of Congress and delay the execution of the Electoral Count Act. They watched these domestic enemies of the Constitution assault law enforcement officers and defile the United States Capitol. Now they are watching how the United States Government responds to this insurrection.

We must demonstrate resolve and resilience in bringing the neo-Nazis, white supremacists and conspiracy theorists who formed this mob to justice. We must address deeply troubling reports that members of the U.S. Armed Forces, retired members of a regular component of the U.S. Armed Forces and members of the Fleet Reserve/Fleet Marine Corps Reserve, may have violated their Oath of Enlistment or Oath of Office by participating in a violent insurrection. If accurate, it would be a disgraceful insult to the vast majority of servicemembers who honorably serve our Nation in accordance with the core values of their respective Services.

I ask that you immediately direct the United States Army Criminal Investigation Command, the Naval Criminal Investigative Service, the United States Air Force Office of Special Investigations, the United States Marine Corps Criminal Investigation Division and the Defense Criminal Investigative Service, to cooperate with the Federal Bureau of Investigation and the United States Capitol Police in investigating whether members of the U.S. Armed Forces, retired members of a regular component of the U.S. Armed Forces and members of the Fleet Reserve/Fleet Marine Corps Reserve, engaged in insurrection against the authority of the United States, or participated in a seditious conspiracy that used force to: oppose the authority of the United States; prevent, hinder and delay the execution of the Electoral Count Act; and unlawfully seize, take or possess property of the United States.

If criminal investigators determine that members of the U.S. Armed Forces, retired members of a regular component of the U.S. Armed Forces and members of the Fleet Reserve/Fleet Marine Corps Reserve servicemembers engaged in criminal conduct related to the January 6, 2021 attack on the United States Capitol, I urge you to take appropriate action to hold individuals accountable under the Uniform Code of Military Justice. Upholding good order and discipline demands that the U.S. Armed Forces root out extremists that infiltrate the military and threaten our national security. Thank you in advance for prioritizing my urgent request.

Sincerely,



Tammy Duckworth
United States Senator