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EXAMINING THE DOMESTIC TERRORISM THREAT IN THE WAKE OF THE ATTACK ON THE U.S. CAPITOL

HEARING

BEFORE THE

COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTEENTH CONGRESS

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EXAMINING THE DOMESTIC TERRORISM THREAT IN THE WAKE OF THE ATTACK ON THE U.S. CAPITOL

Thursday, February 4, 2021

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC.

The committee met, pursuant to notice, at 10 a.m. via Webex, Hon. Bennie G. Thompson (Chairman of the committee) presiding.

Present: Representatives Thompson, Jackson Lee, Langevin, Payne, Correa, Slotkin, Green, Clarke, Swalwell, Titus, Watson Coleman, Rice, Demings, Barragán, Gottheimer, Luria, Malinowski, Torres, Katko, McCaul, Higgins, Bishop, Van Drew, Norman, Miller-Meeks, Harshbarger, Clyde, Gimenez, LaTurner, Meijer, Cammack, Pfluger, Garbarino.

Chairman THOMPSON. The Committee on Homeland Security will come to order. The committee is meeting today to receive testimony on examining the domestic terrorism threat in the wake of the attack on the U.S. Capitol.

Without objection, the Chair is authorized to declare the committee in recess at any point.

Today the committee is meeting to examine the threat of domestic terrorism in the wake of the attack on the U.S. Capitol on January 6. I would like to start by thanking the men and women of the U.S. Capitol Police, National Guard, Secret Service, Metropolitan Police Department, and all other law enforcement agencies that worked to keep us safe that day and in the days since.

I also want to take a moment to remember Officer Brian Sicknick, who lost his life in the line of duty, and other members of law enforcement who responded to the attack who have tragically passed away.

Several others tragically lost their lives during the domestic terrorism attack on our Nation, incited by the former President and his enablers seeking to overturn the results of a legitimate election.

As Members of this committee are keenly aware, this act of terrorism was not an isolated incident. During the 116th Congress, the committee held 11 hearings that looked at various domestic terrorism threats. Over a year ago, FBI Director Wray sat before us and warned that domestic terrorism cases were at an all-time high, with racially-motivated violent extremists posing the greatest threat.

Then, in July 2020, we received testimony from domestic terrorism expert J.J. MacNab that cautioned, and I quote, "that the

upcoming election will spark one or more violent events if the President loses his reelection bid.

"[His supporters] want him to continue, and they have talked about civil war now for years if he does not."

Last September, Director Wray testified again before us, saying that racially-motivated violent extremists make up the largest portion of domestic terrorist cases that his agents are investigating.

Then, in October, just 4 months before the attack on the Capitol, the Department of Homeland Security's threat assessment identified racially-motivated violent extremists, specifically White Supremacist extremists, as "the most persistent and lethal threat in the homeland."

Today, we will begin to shed light on why these warnings were not heeded. The irrefutable fact is that the threat of right-wing, and, more specifically, White Nationalist terrorism, has been growing for years.

The previous administration failed to address this threat appropriately, and on January 6 we saw the result right here at the U.S. Capitol. I witnessed the event unfold first-hand from my view in the House Gallery, where we had gathered to observe the counting of the electoral votes as required by the Constitution.

I am hopeful that the Biden administration will work to do a better job of confronting this threat, which has been allowed to fester and even encouraged in recent years. Already DHS has taken action as the Department issued a rare warning last week about the heightened threat from domestic terrorism.

I look forward to engaging newly-confirmed Secretary of Homeland Security Alejandro Mayorkas on this critical issue.

President Biden also tasked the Office of the Director of National Intelligence, DHS, and FBI, who are conducting a comprehensive assessment of the threat. I commend this swift action.

I also urge the administration to prioritize the report on domestic terrorism required by the Domestic and International Terrorism DATA Act, which is now 7 months past due.

As Members of the Homeland Security Committee, we, too, have our work cut out for us in this Congress. This committee held 11 hearings last Congress on the threat of domestic terrorism, but clearly much more remains to be done. During a time in which "both sides-ism" runs rampant through our politics, I implore Members of this committee to follow the threats wherever they may lead. Any denial or attempt to distract from the threat at hand won't help us address the problem that many have been and continue to sound the alarm about.

The conversations will be difficult, and they should be. This threat has long plagued and preyed on the most vulnerable in our society. But we must work together to find solutions. Our democracy and American lives are at stake.

Today, we have a panel of experts that will outline the domestic terror threat as it stands, identify what was missed prior to January 6, and present what we ought to do moving forward. I look forward to their testimony and their responses to our questions so we can find a path to keep us all safe.

[The statement of Chairman Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

FEBRUARY 4, 2021

Today the committee is meeting to examine the threat of domestic terrorism in the wake of the attack on the U.S. Capitol on January 6. I would like to start by thanking the men and women of the U.S. Capitol Police, National Guard, Secret Service, Metropolitan Police Department, and all other law enforcement agencies that worked to keep us safe that day and in the days since.

I also want to take a moment to remember Officer Brian Sicknick, who lost his life in the line of duty, and other members of law enforcement who responded to the attack who have tragically passed away. Several others tragically lost their lives during the domestic terrorism attack on our Nation, incited by the former President and his enablers seeking to overturn the results of a legitimate election.

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Then in July 2020, we received testimony from domestic terrorism expert J.J. MacNab that cautioned, and I quote, "that the upcoming election will spark one or more violent events if the President loses his re-election bid . . . [his supporters] want him to continue and they have talked about Civil War now for years if he does not."

Last September Director Wray testified again before us saying that racially-motivated violent extremists make up the largest portion of domestic terrorist cases that his agents are investigating. Then in October, just 4 months before the attack on the Capitol, the Department of Homeland Security's threat assessment identified racially-motivated violent extremists—specifically White Supremacist extremists—as "the most persistent and lethal threat in the homeland."

Today, we will begin to shed light on why these warnings were not heeded. The irrefutable fact is that the threat of right-wing and more specifically, White Nationalist terrorism has been growing for years. The previous administration failed to address this threat appropriately, and on January 6 we saw the result right here at the U.S. Capitol. I witnessed the events unfold first-hand from my view in the House Gallery, where we had gathered to observe the counting of the electoral votes as required by the Constitution.

I am hopeful that the Biden administration will work to do a better job of confronting this threat, which has been allowed to fester and even encouraged in recent years. Already, DHS has taken action as the Department issued a rare warning last week about the heightened threat from domestic terrorism. I look forward to engaging newly-confirmed Secretary of Homeland Security Alejandro Mayorkas on this critical issue.

President Biden also tasked the Office of the Director of National Intelligence, DHS, and FBI with conducting a comprehensive assessment of the threat. I commend this swift action. I also urge the administration to also prioritize the report on domestic terrorism required by the "Domestic and International Terrorism DATA Act," which is now 7 months past due.

As Members of the Homeland Security Committee—we too have our work cut out for us in Congress. This committee held 11 hearings last Congress on the threat of domestic terrorism, but clearly much more remains to be done. And during a time in which "both sides-ism" run rampant through our politics, I implore Members of this committee to follow the threats—wherever they may lead. Any denial or attempt to distract from the threat at hand won't help us address the problem—that many have been and continue to sound the alarm about.

These conversations will be difficult, and they should be. This threat has long plagued and preyed on the most vulnerable in our society. But we must work together to find solutions—our democracy and American lives are at stake.

Today, we have a panel of expert witnesses that will outline the domestic terror threat as it stands, identify what was missed prior to January 6, and present what we ought to do moving forward. I look forward to their testimony and their responses to our questions so we can find a path to keep us all safe.

Chairman THOMPSON. With that, I recognize the Ranking Member, the gentleman from New York, Mr. Katko, for an opening statement.

Mr. KATKO. Thank you, Mr. Chairman. I appreciate your comments.

I appreciate being here with all of you today, and welcome to the witnesses.

I am honored to serve with all of you and with all of our colleagues in the 117th Congress and recognize how timely and necessary today's hearing is.

This year will mark the 20th anniversary of the September 11 terrorist attacks, the very tragedy that necessitated the creation of the Department of Homeland Security and this committee.

In the days and months following the deadliest terror attack on U.S. soil, Americans of all views came together to unify against the threat of foreign terrorists. Like so many challenges in our Nation's history, we emerged stronger than ever.

To confront the emerging threats to our homeland today, we can't play politics with National security. That is why, Mr. Chairman, I appreciate your partnership as we have set out to ensure that this committee remains above the fray and focused on solving problems.

Today, we sit here just shy of 20 years after 9/11 to examine the increasingly prevalent and troubling threat from violent extremists, not from some distant land but from here at home.

The threat posed by domestic violent extremists may be new to many of us, but it is not new for our country. In the 1960's and 1970's, left-wing extremists known as the Weather Underground carried out dozens of bombings, including one right here inside the U.S. Capitol. In fact, in an 18-month period between 1971 and 1972, extremist groups conducted over 2,500 bombings here in the United States.

Three decades later, an anti-Government extremist planned and carried out the deadliest home-grown attack in United States history, killing 168 people with a truck bomb at a Federal building in Oklahoma City.

The sad reality is that there will always be those who use ideology and politics as an excuse to commit violence. It is our responsibility to see to it that they are not successful.

Over the past 12 months we have seen a marked increase in the activity of domestic violent extremists. In July, amid Nation-wide protests, extremists in Portland set fire to police stations and attacked a Federal courthouse. In December, a man in Nashville detonated a bomb planted in a recreational vehicle, killing himself, injuring 8 others, and disabling a critical telecommunications facility.

Just last month right-wing extremists attacked the United States Capitol. Five people died on that dark day, including a Capitol police officer who was laid to rest this week. Just like 9/11, we will never forget. We will never forget the assault on the heart of our democracy on January 6. It was a very difficult thing to watch unfold.

While our Nation's law enforcement and National security agencies are better prepared to combat emerging threats like domestic extremism than in previous years, much more needs to be done to bolster information sharing among Federal, State, and local partners.

While investigations are on-going, I am concerned that our counterterrorism efforts continue to be hindered by bureaucratic

silos, a failure to share the necessary intelligence, and then to act on that intelligence.

The Department of Homeland Security is central to our Nation's effort to protect against terrorist and extremist violence here at home, and it is imperative that we ensure it is well-equipped for that mission.

It is also our job here at the Committee on Homeland Security to better understand what motivates these extremists and ultimately how to stop them. Radicalization of all sorts that leads to any violence should be unacceptable across the board.

With that in mind, I want to encourage all of my colleagues to rise above partisan politics and work together to examine these issues and find solutions. We must do the job our constituents sent us here to do by being honest about the challenges facing our country from violent extremism, even when it may not be politically expedient to do so. It is our solemn responsibility, especially on this committee, to be sober-minded in our efforts to secure our homeland.

That is why I co-sponsored legislation championed by Ranking Member Davis on the House Administration Committee to establish a National commission on the domestic terrorist attack on the U.S. Capitol. Similar to the 9/11 Commission which helped create the homeland security enterprise we have today, this important bipartisan commission would provide Congress with real answers to our questions and solutions to close critical homeland security gaps.

This legislation, referred to our committee, has the support of every Republican Member of the committee, and I urge my colleagues on the other side of the aisle to join us and move this bill through Congress.

With that, Mr. Chairman, I yield back.

[The statement of Ranking Member Katko follows:]

STATEMENT OF RANKING MEMBER JOHN KATKO

FEBRUARY 4, 2021

I am honored to serve with you and all of our colleagues in the 117th Congress and recognize how timely and necessary today's hearing is. This year will mark the 20th anniversary of the September 11 terrorist attacks—the very tragedy that necessitated the creation of the Department of Homeland Security—and this committee. In the days and months following the deadliest terrorist attack on U.S. soil, Americans of all views came together to unify against the threat of foreign terrorists. Like so many challenges in our Nation's history, we emerged stronger than ever.

To confront the emerging threats to our homeland today, we can't play politics with National security. That's why Mr. Chairman I appreciate your partnership as we've set out to ensure that this committee remains above the fray and focused on solving problems.

Today, we sit here just shy of 20 years after 9/11 to examine the increasingly prevalent and troubling threat from violent extremists—not from some distant land—but from here at home. The threat posed by domestic violent extremists may be new to many of us, but it is not new for our country.

