



COMMITTEE ON HOMELAND SECURITY

H.R. 3233, the “National Commission to Investigate the January 6 Attack on the United States Capitol Complex Act”

*Introduced by Chairman Bennie G. Thompson (D-MS) and Ranking Member John Katko (R-NY),
Committee on Homeland Security*

On January 6, 2021, during a joint session of Congress, a mob breached the U.S. Capitol, illegally entering the complex. The riot came immediately after then-President Trump promoted a march on the Capitol. During the breach, Members of Congress were voting to certify the results of the 2020 Presidential election. The violence resulted in scores of injuries to D.C. Police and U.S. Capitol Police officers—killing one, while four civilians also died. This was a complex attack that saw many federal, state, and local entities responding. On February 4, 2021, the Committee on Homeland Security held a hearing titled “Examining the Domestic Terrorism Threat in the Wake of the Attack on the U.S. Capitol,” and received testimony regarding the attack and how the circumstances demanded a bipartisan investigation by counterterrorism experts. Since that time, there has been a steady call for the creation of a 9/11-style commission, comprised of a group of bipartisan experts to get to the truth of how the January 6 assault happened to ensure that it cannot happen again¹.

Key features of the Commission:

- The Commission will be charged with (1) investigating and reporting upon the facts and causes of the January 6th attack on the Capitol as well as the influencing factors that may have provoked the attack on our democracy; (2) examining and evaluating evidence developed by relevant Federal, State, and local governments, in a manner that is respectful of ongoing investigations, regarding the facts and circumstances of the attack; (3) building upon other investigations regarding the attack and targeted violence and domestic

¹ Rebecca Beitsch, *140 National Security Leaders Call for 9/11-style Panel to Review Jan. 6 Attack*, THE HILL, Apr. 6, 2021, <https://thehill.com/policy/national-security/546762-140-national-security-leaders-call-for-9-11-style-commission-to>; Daniel Politi, *After Trump Acquittal, Calls Grow for 9/11-style Commission on Capitol Riot*, SLATE, Feb. 14, 2021, <https://slate.com/news-and-politics/2021/02/trump-acquittal-911-commission-capitol-riot.html>; Marcus Weisgerber, *Esper, McMaster, Panetta Endorse 9/11-style Commission to Investigate Jan. 6 Insurrection*, DEFENSE ONE, Mar. 5, 2021, <https://www.defenseone.com/policy/2021/03/esper-mcmaster-panetta-endorse-911-style-commission-investigate-jan-6-insurrection/172495/>; Editorial Board, *Follow Jan. 6 Attack with a 9/11-style Commission*, MINNEAPOLIS STAR TRIBUNE, Feb. 17, 2021, <https://www.startribune.com/follow-jan-6-attack-with-a-9-11-style-commission/600024260/>; *Former 9/11 investigator joins bipartisan calls for new commission to probe Capitol attack*, PBS NEWSHOUR, Feb. 15, 2021, <https://www.pbs.org/newshour/show/former-9-11-investigator-joins-bipartisan-calls-for-new-commission-to-probe-capitol-attack>; *Republican Cheney Calls for Focused Review of Deadly Capitol Riot*, REUTERS, Apr. 26, 2021, <https://www.reuters.com/world/us/republican-cheney-calls-focused-review-deadly-capitol-riot-2021-04-26/>; Jack Brewster, *Bipartisan Support Grows for 9/11-style Commission to Probe Capitol Riot*, FORBES, Feb. 14, 2021, <https://www.forbes.com/sites/jackbrewster/2021/02/14/bipartisan-support-grows-for-911-style-commission-to-probe-capitol-riot/?sh=4d8374c85609>.

terrorism related to such attack; and (4) reporting to the President and Congress regarding its findings, conclusions, and recommendations for corrective measures taken to prevent future acts of targeted violence and domestic terrorism, including against American democratic institutions, improve the security posture of the United States Capitol Complex in a manner that preserves the accessibility of the Capitol Complex for all Americans, and strengthen the security and resilience of nation and American democratic institutions against domestic terrorism.

- Like the 9/11 Commission, the measure establishes a 10-person bipartisan commission with five commissioners, including the Chair, appointed by the Speaker of the House and the Majority Leader of the Senate and five commissioners, including the Vice Chair, appointed by the Minority Leaders of the House and Senate.
- Commissioners must have significant expertise in the areas of law enforcement, civil rights, civil liberties, privacy, intelligence, and cybersecurity. Current government officers or employees are prohibited from appointment.
- Like the 9/11 Commission, the Commission will be granted authority to issue subpoenas to secure information to carry out its investigation but only upon agreement between the Chair and the Vice Chair or a vote by a majority of Commission members.
- The Commission will be required to issue a final report with findings regarding the facts and causes of the attack, along with recommendations to prevent future attacks on our democratic institutions, by December 31, 2021.