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The sad reality is that there will always be those who use ideology and politics as an excuse to commit violence. It is our responsibility to see to it that they are not successful. Over the past 12 months, we have seen a marked increase in the activity of domestic violent extremists. In July, amid Nation-wide protests, extremists in Portland set fire to police stations and attacked a Federal courthouse. In December, a man in Nashville detonated a bomb planted in a recreational vehicle, killing himself, injuring 8 others, and disabling a critical telecommunications facility.

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Chairman THOMPSON. Other Members of the committee are reminded that under the committee rules opening statements may be submitted for the record.

Members are also reminded that the committee will operate according to the guidelines laid out by the Chairman and Ranking Member in our February 3 colloquy regarding remote proceedings.

I welcome our witnesses.

Our first witness is Dr. Christopher Rodriguez, the director of Washington, DC's Homeland Security and Emergency Management Agency. Dr. Rodriguez is responsible for emergency planning, preparedness, response, and recovery for the city, including operations at a 24-hour emergency operations center in the District's intelligence fusion center.

Our second witness is Ms. Elizabeth Neumann, the former assistant secretary of counterterrorism and threat prevention at the Department of Homeland Security. Ms. Neumann has over 2 decades of experience developing and implementing homeland security and National security policies and strategies for multiple Federal agencies.

Our third witness is Mr. Jonathan Greenblatt, the CEO and national director of ADL. Mr. Greenblatt brings extensive experience from the private sector and Government. Under Mr. Greenblatt,

ADL has worked in new and innovative ways to counter and combat extremism in all forms.

Our fourth and final witness is Mr. Brian Michael Jenkins, senior advisor to the RAND president. A former military officer, Mr. Jenkins is the author of numerous books, reports, and articles on domestic and international terrorism.

Without objection, the witnesses' full statements will be inserted in the record.

I now ask Dr. Rodriguez to summarize his statement for 5 minutes.

STATEMENT OF CHRISTOPHER RODRIGUEZ, PH.D., DIRECTOR, HOMELAND SECURITY AND EMERGENCY MANAGEMENT AGENCY, DISTRICT OF COLUMBIA

Mr. RODRIGUEZ. Thank you, Mr. Chairman.

Thank you, Ranking Member Katko, Members of the committee.

I am Dr. Christopher Rodriguez, director of the District of Columbia's Homeland Security and Emergency Management Agency, which I have led since 2017.

Prior to this role, I was a counterterrorism analyst at the Central Intelligence Agency for over 10 years. As an appointee of Mayor Muriel Bowser, I am honored to lead an agency that is responsible for Washington, DC's preparedness, coordination, management, and recovery from all hazards, from a snowstorm to a hurricane to a global pandemic, and of course to a terrorist attack such as the one we saw on January 6.

I appear today to discuss the January 6 attack that led to the insurrection at the U.S. Capitol, which based upon my experience was clearly an act of domestic terrorism. This attack exposed in the starkest terms the threat we face from domestic terrorists and from right-wing extremism specifically.

Now, at various times throughout our history we have witnessed virulent strains of political ideologies and violent political ideologies that run through the American bloodstream. But time and again these radical movements have been rooted out or minimized in our system.

Well, what should concern us now, in 2021, is that the current manifestation of these movements is so insidious, because while in the past they existed on the fringes of society, they are becoming rapidly part of the cultural mainstream. These movements are fueled and fed by misinformation and lies that, if not addressed, will only continue to exacerbate our underlying social divisions and threatening to tear at the delicate fabric of our democratic culture.

Now, as we manage and coordinate public safety agencies to respond to various nefarious acts, the District of Columbia is reimagining safety and security in the face of the evolving threat of domestic terrorism. I want to speak very briefly about the 5 elements of our strategy.

First, we must regain the narrative. A byproduct of radical violent movements entering the mainstream is that they distort real and meaningful debate. Right-wing extremism and left-wing extremism are not mainstream viewpoints. QAnon, Proud Boys, Oath Keepers, anarchists, and Antifa do not espouse mainstream perspectives, nor should they be treated and validated as such.

While the District of Columbia hosts hundreds of First Amendment events per year and respects the rights of all Americans to exercise this Constitutional guarantee, even when we disagree with those viewpoints, we will not tolerate violence in our city and we will call such acts what they are in accordance with the law—crimes and terrorism.

In a similar vein, we also know, and we have experienced this here in the District, that our foreign adversaries, Russia in particular, are employing decades-old tools of covert action to fan the flames of cultural conflict here in the United States, and our foreign enemies do this by creating or perpetuating false narratives that strike at the heart of democracy itself—that our elections are rigged, that our system is inherently corrupt and should be overthrown, and that radical voices who call for violence or insurrection have legitimate views that should be heard.

In regaining the narrative, we need to call these actions what they are—a direct assault on our system of government.

Second, we must demonstrate an overt security presence in the District of Columbia, at least for now. The District of Columbia, at Mayor Bowser's direction, has requested that 500 D.C. National Guard personnel remain on standby as a Quick Reaction Force through March 12. We believe that this posture is essential to ensuring that the Metropolitan Police Department can deploy resources to all parts of the city during an emergency.

We also believe that we can achieve security in our city—and specifically on Capitol Hill—without making permanent the current razor wire-topped fencing and armed troops surrounding the Capitol.

As the host of our Federal Government, the District government plays an important role in the Capitol's long-term security posture. Mayor Bowser has already suggested one commonsense proposal, and that is to transfer control of the D.C. National Guard to the Mayor of the District of Columbia, which would allow her swifter operational decisions during an evolving incident. As we saw on January 6, under Federal control the guard is not as nimble and responsive as it could be.

Third, we must leverage our National intelligence network better. At its core, the value of intelligence is early warning. It gives policy makers, such as yourselves, the decision-making advantage in a world full of strategic threats. We need to utilize a key tool developed after 9/11 in a more systematic way, and that is the State fusion centers.

Funded by the U.S. Department of Homeland Security, these intelligence hubs need to do better at sharing information across the network, because the domestic terrorist threat is fundamentally one that originates locally and then spreads across State borders.

The nearly 80 fusion centers that exist across the Nation have more than 2,000 intelligence analysts that are funded by Federal dollars, but their intelligence should be more widely disseminated to those who need it.

In the District of Columbia, we seek to build out our fusion centers' analytic capabilities in both the physical and virtual realms, particularly to assist local and Federal law enforcement. In the coming months, the fusion center will begin to deploy personnel to

key Federal agencies, but we need more funding and more resources from DHS for this program.

Fourth, we must engage our communities and work forces better. A particularly troublesome finding in the early investigations of those who participated in the January 6 insurrection is that a small but disproportionately impactful segment of the mob used military tactics to organize and manage the successful advance into and throughout the Capitol. FBI investigations that have been made public have reported that some of these individuals had U.S. military backgrounds and participated in military-style training camps prior to traveling here to Washington, DC.

All this said, surely there are people in our communities that might know such activities are taking place, either in plain sight, in the dark corners of the internet, or in casual conversations. We need to prioritize insider threat programs in the U.S. military and law enforcement to ensure that their specific skill sets, which are developed to defend the Nation, State, and community, are not then turned on the very people they are sworn to protect.

Finally, we must be prepared for a long fight. Many of the initiatives discussed here will require new law enforcement and legal tools. However, the key element of our success will be ours, yours and mine, as well as the American people's willingness to persist in the fight.

The mental and psychological toll of what happened on January 6, as all of you and your staffs and our police officers can personally attest, can be overwhelming. Tragically, some of our finest have already taken their lives following the insurrection.

Our best chance for success, though, is to be straight with the American people that the threats we now face are arguably as dangerous as they were in the post-9/11 environment and these threats are not going away.

Thank you, Mr. Chairman, Ranking Member, and I look forward to answering your questions.

[The prepared statement of Mr. Rodriguez follows:]

PREPARED STATEMENT OF CHRISTOPHER RODRIGUEZ

FEBRUARY 4, 2021

Thank you, Chairman Thompson, Ranking Member Katko, and Members of the committee. I am Dr. Christopher Rodriguez, and I have served as the director of the District of Columbia's Homeland Security and Emergency Management Agency—or HSEMA—since 2017; the agency hosts Washington, DC's intelligence fusion center, which leads counterterrorism analysis and preparedness for the city. Prior to this role, I was a counterterrorism analyst at the Central Intelligence Agency for more than 10 years. As an appointee of Mayor Muriel Bowser, I am honored to lead an agency that is responsible for Washington, DC's preparedness, coordination, management, and recovery from all hazards—everything from a snowstorm to a hurricane to a global pandemic, including the attack at the U.S. Capitol. Like FEMA, HSEMA sits at the crossroads of the District government's interagency operations, and the HSEMA team works tirelessly to ensure unity of effort before, during, and after emergencies.

I appear today to discuss the January 6 attack leading to the insurrection at the U.S. Capitol, which, based upon my experience, was an act of domestic terrorism. This attack exposed, in the starkest terms, the threat we face from domestic terrorists generally, but also from right-wing extremism specifically. At various times throughout our history, we have witnessed virulent strains of political ideologies running through the American bloodstream. But, time and again, these radical, violent movements have been rooted out or minimized by a combination of medicines unique to the American experience: The central role of democratic institutions, the

rule of law, and the unshakeable resolve of men and women of goodwill seeking to build a better Nation. What should concern us now, in 2021, is that the current manifestation of these movements is so insidious because while, in the past, they existed on the fringes of society, they are becoming part of the cultural mainstream. These movements are fueled and fed by misinformation and lies that, if not addressed, will only continue to exacerbate underlying social divisions, threatening to tear the delicate fabric of our democratic culture.

The gains our adversaries have made must be stemmed and reversed. As we manage and coordinate public safety agencies to respond to various nefarious acts, the District must reimagine safety and security in the face of the evolving threat of domestic terrorism. There are 5 elements of our strategy.

- *First, we must regain the narrative*.—A byproduct of radical, violent movements entering the mainstream is that they distort real, meaningful debates. "Right-wing extremism" and "left-wing extremism" are not mainstream viewpoints. QAnon, Proud Boys, OathKeepers, anarchists, and Antifa do not espouse mainstream perspectives, nor should they be treated and validated as such. While the District of Columbia hosts hundreds of First Amendment events per year and respects the rights of all Americans to exercise this Constitutional guarantee—even when we disagree with those viewpoints—we will not tolerate violence in our city, and we will call such acts what they are in accordance with the law: Crimes or terrorism. In a similar vein, we know that our foreign adversaries—Russia, in particular—are employing a decades-old tool of covert action to fan the flames of cultural conflict here in the United States. Our foreign enemies do this by either creating or perpetuating false narratives that strike at the heart of democracy itself: That our elections are rigged; that our system is inherently corrupt and should be overthrown; that radical voices who call for violence or insurrection have legitimate views that should be heard. In regaining the narrative, we need to call these actions what they are: A direct assault on our system of government and to call those who lend credence to these views as succumbing to foreign influence.
- *Second, we must demonstrate an overt security presence in DC, at least for now*.—The District of Columbia, at Mayor Bowser's direction, has requested 500 D.C. National Guard personnel remain on standby as a Quick Reaction Force through March 12. This posture is essential to ensuring the Metropolitan Police Department can deploy resources to all parts of the city during an emergency. However, we believe we can achieve security in our city, and specifically on Capitol Hill, without making permanent the current razor wire-topped fencing and armed troops surrounding the Capitol. The "people's house" must remain exactly that and not be turned into an armed fortress, closed off from the rest of our city. As the host of our Federal Government, the District government plays an important role in the Capitol's long-term security posture. Mayor Bowser has already suggested one common-sense proposal: The transfer of control of the D.C. National Guard to the Mayor of the District of Columbia, which would allow for swifter operational decisions during an evolving incident. As we saw on January 6, under Federal control, the Guard is not as nimble and responsive as it could be.
- *Third, we must leverage our National intelligence network better*.—At its core, the value of intelligence is early warning; it gives policy makers decision-making advantage in a world full of strategic threats. We need to utilize a key tool developed after 9/11 in a more systematic way: The State fusion centers. Funded by the Department of Homeland Security, these intelligence hubs need to do better at sharing information across the network because the domestic terrorist threat is fundamentally one that originates locally and then spreads across State borders. The nearly 80 fusion centers across the Nation have more than 2,000 intelligence analysts funded by Federal dollars, but their intelligence should be more widely disseminated to those who need it. In the District of Columbia, we seek to build out our fusion center's analytic capabilities in both the physical and virtual realms, particularly to assist local and Federal law enforcement. In the coming months, the fusion center will begin to deploy personnel to key Federal agencies, but we need more funding and resources from DHS for this program.
- *Fourth, we must engage communities and workforces better*.—A particularly troublesome finding in the early investigations of those who participated in the January 6 insurrection is that a small, but disproportionately impactful, segment of the mob used military tactics to organize and manage the successful advance into and throughout the Capitol. FBI investigations have reported that some of these individuals had U.S. military backgrounds, held "leadership only" planning calls, and participated in military-style training camps prior to trav-

eling to Washington, DC. Recently discovered evidence that some of the attackers were carrying hand ties conjure up foiled plots last year to kidnap the Governors of Michigan and Virginia. All this said, surely people in our communities might know such activities are taking place, either in plain sight, in dark corners of the internet, or in casual conversation. We need to prioritize insider-threat programs in the U.S. military and law enforcement to ensure these specific skill sets, which are developed to defend a nation, a State, or a community, are not then turned on the very people they are sworn to protect.

- *Finally, we must be prepared for a long fight*.—Many of the initiatives discussed here will require new law enforcement and legal tools, such as a domestic terrorism statute. However, the key element of our success will be our—yours and mine—as well as the American people's, willingness to persist in this fight. The mental and psychological toll of what happened on January 6, as some of you, your staffs, and our police officers can personally attest, can be overwhelming—and tragically, some of our finest have already taken their lives following the insurrection. Our best chance for success is to be straight with the American people—that the threats we now face are arguably as dangerous as they were in the immediate post-9/11 environment, and these threats are not going away. We will be tested; we will be challenged. But in the end, as we have throughout our history, we will prevail—and those who seek to divide us will never be as strong as a people united in a common purpose, for good.

Thank you, and I look forward to answering your questions.

Chairman THOMPSON. I now ask Ms. Neumann to summarize her statement for 5 minutes.

STATEMENT OF ELIZABETH NEUMANN, FOUNDER AND MANAGING DIRECTOR, NEU SUMMIT STRATEGIES AND FORMER ASSISTANT SECRETARY FOR COUNTERTERRORISM AND THREAT PREVENTION, U.S. DEPARTMENT OF HOMELAND SECURITY

Ms. NEUMANN. Good morning, Chairman Thompson, Ranking Member Katko, distinguished Members of the committee. Thank you for holding today's hearing.

I offer my deepest condolences to Officer Sicknick's family, all of the police officers that were injured, and to you, Members of Congress, and your staff.

While the attack on January 6 was an assault on our democracy and, therefore, on all Americans, it was an extremely personal experience for each of you. I thank you for your willingness to serve the American people during this dark time, even in the face of threats of violence.

I have spent my career immersed in homeland security-related Government reforms needed to address emerging threats and Government failures. The security failure of January 6 was not an intelligence failure. Many had warned about the threat of violence. It was, rather, a failure of poor judgment and insufficient preparation.

It was also an act of domestic terrorism. As I explain in my written testimony, the statutory definition is clearly met by the crimes that occurred and the intent of the individuals that stormed the Capitol.

Bipartisan agreement upon this designation is paramount to ensuring future security efforts. We must be clear with our words on this matter and stand unified against rhetoric that incites violence to achieve political goals.

In my written testimony I lay out 5 recommendations. For brevity, let me highlight 3 here.

I believe we need to establish an independent, bipartisan commission to explore the best ways to update our laws, policies, and culture to address domestic terrorism. I believe we need to criminalize domestic terrorism and consider updating other statutes to ensure equal justice is applied. I believe we need to formally codify the Office of Targeted Violence and Terrorism Prevention to send a strong signal to the community that we are investing in prevention.

Since I last appeared before one of the subcommittees of this body, I believe the environment in which we approach domestic terrorism has become exponentially more complicated.

A few highlights.

First, the global COVID–19 pandemic increased social isolation and other stress factors known to increase radicalization. These stressors exposed cracks and amplified grievances held by vulnerable individuals, which led to increased radicalization and some mobilization to violence.

As a side note, the term "vulnerable individuals" is explained more thoroughly in my written testimony and there is a graphic at the end of my testimony which you can refer to which outlines these terms. It shows a simplistic framework for the different stages of how an individual radicalizes and mobilizes to violence. This graphic came out of a RAND study that was done for DHS in 2018.

Second, the underlying causes behind the January 6 attack also increased the number of vulnerable individuals. So recruitment is easier now for extremist groups than it ever has been before. Extremist ideas have been mainstreamed and normalized through political speech, conspiracy theories, and communications that use humor and memes to mask the danger of those ideas present.

Consequently, there is a high likelihood of violence in the coming months on a range of softer targets associated with their perception of the "Deep State," including infrastructure, mainstream media, law enforcement, "Big Tech," and elected officials.

There are many other complicating factors I can't go through at this moment. But, sadly, I do believe that we will be fighting domestic terrorism that has its roots and inspiration points from January 6 for the next 10 to 20 years. For this reason I believe it is paramount that we establish a shared understanding of this threat and a bipartisan commitment to address it so that discussions about domestic terrorism itself can't be manipulated or misreported, further feeding the grievance cycle into radicalization and mobilization to violence.

So let me return to where I started. I urge the Congress to consider establishing a domestic terrorism commission. I urge that at a minimum we change our laws to ensure equal justice, treating threats from ideologies that originated overseas and within the United States the same. These are very complicated and thorny issues, which is why I believe we need a commission to address them appropriately.

Last, I want to urge you to scale the prevention work we began together in the 116th Congress. Thank you for your support during my tenure at DHS and thereafter. Your bipartisan work on expanding prevention capabilities in the United States has prepared us for

this moment, but there is still much work that needs to be done. You led a 1,200 percent increase in funding for prevention over the last 2 fiscal years. In Federal budget terms that is almost unheard of.

I would ask you to please consider accelerating these prevention efforts. In particular, I urge you to authorize the Office of Targeted Violence and Terrorism Prevention and help it scale rapidly through additional resources to be able to assist our State and local partners with developing the prevention capabilities we need in our communities to better assist individuals before they mobilize to violence.

In closing, we need to recognize that the root causes of this new face of terrorism are not things that the security community can fix. President Obama called it "an epistemological crisis." He said, "If we do not have the capacity to distinguish what is true from what is false, then by definition the marketplace of ideas does not work and by definition our democracy does not work."

Today's hearing is an opportunity for each of us to demonstrate democracy does still work. We can disagree without becoming disagreeable.

I believe there is much upon which we can agree. Confronting this threat will require calling on other parts of our society to defeat domestic terrorism.

The challenge ahead requires rediscovering we are Americans before we are a party affiliation or a political philosophy. It requires rebuilding civic society at a local level, choosing respectful civil discourse over cancel culture, and rejecting political ideologies or identity politics that focus on grouping "them" into an "enemy" of the "tribe."

We will begin here today, but each of us has a role as we lead in our homes and in our local communities, because the greatest disruption to the grievance cycle that leads to violence begins by loving our neighbor as we would like to be loved ourselves.

Thank you so much. I look forward to your questions.

[The prepared statement of Ms. Neumann follows:]

PREPARED STATEMENT OF ELIZABETH NEUMANN

FEBRUARY 4, 2021

INTRODUCTION

Chairman Thompson, Ranking Member Katko, and distinguished Members of the committee, thank you for holding today's hearing "Examining the Domestic Terrorism Threat in the Wake of the Attack on the U.S. Capitol."

Before addressing the hearing topic, I want to thank this committee for their support in the last Congress, during my tenure at DHS and thereafter, for working on a bi-partisan basis to support the expansion of prevention capabilities across the country. Many of the Members of the last session of Congress continue on this committee today—and because of their willingness to work with us—we were able to increase DHS funding for prevention efforts by over 1,200 percent in 2 fiscal years. That is unheard of in Federal budgeting. Thank you. While my remarks today will not go into the details of prevention—I wanted to note for the record that I believe the plan we laid out in 2019 in the Strategic Framework for Countering Terrorism and Targeted Violence, and what we began implementing, are a critical part of the set of solutions needed to address domestic terrorism.

THE JANUARY 6, 2021 ATTACK ON THE CAPITOL WAS DOMESTIC TERRORISM

I have spent my career immersed in homeland security-related Government reforms—stemming from Government failures, like the attacks of September 11, 2001, or the Hurricane Katrina response, as well as emerging threats. The security failure of January 6, 2021 is nearly incomprehensible for me. I believe the failure was not one of intelligence, but a failure of imagination born of a lack of judgment and preparation. I believe the investigation should be thorough and must make recommendations that ensure we never see such a security failure again.

While we can debate the merits of whether to call those that stormed the Capitol "terrorists," the attack on January 6 meets the definition of domestic terrorism as laid out in U.S. Code at 18 U.S.C. 2331(5):[1] "Involving acts dangerous to human life that are a violation of the criminal laws of the United States or of any State; Appearing to be intended to: (1) Intimidate or coerce a civilian population; (2) Influence the policy of government by intimidation or coercion; or (3) Affect the conduct of a government by mass destruction, assassination, or kidnapping; and (4) Occurring primarily within the territorial jurisdiction of the United States."

- A police officer was killed and 140 officers were injured—thus it was "dangerous to human life";
- We see from the indictments that there are multiple "violations of criminal laws";
- Based on video testimonials prior to, during, and after the attack—the motivation for many was to interrupt a Constitutionally-mandated activity and "intimidate or coerce" the U.S. Congress to change the outcome of the election of our President; and
- There is evidence, though we should wait for the investigations to conclude, that some of the attackers had prepared for assassinating, or taking hostage, Members of Congress and the Vice President.

The attacks may also meet other criminal statutory definitions, such as seditious conspiracy and treason, but we will leave that to the investigators and prosecutors to determine.

FRAMING THE RADICALIZATION TO EXTREMISM AND MOBILIZATION TO VIOLENCE PROCESS

While the radicalization process is not necessarily linear, I find it helps to use a linear framework to identify the different places individuals might be on the pathway to violence. During my time at DHS, we asked the RAND Corporation to help us identify where to head with our prevention efforts. A graphic they produced in the resulting study lays out the different stages of radicalization. I have included the graphic as Appendix A to this testimony for the Committee's reference.

As the RAND Study on Practical Terrorism Prevention[2] explains, they used a "basic model to anchor their work," which divides "people involved in radicalization processes into 3 relevant populations:

- Vulnerable population—i.e., all the people who might radicalize to violence
- Individuals who are radical of thought but may or may not become violent
- Individuals actually involved in attempted attacks (planning or actual carrying out of attacks)."[3]

RAND explained that "each successive population is much smaller than the population preceding it, with only a small percentage of any vulnerable population radicalizing and only a percentage of that population escalating to violence."[4]

Traditional counterterrorism efforts have focused on the third category—criminal activity that requires a law enforcement response to disrupt, investigate, and prosecute. The first 2 categories of individuals concern government and the people because of their potential for moving to violence. Since they have not moved into criminal conduct, the Government's activities toward these individuals need to be framed differently than those in the third category.

RAND also noted that, "the model is not specific to any given ideology or population."[5] This latter point is notable. Yes, we need to understand the ideologies of

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[1] *https://www.fbi.gov/file-repository/fbi-dhs-domestic-terrorism-definitions-terminology-methodology.pdf/view*.

[2] Jackson, Brian A., Ashley L. Rhoades, Jordan R. Reimer, Natasha Lander, Katherine Costello, and Sina Beaghley, *Practical Terrorism Prevention: Reexamining U.S. National Approaches to Addressing the Threat of Ideologically Motivated Violence.* Homeland Security Operational Analysis Center operated by the RAND Corporation, 2019. *https://www.rand.org/pubs/research_reports/RR2647.html.* Also available in print form.

[3] Ibid., xix.

[4] Ibid.

[5] Ibid.

violent White Supremacists and anti-Government extremists. In part because they may help us understand where the next attack may occur or the method they may use, and it may help law enforcement better detect associations with or activities of a particular extremist group. But many extremism experts note that the motivation to join terrorist movements tend to be less about the ideology and more about filling unmet needs caused by trauma, exposure to violence, a sense of marginalization, grievance, or humiliation.[6] This means, arguing with a White Supremacist about why their ideology is wrong and disgusting, is not an effective demobilization or de-radicalization technique.

PARTICIPANTS IN THE JANUARY 6 ATTACK REPRESENT A DIFFERENT KIND OF EXTREMISM

It was clear even as the attack unfurled, that several organized violent extremist groups were present, including Neo-Nazis, Proud Boys, Oath Keepers, and Three Percenters. There were also less organized Groypers and QAnon adherents, along with unaffiliated individuals there to support Trump. The investigations are still underway and while there are some signs of coordination among some organized extremist groups, a study released this week from the University of Chicago found startling distinctions between those who have been indicted thus far for actions on January 6 and "traditional" domestic extremists.[7] The indicted January 6 attackers have significantly less ties to organized extremist groups; about 10 percent of those arrested had ties compared to almost 50 percent of domestic extremists in the 2015–2020 period. January 6 attackers were also, on average, older and 40 percent owned businesses or held white-collar jobs.

As we examine the current state of the threat and discuss what to do, we need to keep in mind that the threat that manifested on January 6 was likely aided by organized extremist movements, but it appears that a large majority that participated in criminal acts were unaffiliated with an organized group and primarily motivated by grievances created and amplified by the former President.

THE CHALLENGES OF ADDRESSING DOMESTIC TERRORISM

When I appeared at my last hearing a year ago this month, the challenges I highlighted related to scaling up DHS's prevention and protection capabilities to address the threat of domestic terrorism. We were concerned about a growth in violent White Supremacist and anti-Government extremist groups and what we often call the "quick-radicalization" problem—the speed at which an individual can be exposed to extremist content and mobilize to violence. And the Government was challenged by lack of good prevalence data. While those challenges remain, I believe the environment in which we approach domestic terrorism has become more exponentially more complicated.

1. The global COVID–19 pandemic increased social isolation and other stress factors known to increase radicalization. Last March, while at DHS, I asked my team to research how pandemic mitigation efforts might exacerbate violent extremism. For decades, the Secret Service, the FBI, and academic researchers have examined the backgrounds and pre-attack behaviors of mass-attack perpetrators. Some of the risk factors of violent extremism they identified are increasing Nation-wide: Social isolation, financial stress, job loss, loss of loved ones, and significant changes or uncertainty in life. My team assessed that some groups would perceive public health measures as Government overreach infringing on rights and liberties, which might encourage anti-Government extremists. And we had already observed foreign actors and domestic violent extremists spreading disinformation about the pandemic to foment discord and encourage violence.[8]

While we were frustrated that our warnings and recommendations for building resilience were not heeded by the previous administration's COVID–19 Taskforce, they were included in the recently-released 2020 Homeland Threat Assessment, which concluded: "Domestic Violent Extremists [present] the most persistent and lethal threat . . . Violent extremists will continue to target individuals or institu-

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[6] This is the assessment of many that research extremism. For example, see: Miller-Idriss, Cynthia. *Hate in the Homeland: The New Global Far Right* (pp. 3). (2020). Princeton, NJ. Princeton University Press. Picciolini, *Christian. Breaking Hate: Confronting the New Culture of Extremism* (pp. xxi-xxiii). (2020). New York, NY: Hachette Books. An interview with Jessica Stern: *http://www.bu.edu/articles/2021/jessica-stern-on-why-january-6-attack-on-capitol-was-act-of-terroris m/*.

[7] *https://www.theatlantic.com/ideas/archive/2021/02/the-capitol-rioters-arent-like-other-extremists/617895/*.

[8] Note: This paragraph originally appeared in my opinion piece published in the *Washington Post* on October 16, 2020. *https://www.washingtonpost.com/opinions/2020/10/16/threats-against-democratic-governors-prove-trumps-rhetoric-encourages-violence/*.

tions that represent symbols of their grievances, as well as grievances based on political affiliation or perceived policy positions . . . The domestic situation surrounding the COVID–19 pandemic creates an environment that could accelerate some individuals' mobilization to targeted violence or radicalization to terrorism."

Three examples of this challenge:

- In the first months of the pandemic, Moonshot CVE studied the impact of mitigation measures on engagement with violent extremist content on-line. They found a 21 percent average increase in engagement with White Supremacist content on-line in States with local "stay at home" directives in place for 10 or more days, compared to a 1 percent average increase in engagement in States with local "stay at home" directives in place for less than 10 days.[9]
- The rapid rise, even quasi-mainstreaming, of QAnon conspiracy theories during the pandemic.[10] While the conspiracies alone are not domestic terrorism—there are individuals who have attempted acts of terrorism in response to their conspiratorial beliefs—including the intentional derailing of a freight train near the hospital ship Mercy in Los Angeles and QAnon supporters that traveled to Philadelphia during the city's ballot counting operations who were arrested with an AR–15 rifle and 160 rounds of ammunition.[11]
- The arrests in October of militia group members allegedly training for civil war, plotting to kidnap Michigan Governor Gretchen Whitmer and Virginia Governor Ralph Northam.

2. The underlying causes behind the January 6 attack has increased the number of "vulnerable individuals"—likely leading to increases in the other two categories (individuals with radicalized thought but may or may not become violent; and individuals actually intending, planning, or attempting violence).

We are often asked about prevalence. How many people in the United States are domestic terrorists? This is a difficult question to answer due to lack of good data and the way in which Government systems categorize data. In her recent book, *Hate in the Homeland,* Cynthia Miller Idriss offers a "best estimate—looking across all groups and organizations . . . of 75,000 to 100,000 people affiliated with White Supremacist extremist groups in the United States, not including individuals who engage occasionally from the peripheries of far-right scenes or who are ideologically supportive but engaged either on-line or off-line."[12] Germany, which has better monitoring of domestic extremists, estimates they have approximately 24,000—what they term, "right-wing extremists"—and about 50 percent of those are considered potentially violent.[13] If we apply their ratio to our numbers, that would put us at 37,000–50,000 potentially violent White Supremacists within the United States.

Because we lack monitoring and data collection capabilities, I caution how these numbers are used, but it certainly gives you a sense of the scope. When the FBI briefed Congress last year, they indicated they had about 1,000 open domestic terrorism investigations—but we may have significantly more potentially violent individuals in just one type of domestic terrorism (White Supremacy). We are outmanned.

More chilling, those were estimates prior to the attack on January 6. According to an Economist/YouGov poll completed last week, 78 percent of Trump voters believe the Presidential election was "stolen".[14] That's approximately 57 million Americans. The 2020 campaign was framed as an existential battle for the "soul of the country." If one believes the election was "stolen" and that the "other side" poses an existential threat, one could be vulnerable to arguments that violence is justified. While it might be illegal and immoral, it is not illogical for one to conclude a revolution might be called for if you believe your Government has broken its obligations to you under the Constitution.

To be clear, statistically speaking, it would be a relatively small percentage that might move to violence—but even if it is as low as 0.5–1 percent—that's somewhere between 240,000–570,000 people. (For context, imagine how our Nation would react if that was the number of international terrorists living among our citizens.) It is a number that far exceeds any law enforcement or security capability we have within the country. Accordingly, one of our primary goals in these next months needs

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[9] *https://moonshotcve.com/social-distancing-white-supremacy/.*

[10] *https://www.usatoday.com/in-depth/tech/2020/08/31/qanon-conspiracy-theories-trump-election-covid-19-pandemic-extremist-groups/5662374002/.*

[11] *https://www.theguardian.com/us-news/2020/oct/15/qanon-violence-crimes-timeline.*

[12] Miller-Idriss. Pp 20.

[13] Ibid.

[14] YouGov surveyed 1,500 U.S. adults, including 1,245 registered voters, between January 24 and January 26 for its latest poll. Its overall margin of error stands at 3.4 percentage points.

to be debunking the lies about the stolen election, in order to shrink the number of individuals vulnerable to radicalization to violence.

We do not have much time. On-line chatter collected by open-source groups like the SITE Intelligence Group indicates significant elevations of anti-state sentiment from QAnon and Trump supporters, as they feel they've been pushed out of the mainstream.

Further, we expect to see a networking effect from January 6—having physical, in-person encounters during an emotional experience that many consider to be a "battle" is likely to form bonds among people that perhaps had never before met or had previously been limited to on-line contact. What we are seeing on-line seems to align with that expectation—intermingling between traditional organized extremist groups and disaffected Trump supporters and QAnon adherents.

Certain violent extremist groups like the Neo-Nazi's, are sharing tips on how to recruit disheartened QAnon and Trump supporters. The SITE Intelligence Group assessed one such post as "notable for the confluence of far-right concepts and slogans, tied together with more mainstream conservative ideas in an effort to make them palatable to a broader audience."[15] And postings on both Neo-Nazi and Proud Boys channels, offered instructions on how to approach—including guidance to not "haze" but be a "shepherd" and "let them know there is an alternative to what the Beast System offered them".[16] Others were more direct, encouraging Trump supporters to "Abandon the GOP" and "embrace the ultranationalist 3d position" fascism.[17]

Recruitment is easier for extremist groups now than ever before. Dr. Miller-Idriss explains that extremist ideas have been mainstreamed and normalized through "political speech, conspiracy theories, and . . . communication styles" that use "humor and memes . . . [to make] extreme ideas seem less dangerous than they really are."[18]

The expanded pool of vulnerable individuals resulted in some mobilization to violence on January 6. Extremism experts believe we will likely see more. There is a high likelihood of violence in the coming months on a range of softer targets associated with their perception of the "Deep State" including infrastructure, mainstream media, law enforcement, "Big Tech", and elected officials.

But beyond the short-term, I believe we will be fighting domestic terrorism that has its roots or inspiration points in the events leading up to and on January 6 for the next 10–20 years.

3. We lack a shared understanding and unity of commitment to address the threat, and discussions about Domestic Terrorism are being manipulated and disinformation is further feeding the grievance cycle—which could cause more people to radicalize to violence.

There is a growing overlap between extremism and political discourse. Foundations have been laid for years by right-leaning media outlets that "mainstream media" is misleading, biased, or presents "fake news." In fact, during the 2016 election cycle and its aftermath, right-leaning media were heartened (and amused) that Trump would "fight back" and "push against" the "mainstream media." This onslaught created an atmosphere of distrust of the "mainstream media," and sent many into seeking news and information within "echo chambers" that provided feedback that substantiated opinions, but not facts.

To wit, there has also been significant conflation between news desks and opinion show formats—where the latter presents "breaking news" opinion as factual news. Already, certain voices on the right side of the political spectrum have used opinion media platforms to assert that "the mainstream media" have declared anyone who attended the rally on January 6 a "domestic terrorist." Next right-leaning opinion commentary declared that "radical liberals" consider all 74 million that voted for Trump "domestic terrorists".[19]

As an avid news consumer and commentator on this topic, I have not seen an example of a major news organization or "mainstream media" opinion commentator

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[15] SITE Intelligence Group Bulletin, January 12, 2021. "We Cannot Vote Our Way Out Of This": Prominent Neo-Nazi Channel Addresses Trump Supporters." *https://ent.siteintelgroup.com/Far-Right-/-Far-Left-Threat/we-cannot-vote-our-way-out-of-this-prominent-neo-nazi-channel-addresses-trump-supporters.html*.

[16] SITE Intelligence Group Bulletin, January 23, 2021. "Prominent Neo-Nazi Venue Urges Trump Supporters to 'Abandon GOP' and Embrace 'Third Position' Fascism." *https://ent.siteintelgroup.com/Far-Right-/-Far-Left-Threat/prominent-neo-nazi-venue-urges-trump-supporters-to-abandon-gop-and-embrace-third-position-fascism.html*.

[17] Ibid.

[18] Miller-Idriss. Pp 47.

[19] *https://www.washingtonpost.com/politics/2021/01/28/tucker-carlson-is-telling-his-viewers-that-democrats-see-them-terrorists/*.

declaring everyone on the right a domestic terrorist. Nor, in reviewing the prominent commentators' assertions, have I found right-leaning opinion shows to present actual facts and evidence to back-up those arguments. In other words, I believe they are, based on financial and marketing decisions, purposefully lying to their viewers. But that does not matter in our present moment when passions are inflamed, and those who are told they are being disenfranchised by the "radical left," trust no one but your "side" to tell you "truth."

Disinformation and lack of action by the Trump administration also created an impression of equivalency between extremist groups that identify with the far right-side of the political spectrum and those that identify with the far-left. In particular, the former President's obsession (fueled by right-leaning media outlets' obsessions) with ANTIFA—a descriptor that stands for Anti-Fascist—led to a redirection of resources away from open domestic terrorism investigations[20] and led many to believe that they are just as dangerous as Neo-Nazis. The statistics do not support this belief.

While all violence should be treated equally under the law, the Government should portion its resources to those threat actors posing the gravest threats to our National security. The Government will need to repeatedly offer the facts about the number of arrests, attacks, and deaths caused by violent White Supremacists and anti-Government extremists versus those adhering to a far-left ideology. But as with the disinformation challenge noted above, it will be difficult for the Government to communicate facts to an audience that is predisposed to believing the disinformation.

I agree with President Obama's assertion that we are facing "an epistemological crisis." "If we do not have the capacity to distinguish what is true from what is false, then by definition the marketplace of ideas does not work, and by definition our democracy does not work," he explained.[21]

It is not law enforcement or the counterterrorism community's responsibility to fix an epistemological crisis. But if our society does not fix it, it will increase the workload of the security community. And in addressing this challenge and the violent threat associated with it, we must be careful to not inadvertently ostracize and anger more people, which could then lead to more radicalization to violence.

4. Some in the counterterrorism, homeland security, and law enforcement communities underestimated the threat.

The narratives of "lone-wolf" attackers have dominated threat assessments for decades. While mostly true that Oklahoma City, Mother Emannuel Church, Pittsburgh, Christchurch, El Paso, and other attacks were committed by one individual—they were not alone in getting to the point of committing acts of violence. Rather this is the preferred tactic by design of White Supremacist movement.

Before we design tactics and strategies and consider changes in law, we need a deeper understanding of the history and intent behind these extremists movements. For example, Kathleen Belew, a historian of the White Power and paramilitary movements in America, explains that in 1983 the White Power movement declared war on the Federal Government.[22] Their goals were to destabilize the Government, wage a revolutionary race war, and establish a White homeland. They also decided to follow a leaderless resistance model and encouraged individual or small group attacks to reduce detection by law enforcement.

During my time in Government, I asked intelligence analysts for assessments on the motivations and strategic aims of violent White Supremacists, I was never briefed about their 1983 declaration of war on the Government, or that some were pursuing the establishment of a "White homeland." I was left with the impression that their primary efforts were to create fear among non-White populations—which of course is horrid—but not as sophisticated an intent as overthrowing the U.S. Government.

Calling the attackers "lone wolves" left the impression for policy makers and those crafting counterterrorism strategies, there is a randomness to attacks—that you can explain their actions away as individuals that are mentally unwell—and therefore we cannot track the threat the same way we track threats emanating from ISIS or al-Qaeda. But that is inaccurate.

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[20] *https://www.nytimes.com/2021/01/30/us/politics/trump-right-wing-domestic-terrorism.html?searchResultPosition=4.*

[21] Goldberg, Jeffrey. "Why Obama Fears for Our Democracy". *The Atlantic.* November 16, 2020. *https://www.theatlantic.com/ideas/archive/2020/11/why-obama-fears-for-our-democracy/617087/.*

[22] Belew, Kathleen. *Bring the War Home: The White Power Movement and Paramilitary America* (pp. 104). (2018). Cambridge, MA. Harvard University Press.

I believe January 6 may be a turning point for the law enforcement and counter-terrorism community to see the movement behind the individuals. President Biden's task to DNI Haines for a threat assessment was scoped wisely to include data and expertise from outside Government. That's the first step—understand the enemy.

WHAT SHOULD WE DO?

In closing, some thoughts on where we go from here.

I believe as the pandemic ends, hopefully later this year, and people begin to return to some form of normal socializing we are likely to see both a decrease in vulnerability to radicalization—the comforts of our old lives will help ease anxieties, people will spend less time on-line indulging in conspiracy theories; but paradoxically, the increase in mass gatherings will provide the targets that violent extremists are waiting for. Therefore, we must be prepared for these attacks.

1. Define the Threat and Educate the American People About the Threat

The DNI-coordinated threat assessment will provide a baseline from which the Government can begin to educate the American public about domestic terrorism.

Information will help inoculate some that might be in the "vulnerable" category on the radicalization spectrum. It will also help bystanders better understand what to look for if a loved one or colleague demonstrates a change of behavior that might be indicative of radicalization to violence.

DHS, FBI, and State and local law enforcement should recognize that they are not necessarily viewed as credible voices by some Americans, and as such, they should work with voices viewed as credible to educate the public about the intent of extremist groups, the ways they recruit, and that breaking the law will lead to prosecution and legal consequences. In particular, there appears to be significant misinformation about the legality of private militia groups in the United States. A concerted campaign to educate on what is and is not protected by the 2nd Amendment may reduce their numbers.

2. Encourage Potential Targets to Dust-Off Security Plans and Urge Public Vigilance and Bystander Reporting

I have confidence that the new leadership at DHS and current leadership at FBI will continue to encourage public vigilance, see something/say something; and encourage owners and operators of infrastructure, especially those hosting public spaces—including faith-based organizations—to review their protective security plans, consider running exercises and update security plans as necessary.

The recent National Terrorism Advisory System (NTAS) Bulletin [23] issued by DHS makes it easier for State and local governments to access overtime funding for security functions, which is helpful in a heightened threat environment. Congress could consider providing additional funds to assist faith-based and non-profit organizations which are often mentioned as potential targets by the White Power movement. Such considerations should also factor in that many COVID–19 and QAnon-related conspiracy theories promote anti-Semetic beliefs and often list specific infrastructure targets such as 5G towers.

3. DHS should continue expanding locally-based, multi-disciplinary prevention capabilities, and the administration should encourage State and local governments to join the effort. The Congress should codify DHS's Office of Targeted Violence and Terrorism Prevention to memorialize its support for these prevention efforts.

4. Federal Law Enforcement activity should appropriately demonstrate that any threat or acts of violence is treated the same regardless of the ideological motivation. In particular, the Government needs to explain their rationale for acting, or not acting, on situations often raised by those on the conservative side of the political spectrum pertaining to "far-left violent extremism." The Government should also publicize data on the actual number of acts of violence and arrests associated with the protests last summer to help debunk the disinformation spread about ANTIFA-related attacks.

5. We must explore domestic terrorism-related statutory, policy, and culture changes with diligence, wisdom, and care.

I believe equal justice under the law requires treating threats from ideologies that originated overseas and within the United States the same. Of course the way we investigate U.S. citizens and those residing within the United States is different than how we investigate a foreigner overseas. But it makes no sense that the same plans to commit a crime within the United States in the name of ISIS can leverage more investigative tools and stiffer penalties than if it's committed on behalf of a violent White Supremacist ideology.

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[23] *https://www.dhs.gov/sites/default/files/ntas/alerts/21_0127_ntas-bulletin.pdf.*

I believe that at a minimum, we should pass a law that makes domestic terrorism a crime, which would allow more flexibility in investigations and stronger sentences. It also may serve as a deterrent effect. I also believe the material support statute should be updated to reflect any new criminal domestic terrorism statute.

Finally, I believe we should consider and robustly debate expanding the current foreign terrorist designation capability to domestic terrorism. While this is usually looked at through the lens of the aide it provides FBI and DOJ—I would encourage those studying the pros and cons to examine the assistance a designation process may provide to other parts of the counterterrorism community. Tools such as watchlisting, screening, and vetting would benefit from a designation process. Likewise, private industry can be better informed about whom they should not conduct business and the tech industry has guidance it can rely on for decisions related to content takedown and deplatforming for violations of their terms of service. This also allows for clear communication to the public about such groups and may have a deterrent effect.

As we have learned over the years, such efforts can also have unintended consequences and those should be examined. We may find domestic terrorist groups adapt to be even more decentralized or constantly rebranding (as Attomwaffen Division has done). And of course, such changes need to be undertaken in a way to ensure Constitutional rights and liberties are protected.

For these reasons, I renew the call I made last year before a subcommittee of this body—for a bi-partisan commission to be established to explore the best ways to update our laws, policies, and cultures within the security community to ensure we address this threat appropriately. We must learn from both the successes and the failures of the past 20 years of counterterrorism. You responded to that call with a proposed commission that nearly made it into law, but was cut from the NDAA at the last minute.

The attacks of January 6 demand not only an accounting of how they occurred, but a thorough review of options to better address this complex and rapidly-changing threat. These are difficult issues and they would benefit from deep consideration by a bi-partisan set of legal, security, and civil liberties experts that can dedicate most of their attention to quickly examining options. These debates need to be removed from the political spotlight for reasonable and diligent deliberations to occur. And once the commission reports its findings and proposed solutions, those solutions should be debated by the public through their representatives in Congress.

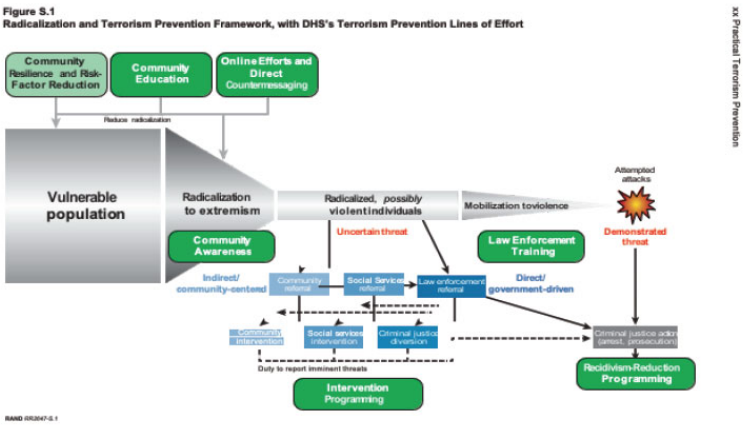
Finally, a year ago, when I testified at a subcommittee of this committee—I stated: "We need to make it harder to carry out an attack and reduce the potential loss of life, as well as prevent individuals from mobilization to violence in the first place. Achieving those objectives is beyond the Federal Government's capability and role alone."

At the time, I was referencing the need for a multi-disciplinary approach to prevention. But where we sit now a year later, the threat requires more. We must call on other parts of our society to reflect on their contributions to our current moment. What can the technology community do better? What can educators do to help? How can the faith community better help their followers who chose a dark path?

Ultimately, repairing what is broken in our country will not happen inside the institutional halls of Washington, DC. Yes, the security community has a role and the Congress should debate what additional tools and resources to give them to carry out those roles. And yes, those who incited or committed the attacks on January 6 must be held accountable. But that alone will not fix the extremist threat we face.

The challenge ahead requires rediscovering we are Americans before we are a party affiliation or a political philosophy. It requires discipline among citizens, and exercising leadership among elected officials and the media, to not give into the monetized grievance cycle of our media and political system. It requires rebuilding civic society at a local level; choosing respectful civil discourse over cancel-culture; and rejecting political ideologies or identity politics that focus on grouping "them" into an "enemy" of the "tribe". Where and how do we start? Locally. By remembering how to love our neighbor.

Appendix A: Graphic from the RAND Study produced for DHS - *Practical Terrorism Prevention: Reexamining U.S. National Approaches to Addressing the Threat of Ideologically Motivated Violence, Page xx.*



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Chairman THOMPSON. I thank you very much.

I now ask Mr. Greenblatt to summarize his statement for 5 minutes.

STATEMENT OF JONATHAN GREENBLATT, CHIEF EXECUTIVE OFFICER, ANTI-DEFAMATION LEAGUE

Mr. GREENBLATT. Thank you, Mr. Chairman, Ranking Member Katko, and all the Members of the committee. It is a pleasure to be here today.

My name is Jonathan Greenblatt. I am the CEO of ADL. It is an honor to talk with you about the urgent threat posed by domestic terrorism.

As many of you know, ADL is the oldest anti-hate group in the world and one of the longest-standing civil rights organizations in the United States. For more than a century ADL has worked to stop the defamation of the Jewish people and secure justice and fair treatment to all. As part of our work, we have built a world-class team investigating extremist threats, an evil that has intensified and expanded with devastating consequences.

Indeed, we should keep in mind extremism is not new. It has evolved and mutated over the decades. In the 1960's what we could describe as left-wing terrorism was a serious threat. But in recent decades, and in particular over the past 5 years, right-wing extremism, and in particular White Supremacy, has experienced a terrifying resurgence.

Let me make clear this is not a Republican problem or a Democratic problem. It is an American problem. I am heartened to see this committee coming together to tackle it.

Why is the threat of right-wing extremism on the rise? I believe there are two forces that are fueling this movement.

First, leaders at the highest levels who have repeated their rhetoric, co-opted their conspiracies, and whether intentional or not, given extremists the green light.

The second is social media. No longer does a person have to decamp to a clandestine compound in the woods. Today you can find hate 24/7 with just a few clicks on your phone. As we know, online hate can explode into real-world violence.

We saw this in 2015 at a Black church in Charleston, South Carolina, in 2018 at a synagogue in Pittsburgh, Pennsylvania, in 2019 at a Walmart in El Paso, Texas.

Indeed, White Supremacists are responsible for more murders than any other type of domestic extremists, accounting for nearly 60 percent of all such crimes in the past decade.

ADL just released yesterday our annual report on murder and extremism. We found that extremist activity skyrocketed in 2020. Sixteen out of 17 of the deaths were caused by right-wing extremists, and there were more than 5,000 incidents of White Supremacist propaganda in the country last year, almost double the number in 2019.

Frighteningly, as we saw on January 6, more and more ordinary people are being radicalized and spurred to acts of terror, weaponized against this very Congress and the Republic itself.

For decades, ADL's Center on Extremism has been actively monitoring hate groups of all stripes, and in recent months we have tracked domestic extremists lashing out at elected officials in the wake of last November's election. Indeed, what happened at the U.S. Capitol was the most predictable terror attack in American history.

That act of domestic terrorism was a watershed moment for the White Supremacist movement in this country. For them, the sight of Congressmen and -women cowering under tables, Confederate flags and Nazi symbols being paraded through the building, was nothing short of a victory.

At ADL, while we were shocked by the violence, we weren't surprised. This insurrection didn't materialize out of thin air and it will not dissipate in its aftermath unless we take action. We believe it is time not just for a whole-of-Government approach, but a whole-of-society strategy to combat White Supremacy and all forms of domestic terrorism.

With that in mind, ADL respectfully presents to you today the bipartisan PROTECT framework, a comprehensive 7-part plan to mitigate the threat posed by right-wing extremism and domestic terrorism while staying true to American freedoms and values.

The details are in my written testimony and I am happy to talk about it in the Q&A, but the highlights include, No. 1, passing the Domestic Terrorism Prevention Act; No. 2, coordinating across all Government agencies—Federal, State, and local—with a clear prioritization of the problem; No. 3, ensuring that extremists cannot serve in the military, in law enforcement, or in elected office; No. 4, holding social media companies accountable for their complicity in facilitating extremism; No. 5, funding creative efforts to prevent people from radicalizing and off-ramping individuals

caught up in these conspiracies; and No. 6, targeting foreign White Supremacist terror groups, because make no mistake, this movement is a global threat.

Here is what you need to keep in mind and what I think makes our plan different than some of the others. There is no silver bullet to stopping the threat of domestic terrorism. A singular statute won't solve the problem. This is a multi-pronged approach to address a multi-pronged issue. It acknowledges the existing authorities that are already available, even as we innovate with new approaches.

Members of the committee, we can accomplish our goals while protecting vulnerable communities. Together these actions should have a significant impact on preventing and countering domestic extremism and protecting the homeland.

Thank you. I look forward to your questions.

[The prepared statement of Mr. Greenblatt follows:]

PREPARED STATEMENT OF JONATHAN GREENBLATT

FEBRUARY 4, 2021

Chair Thompson, Ranking Member Katko, Members of the committee, good morning. I am Jonathan Greenblatt, chief executive officer and national director at the ADL, and it is an honor to appear before you today to address the issue of domestic terrorism and the dire threat that it poses.

Since 1913, the mission of ADL (the Anti-Defamation League) has been to "stop the defamation of the Jewish people and to secure justice and fair treatment to all." For decades, one of the most important ways in which ADL has fought against bigotry and anti-Semitism has been by investigating extremist threats across the ideological spectrum, including White Supremacists and other violent extremists, producing research to inform the public of the scope of the threat, and working with law enforcement, educators, the tech industry, and elected leaders to promote best practices that can effectively address and counter threats to communities.

As ADL has said time and time again, extremists must be taken at their word. Anyone who has been paying attention to extremist activity across the country, or to the chorus of disinformation and hatred rampant across extremist media and some corners of social media, will tell you that what happened at the U.S. Capitol on January 6 was in some ways the most predictable outbreak of political violence in American history.

For many of the people who were roused to violence that day, their actions were the product of years of incitement, spread with stunning speed, scope, and impact on social media. A portion of these individuals constitute a new breed of extremist, one foundationally animated by devotion to now-former President Trump. They are also living in an entire ecosphere of disinformation, lies, and conspiracy theories, ones fertilized by Alex Jones, QAnon, groups like the Proud Boys, Oath Keepers, and Three Percenters, the former President, and many others.

But the insurrectionists who stormed the Capitol last month are by no means our Nation's only concern when it comes to domestic extremism. Without a doubt, violence from White Supremacists and other right-wing extremist actors is currently the greatest domestic extremism threat. From Charleston to Charlottesville to Pittsburgh, to Poway and El Paso, we have seen the deadly consequences of White Supremacist extremism play out all over this country. We cannot afford to minimize this threat. We need a bipartisan "whole-of-Government approach"—indeed, a "whole-of-society" approach—to counter it, and the work must start today.

Right now, many policy makers and pundits are looking for a silver bullet—a one-size-fits-all approach that will solve the challenge of domestic terrorism. Unfortunately, we know from our extensive work and analysis in this field that no such panacea exists. That is why ADL is launching the PROTECT plan—a comprehensive, 7-part plan to mitigate the threat of domestic terrorism while protecting civil rights and civil liberties. The key elements of this plan, discussed in more detail below, are appropriately prioritizing and allocating sufficient resources—informational, legal, and financial—to address this extremist threat. Together, they can have an immediate and deeply significant impact in preventing and countering domestic terrorism and the extremism associated with it—more so than any one law—

and can accomplish these goals while protecting vulnerable people and communities against the risk of Government overreach.

In my testimony today, I will explain and elaborate on this framework and offer concrete steps that Congress can take to begin to confront and reduce the lethal threat of domestic extremism and domestic terrorism. First, however, I will contextualize the events as they unfolded on January 6 and summarize what we know and what the data tells us regarding the rising threat of domestic extremism and domestic terrorism in our Nation today.

INSURRECTION AT THE CAPITOL

Overview of Events

On January 6, a broad coalition of right-wing extremists descended on Washington, DC and a number of State capitals. Ostensibly gathered to hear President Trump and his family speak and to dispute the results of the 2020 Presidential election, rioters stoked violence against law enforcement officers before storming the U.S. Capitol in an extraordinary display of political violence.[1] By the afternoon, the Capitol was under siege by domestic terrorists who had taken over the building, videoing and photographing themselves in the House chamber, calling for the execution of administration officials and Members of this Congress, violently attacking overwhelmed law enforcement members charged with protecting this body, and trapping Members and staffers throughout the building.

As the chaos unfolded, President Trump tweeted his support for the insurrectionists: "These are the things and events that happen when a sacred landslide election victory is so unceremoniously & viciously stripped away from great patriots who have been badly & unfairly treated for so long. Go home with love & in peace. Remember this day forever!" The tweet was later deleted by Twitter, and the President's account was put on a temporary suspension, which has since been made permanent.

Earlier in the day, Metropolitan Police discovered and successfully detonated 2 homemade bombs which were placed near the buildings housing the offices of the Democratic and Republican National Committees.

The siege resulted in at least 5 deaths: 3 from "medical emergencies," 1 pro-Trump extremist who was shot by Capitol Police, apparently while breaking into the Capitol, and 1 Capitol Police officer who apparently was hit repeatedly by protesters wielding a fire extinguisher and subsequently died from his injuries. Furthermore, 2 officers who responded to the violent insurrection reportedly died by suicide in the intervening days, and dozens of officers present at the scene have sustained documented injuries.[2]

Context

The attack on our Capitol took place against a political and cultural backdrop in which hate has proliferated and gone largely unchecked, particularly over the past 5 years. This has served only to embolden extremists, especially White Supremacist and other right-wing violent extremists. Right-wing extremists—including anti-Government extremists—have been responsible for 75 percent of domestic extremist-related killings in the United States over the course of the past decade, most of them targeting marginalized communities.[3]

Therefore, the attack on the Capitol does not mark a sudden increase in extremist violence. Rather, it is the unfortunate and largely predictable result of years of growing hate and violence coming home to roost. Just as the attack did not materialize out of nowhere, the threat has not dissipated in its aftermath. We are all at risk if we do nothing.

For years, ADL has warned of the growing threat of White Supremacist violence here in the United States. This goes hand-in-hand with a significant threat of violence from anti-Government extremists, including militia groups.

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[1] Washington Post staff, "Woman dies after shooting in U.S. Capitol; D.C. National Guard activated after mob breaches building," *Washington Post,* January 7, 2021. (*https://www.washingtonpost.com/dc-md-va/2021/01/06/dc-protests-trump-rally-live-updates/#link-FLU6WSIEHRHQRJKE6ANICM7ZQQ).*

[2] Caitlin Emma and Sarah Ferris, "Second police officer died by suicide following Capitol attack," *Politico,* January 27, 2021. (*https://www.politico.com/news/2021/01/27/second-officer-suicide-following-capitol-riot-463123)*

[3] ADL, "Murder and Extremism in the United States in 2019." *(https://www.adl.org/media/14107/download)* Over the past 10 years, right-wing extremists committed 75 percent of extremist-related murders, making the 2019 figure higher than average.

The White Supremacist Threat

Since the 2016 Presidential election campaign, White Supremacy has experienced a resurgence, driven in large part by the rise of the alt right, the newest segment of the White Supremacist movement.

Modern White Supremacist ideology is centered on the belief that White people are in danger of extinction, drowned by a rising "tide" of people who are not White, who are being controlled and manipulated by Jews. White supremacists believe that almost any action is justified if it will help "save" the White race from "replacement."

Violence and crime represent the most serious problems emanating from the White Supremacist movement. White Supremacists have killed more people in recent years than any other type of domestic extremist, accounting for 58 percent of all domestic extremist-related murders in the past 10 years.[4] They are also a troubling source of domestic terror incidents, including 21 plots or attacks within the past 5 years.[5]

Yet murders and terror plots represent only the tip of the iceberg of White Supremacist violence, as there are many more incidents involving less severe crimes, including attempted murders, assaults, weapons and explosives violations, and more. In addition, White Supremacists engage in a large amount of non-ideological crime, including crimes of violence against women and drug-related crimes.

From 2011 through 2020, White Supremacists alone killed 249 people in the United States in terrorist acts, hate crimes, and other violent acts. Other right-wing extremists added 107 more deaths to the grisly toll.

Describing these as "lone wolf" attacks is often a mischaracterization or tells only part of the story. There is a throughline from the attacks at Charleston and Charlottesville and Pittsburgh to Poway and El Paso, as well as to attacks by White Supremacists that took place outside of the United States, such as the massacre of Muslim worshippers in Christchurch, New Zealand.

And each attack was followed by White Supremacists celebrating on-line. Extremists use the internet as a gathering place, a place to extoll supposed martyrs, a place to declare their intentions, and a place to share encouragement and instructions. As we've said before, a number of on-line forums and platforms host what amounts to a 24/7 extremist rally. We need to recognize that because of the internet, extremists need not travel to a training camp to be inculcated with a toxic ideology and learn how to carry out deadly attacks.

Anti-Semitism and Racism on Display

The domestic terrorists who attacked our Capitol wore racist and anti-Semitic clothing, and triumphantly marched a Confederate flag through the halls of the Capitol building. This mix of racism and anti-Semitism was not an accident, nor was its display a coincidence.[6] The goal of the January 6 attack was not merely to assert political power and to overturn the result of the 2020 Presidential election. For some, it was also to assert White power and create fear in marginalized communities.

After the insurrection, various extremist channels celebrated the attack as a victory against Jews and other communities and expressed optimism about the potential for future violence.[7] On Telegram, for example, the "National Socialist Network"[8] channel posted that "the brave White men in Washington DC have lit a flame that will never go out. By storming the spiritual home of the global parasite class, those heroes proved—before the whole world—that the Jews and their lackeys are not invulnerable." The "White American National Socialist" channel similarly exclaimed, "what Whites must do now is to go out there and oppose these Jews & Sellout Politicians more and more because we finally showed ourselves we can be United and we achieve Victory here in America taking back our country along with showing the White People that we won't be tolerated by a lousy Jewish Minority!"[9]

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[4] ADL, "Murder and Extremism in the United States in 2020." (*https://www.adl.org/murder-and-extremism-2020)*.

[5] ADL H.E.A.T. Map. (*https://www.adl.org/education-and-resources/resource-knowledge-base/adl-heat-map)*.

[6] ADL, "Antisemites Implicate Jews, Zionists in DC Violence," ADL Blog, January 7, 2021. *(https://www.adl.org/blog/antisemites-implicate-jews-zionists-in-dc-violence)*.

[7] Id.

[8] ADL, National Socialist Movement. *(https://www.adl.org/education/references/hate-symbols/national-socialist-movement)*.

[9] ADL, "Antisemites Implicate Jews, Zionists in DC Violence," *ADL Blog,* January 7, 2021. *(https://www.adl.org/blog/antisemites-implicate-jews-zionists-in-dc-violence)*.

What Went Wrong

The attack on the U.S. Capitol was not a failure of intelligence. Planning for this event took place in plain sight, largely on social media; it was there for all the world to see. Then-President Trump—and some of his closest supporters—incited it in broad daylight. ADL knew that a severe conflagration might be coming, even publishing a roundup of some of the violent calls to arms that we were seeing in the days leading up to the event.[10]

After President Trump lost the election and started reasserting ever more baseless accusations of voter fraud, ADL also warned of the danger that his words posed. In light of the tension across the country and the demonstrated tendency of right-wing extremists to resort to violence, we warned that his charges placed our nation "in a red zone without precedent."[11] We urged elected officials, particularly members of the GOP, to call for calm, for law enforcement authorities at all levels to monitor these threats with utmost vigilance, and for social media services to remove any content that endorsed violence in any form. We watched extremist Trump supporters (and some mainstream ones) gather in D.C. on November 14 for the so-called "Million MAGA March,"[12] and then again on December 12 for multiple pro-Trump demonstrations,[13] including one that was organized by White Supremacists and another that featured extremist speakers on its dais.

In the days leading up to January 6, on-line chatter among potential attendees increased dramatically. On "TheDonald.Win" forum, users shared messages filled with violent rhetoric directed at a wide range of perceived enemies. In response to a user who wondered what would happen if Congress ignored ostensible "evidence" that President Trump won the election, another user wrote, "Storm the capitol" and another added, "My truck is lifted and I have a plow on it right now. What do you need Mr. President?"

Many extremist Trump supporters, and some mainstream ones, began framing the rallies as a last stand to prevent Joe Biden from being sworn in as the next President, and chatter indicated that there was a desire among some people to engage in radical or violent tactics to ensure that the election was not stolen from President Trump. As one user wrote on a militia forum, "The 6th is the line for me. It will change or it will begin." Added another, "I am waiting until the 06 Jan date, then if Trump does nothing . . . I have a few LEO [law enforcement officer] friends who are going to do some major action and I am joining them."

All of this information was readily available—to the public, to elected leaders, to extremism experts, and to law enforcement. What was missing, and what has been missing for quite some time, is the political will to appropriately identify, adequately prioritize, and allocate sufficient resources to this ever-growing threat. As recently as late September 2020, for example, ADL expressed concern about the nomination of Chad Wolf for Homeland Security Secretary, in part due to his serious downplaying of the threat posed by White Supremacists and right-wing extremists in the year-plus that he had already spent in leadership at the Department of Homeland Security.

Reportedly, the DHS intelligence office was "gutted" months ahead of the Capitol attack[14]—the same office in which the Trump administration had previously disbanded the unit specializing in addressing domestic terrorism.[15] A former DHS intelligence official claims to have been ordered to downplay the threat of White Su-

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[10] ADL, "Extremists and Mainstream Trump Supporters Plan to Protest Congressional Certification of Biden's Victory," *ADL Blog,* January 4, 2021. *(https://www.adl.org/blog/extremists-and-mainstream-trump-supporters-plan-to-protest-congressional-certification-of).*

[11] ADL, "Extremists and Mainstream Trump Supporters Plan to Protest Congressional Certification of Biden's Victory," *ADL Blog,* January 4, 2021. *(https://www.adl.org/blog/extremists-others-respond-to-president-trumps-calls-to-stop-the-count).*

[12] ADL, "Extremists and Mainstream Trump Supporters Gather for 'Million MAGA March,'" *ADL Blog,* November 15, 2020. *(https://www.adl.org/blog/extremists-and-mainstream-trump-supporters-gather-for-million-maga-march).*

[13] ADL, "Pro-Trump Rallies in DC Attract Extremists & Erupt into Violence," *ADL Blog,* December 13, 2020. *(https://www.adl.org/blog/pro-trump-rallies-in-dc-attract-extremists-erupt-into-violence).*

[14] Josh Margolin and Lucien Bruggeman. "Months Ahead of Capitol Riot, DHS Threat Assessment Group was Gutted: Officials." *ABC News.* 9 January 2021. *(https://abcnews.go.com/US/months-ahead-capitol-riot-dhs-threat-assessment-group/story?id=75155673).*

[15] Swan, Betsey. "Homeland Security Disbands Domestic Terror Intelligence Unit." *Daily Beast.* 2 April 2019. *(https://www.thedailybeast.com/homeland-security-disbands-domestic-terror-intelligence-unit).*

premacist terrorism, despite a clear intelligence picture that it was a rising and present threat.[16]

Almost exactly 1 year ago, I myself testified before the House Committee on Homeland Security's Subcommittee on Intelligence and Counterterrorism on the topic of confronting the rise in anti-Semitic domestic terrorism.[17] I warned then, as I do again today, of the unique dangers posed by White Supremacist extremism and the urgent need for action. Without a concerted, committed effort by our political and social leaders to combat this threat now as a major priority, we cannot hope to meaningfully address it.

CURRENT TRENDS: THE GROWING THREAT OF DOMESTIC TERRORISM

After years of manifestos and mass killings by domestic extremists in the United States, these attacks should no longer come as a surprise to anyone. Lawmakers, law enforcement, and the public need to recognize the grave and dangerous threat posed by right-wing extremism and White Supremacist extremism in particular. We cannot begin to defeat this deadly form of hatred if we fail to recognize it.

ADL Trends: By the Numbers

ADL's 2020 Murder & Extremism Report

ADL will soon be publishing our Center on Extremism's sixth annual report on extremist-related murders, "Murder and Extremism in the United States in 2020." The good news is that 2020 saw a significant decrease in extremist-related killings—primarily because we were fortunate, for the first time in several years, to avoid mass killing attacks. However, the relatively low number of murders does not mean that extremists were less active overall. In fact, the opposite is true.

In 2020, domestic extremists killed at least 17 people in the United States in 15 separate incidents. This represents a significant decrease from the 45 extremist-related murders documented in 2019, and the 54 murders of 2018. This is the lowest annual total in ADL statistics since 2004, which saw 14 extremist-related murders.

It is important, however, to look at these extremism-related murders in context. First, 2020 was consistent with years past in terms of the proportion of the murderers who displayed right-wing extremist ideologies. Second, this drop in numbers is an apparent outlier when compared to other years, though we would certainly wish for this dip to continue.

As has been the case for most of the past 30 years, the extremist-related murders in 2020 were overwhelmingly tied to right-wing extremists. All but one of the incidents last year (16 of the 17 murders) were linked to right-wing extremism; more than half had ties to White Supremacists.

Similarly, all but one of the 42 extremist-related murders in 2019 (the sixth-deadliest year for domestic extremist-related killings since 1970) were perpetrated by right-wing extremists.[18]

Taking a longer view, of the 429 people killed by domestic extremists in the last 10 years, 75 percent were murdered by right-wing extremists—77 percent of whom were White Supremacists. This makes White Supremacists the deadliest type of extremist movement in the United States over the past 10 years, by far.[19]

Despite the relatively low number of extremism-related murders in 2020, extremists were not less active overall in 2020. ADL recorded 16 right-wing extremist-related terrorist plots or attacks through November 2020, an increase from the 13 documented in 2019. We also counted more than 5,000 incidents of White Supremacist propaganda distribution in the United States in 2020, compared to 2,724 in 2019—nearly a 100 percent increase.

ADL's Audit of Anti-Semitic Incidents

Since 1979, ADL has compiled an annual Audit of Anti-Semitic Incidents (the Audit) tracking both criminal and non-criminal acts of harassment and intimidation throughout the United States, including distribution of hate propaganda, threats, and slurs. The data we have compiled from the last 3 years show that anti-Semitism

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[16] Zolan Kanno-Youngs and Nicholas Fandos. "DHS Downplayed Threats from Russia and White Supremacists, Whistle Blower Says." *New York Times.* 9 September 2020. *(https://www.nytimes.com/2020/09/09/us/politics/homeland-security-russia-trump.html).*

[17] Testimony of Jonathan Greenblatt before the House Homeland Security Committee Subcommittee on Intelligence and Counterterrorism, "Confronting the Rise in Anti-Semitic Domestic Terrorism," January 15, 2020. *(https://www.adl.org/media/13948/download).*

[18] ADL, "Murder and Extremism in the United States in 2019," *ADL Center on Extremism,* February 2020. *(https://www.adl.org/media/14107/download).*

[19] ADL, "Murder and Extremism in the United States in 2020," *ADL Center on Extremism,* February 2021. *(https://www.adl.org/murder-and-extremism-2020).*

in America is increasingly pervasive. Our 2019 Audit, for example, recorded 2,107 anti-Semitic incidents in the United States,[20] a 12 percent increase from the 1,879 incidents recorded in 2018. There were incidents reported in every State except Alaska and Hawaii. The Audit found that there were, on average, as many as 6 anti-Semitic incidents in the United States for each day of the year—the highest level of anti-Semitic activity ever recorded by ADL. 2019 also included 5 fatalities directly linked to anti-Semitic violence, and another 91 individuals were targeted in physical assaults.[21]

While most anti-Semitic incidents are not directly carried out by extremists, a growing number of incidents do have ties to extremism. In 2019, ADL recorded 270 anti-Semitic incidents attributed to known extremist groups or individuals inspired by extremist ideology. This represents 13 percent of the total number of incidents, tying 2018 for the highest level of anti-Semitic incidents with known connections to extremists or extremist groups since 2004.

For even more up-to-date information regarding anti-Semitic incidents on an ongoing basis, we urge your committee to regularly consult ADL's "Tracker of Antisemitic Incidents,"[22] which includes more recent cases of anti-Jewish vandalism, harassment, and assault reported to or detected by ADL.

Latest Hate Crime Data

While countering domestic terrorism in particular is the core objective of this hearing, we cannot ignore the relevance of other crimes, such as hate crimes, that are often committed with the same discriminatory motivations, even if they are not carried out by extremists or rise to the level of domestic terrorism.

The FBI's annual Hate Crime Statistics Act (HCSA) report reveals that 2019, the most recent year for which the Bureau has data, was the deadliest year on record, with 51 hate crime murders—a 113 percent increase over the previous record of 24 set in 2018. Total hate crime incidents rose to 7,314, marking the fourth increase in the past 5 years.

It is instructive to look at the short-term trends. Race-based hate crimes remained the most common type of hate crime, as has been the case every year since the FBI began reporting hate crime data nearly 3 decades ago. Constituting over 50 percent of all hate crimes reported to the FBI, in 2019 race-based hate crimes underscore the importance of the national action to counter systemic and pervasive anti-Black racism.[23]

After declining in 2018, religion-based hate crimes increased by 7 percent in 2019, with fully 63 percent of the total number of reported religion-based hate crimes directed at Jews and Jewish institutions. Anti-Hispanic hate crimes rose nearly 9 percent, the fourth straight year of escalating numbers. In our experts' views, this is spurred by the escalation of anti-immigrant rhetoric, bigotry, and dehumanization in the public discourse emanating in part from the previous administration.

After a 41 percent increase in 2018, hate crimes targeting individuals based on gender identity rose another 18 percent last year.

The increase in reported hate crimes comes despite the fact that, for the second straight year, the number of law enforcement agencies providing data to the FBI has declined. The FBI's annual report has consistently provided the most comprehensive snapshot of bias-motivated criminal activity in the United States, but a notable reporting gap has long existed that has resulted in a significant underestimate of the true number of hate crimes that occur each year. Hate crime reporting by law enforcement agencies is voluntary, and in 2019, 86 percent of participating agencies did not report a single hate crime to the FBI, including at least 71 cities with populations over 100,000. That is simply not credible. In order to effectively combat hate crimes, the Government needs to be able to measure and analyze them, and that endeavor is undermined by underreporting or the lack of any reporting in certain areas.

Congress should act swiftly to ensure that the Federal Government transparently reports on hate crimes to the public, and that State and local governments are empowered to effectively report hate crimes to the Federal Government to guarantee this reporting accurately represents the threat of hate in our communities.

It would be remiss not to mention that another significant problem in reporting hate crimes comes from the distrust of Government felt by many in communities

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[20] ADL, "Audit of Anti-Semitic Incidents: Year in Review 2019." *(https://www.adl.org/audit2019)*.

[21] Id.

[22] ADL, Tracker of Anti-Semitic Incidents. *(https://www.adl.org/education-and-resources/resource-knowledge-base/adl-tracker-of-antisemitic-incidents? field__incident__location__state__target__id=All&page=1)*.

[23] FBI, *Hate Crime Statistics 2019. (https://ucr.fbi.gov/hate-crime/2019/hate-crime)*.

that are disproportionately targeted by such crimes. Building greater trust between law enforcement and those communities is essential and should be a law enforcement priority.

White Supremacist Propaganda

With hate and extremism in America on the rise, White Supremacist extremism in particular poses a grave and underappreciated threat to everyone in this country.

The White Supremacist movement is not as overt about its true objectives as it might once have been when racist skinheads dominated White Supremacists' ranks in the 1980's and early 1990's. Within the White Supremacist community, there is some disagreement about the best strategy to pursue. Many now seek to dress in a nondescript manner and use coded language. They feel the need to adhere to "optics"[24] and purposefully obfuscate their views in an effort to infiltrate mainstream politics. Others hope to purposefully spark a race war, an ideology known as "accelerationism."[25] With one approach involving secrecy and coded language, and the other sometimes including seemingly random acts of violence, both approaches are alarming in different ways.

In 2020, ADL documented more than 5,000 incidents of White Supremacist propaganda distribution, by far the highest number of propaganda incidents ADL has ever recorded.[26]

Propaganda allows White Supremacists to maximize media and on-line attention while limiting the risk of individual exposure, negative media coverage, arrests, and public backlash that often accompanies more public events. It can include everything from veiled White Supremacist language to explicitly racist images and words, often features a recruitment element, and frequently targets marginalized communities, including Jews, Muslims, Black people, non-White immigrants and the LGBTQ+ community. We urge your committee to regularly consult ADL's Hate, Extremism, Anti-Semitism, and Terrorism (H.E.A.T.) Map,[27] which provides the public with a jurisdiction-specific, on-going opportunity to review incident and propaganda data from all 50 States and Washington, DC.

ADL's Efforts to Combat Election-Related Extremism

In the months leading up to the 2020 Presidential election, we increased our efforts to combat election-motivated violent extremism. ADL's Center on Extremism, in conjunction with ADL's Center for Technology and Society, released a series of news briefs and blog posts on topics of concern regarding the role extremists and extremism more broadly were playing in regard to our political environment. We worked with partners to analyze the chatter and trends we were seeing on-line across numerous platforms used by extremists, and broke down information geographically to assist local partners and otherwise mitigate the impact of on-line extremist propaganda.

We engaged State Attorneys General, Secretaries of State, Governors, Mayors, law enforcement, and other key players to bring visibility to the extremist threat to election safety and to empower officials to respond to these threats, briefing approximately 400 State and local government officials on election security. We created and disseminated a toolkit for State and local officials with actions to mitigate election-related extremist violence. ADL also established a new on-line incident reporting tool that would enable voters to flag any potential hate crimes or disruptions involving extremists.

Our work became even more urgent in the immediate aftermath of the election, when the country heard then-President Trump make baseless and increasingly wild accusations of massive voter fraud grounded in conspiracy theories. In light of the tension across the country and the amply demonstrated tendency of right-wing extremists to try to manipulate such tensions and resort to violence, these charges were not just unprecedented—they were an abuse of power and unequivocally dangerous, like throwing a match into a stack of kindling that could light the country aflame.

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[24] ADL, "Tree of Life Shooting Revives 'Optics' Debate Among White Supremacists," *ADL Blog,* November 6, 2018. *(https://www.adl.org/blog/tree-of-life-shooting-revives-optics-debate-among-white-supremacists).*

[25] ADL, "White Supremacists Embrace 'Accelerationism,'" *ADL Blog,* April 16, 2019. *(https://www.adl.org/blog/white-supremacists-embrace-accelerationism).*

[26] ADL, "Murder and Extremism in the United States in 2020," *ADL Center on Extremism,* February 2021. *(https://www.adl.org/murder-and-extremism-2020).*

[27] ADL, H.E.A.T. Map p. [sic] *(https://www.adl.org/education-and-resources/resource-knowledge-base/adl-heat-map).*

It wasn't long before "Protect the Vote" and "Stop the Steal" pro-Trump rallies began popping up Nation-wide, with particular attention being paid to Las Vegas,[28] Detroit, Philadelphia, Phoenix[29] and Atlanta—all cities in States where results were close, or where the Trump campaign was contesting the count. On Facebook, support for the "Stop the Steal" campaign grew rapidly among some mainstream Trump supporters. One "Stop the Steal" Facebook group, which included posts promoting disinformation and violence, reportedly[30] gained more than 300,000 members within a matter of days before Facebook finally shut it down. Extremists across less mainstream social media platforms, including Parler, Telegram, and militia forums, also continued to promote the false "Democratic election theft" narrative.[31] After all major media outlets called the Presidential election for President Joe Biden, right-wing extremists reacted to the news as expected—with anger, distrust, and nebulous, non-specific threats of violence.

At the time, Trump ally and former White House adviser Sebastian Gorka appeared to advocate extreme actions in response to Democrats' alleged fraud, telling listeners of his November 5 "America First" radio show, "We need the judges to enforce the rule of law, and if the local bureaucrats prevent us from seeing the evidence, from seeing the legitimate votes, we need the U.S. Marshals to deploy and they need to break down the doors of those polling stations and stop the crimes being committed. It is that simple." Gorka added, "Now, now, now, get out on the streets, protest and show them who you are and that they can't get away with it."[32] Donald Trump, Jr. appeared to urge "total war" over the election results, tweeting: "The best thing for America's future is for Donald Trump to go to total war over this election to expose all of the fraud, cheating, dead/no longer in State voters, that has been going on for far too long."[33]

Our Center on Extremism prioritized monitoring and reporting on election-related extremism, both before and after the election itself. We dedicated additional staff and resources to ensure that we would be able to continue producing news briefs, blog posts, and expertise on this rapidly-evolving situation.

The Growing Threat of On-line Hate

The internet is an incredibly powerful tool that, by its nature, gives every user a platform and a loudspeaker. However, the internet is only a tool, neither good nor bad, and can therefore be used by bad actors and for destructive ends. The particularly viral spread of misinformation and hate depends upon two things: One a human bias and the other a factor related to the dominant tech business model, which relies on engagement.

As much evidence has shown—and as tech companies well know—inflammatory content such as that which taps into existing grievances and beliefs will generate quick engagement. As that content is clicked on, liked, hovered over, forwarded, commented on or replied to, tech company algorithms almost immediately show it to still more users, prompting more and more engagement, and thus more revenue. Among other things, at its worst, this turns social media into likely the most powerful confirmation bias machine we have ever seen, and also explains why some advocates have even labeled this business model "hate by design."[34]

And indeed, two significant concerns at ADL are the use of social media to spread stereotypes and hate, and the use of social media to coordinate extremist activity.

Amplification of Hate and Harassment

Where people go, hate follows. This past year, we have seen communities shift into a virtual-first world and, against the backdrop of COVID–19, our institutions

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[28] Tea Party Patriots, Protect the Vote. *(https://www.teapartypatriots.org/protect-the-vote/).*

[29] Id.

[30] David Gilbert, "A GOP-Linked 'Stop the Steal' Facebook Group Is Gaining Thousands of Members a Minute," *Vice,* November 5, 2020. *(https://www.vice.com/en/article/xgzx8q/a-gop-linked-stop-the-count-facebook-group-is-gaining-thousands-of-members-a-minute).*

[31] ADL, "Extremists, Others Respond to President Trump's Calls to 'Stop the Count,'" *ADL Blog,* November 6, 2020. *(https://www.adl.org/blog/extremists-others-respond-to-president-trumps-calls-to-stop-the-count).*

[32] Media Matters staff, "Sebastian Gorka: 'We need the U.S. Marshals to deploy and they need to break down the doors of those polling stations," *Media Matters,* November 5, 2020. *(https://www.mediamatters.org/sebastian-gorka/sebastian-gorka-we-need-us-marshals-deploy-and-they-need-break-down-doors-those).*

[33] Chantal da Silva, "'Reckless' and 'stupid': Trump Jr calls for 'total war' over election results," *Independent,* November 6, 2020. *(https://www.independent.co.uk/news/world/americas/us-election-2020/trump-jr-election-results-war-b1634841.html).*

[34] Brookings Institution, "How Misinformation Spreads on Social Media—and What to Do About It," May 9, 2018 *(https://www.brookings.edu/blog/order-from-chaos/2018/05/09/how-misinformation-spreads-on-social-media-and-what-to-do-about-it/).*

have relied on digital spaces to continue to function. We have increasingly relied on the internet to facilitate work, school, worship, and social activities. So too, however, has the digital world facilitated hate, harassment, racism, extremism, and the proliferation of conspiracy theories. The Asian, Jewish, Muslim, Latinx, immigrant, and LGBTQ+ communities in particular are experiencing an onslaught of targeted hate, fueled in large part by White Supremacists and other extremists.

Whether you consider it the catalyst or just a conduit, the fact is that social media often amplifies hate. It's frequently a font for conspiracy theories, weakening societal tolerance post after post, tweet after tweet, like after like. And the hate festering on social media inevitably targets the most vulnerable—particularly marginalized groups like religious, ethnic, and racial minorities, as well as members of the LGBTQ+ community.

We do not have nearly enough information about the prevalence of hate and extremism on-line, the connection between on-line hate and off-line domestic terrorism, or the measures that can be taken to most effectively counter this phenomenon. We do know, however, that on-line hate and harassment is extraordinarily prevalent. According to ADL's 2020 On-line Hate and Harassment survey,[35] 44 percent of Americans experienced on-line harassment and 28 percent experienced severe on-line harassment—including stalking, physical threats, swatting, doxing, and sustained harassment. ADL's research also shows that targeting based on specific identity-based characteristics has increased—1 in 3 Americans who are harassed on-line attribute the harassment to their identity. The 2020 ADL data, for example, show that race-based harassment affected 55 percent of Asian-American respondents and 42 percent of Hispanic and African-American respondents. Sixty-one percent of Muslim-American respondents who reported experiencing on-line harassment felt they were targeted because of their religion and 43 percent of Jewish-American respondents felt they were targeted with hateful content because of their religion. Additionally, 37 percent of female-identified respondents felt they were targeted because of their gender. Finally, 48 percent of LGBTQ+ respondents reported harassment based on sexual orientation in particular.

Coordination by Extremists

In addition to amplifying hate, the internet has also become a forum for extremists to communicate, organize, and mobilize. It is also a place for extremists to recruit, and the rising mainstream popularity of alt-tech platforms like Gab and Telegram, among many others, allows extremists to mix with—and possibly influence—non-extremists.

Without a doubt, extremists relied on "fringe" platforms and apps such as Parler, Gab, and thedonald.win both before and during the events of January 6. According to at least one report, for example, directions for which streets to take to avoid the police and which tools to bring to help pry open doors were exchanged in comments on Gab leading up to the attack. On the day of the attack, Gab CEO and founder Andrew Torba posted on Gab: "In a system with rigged elections there are no longer any viable political solutions." The phrase "there is no political solution" is used in on-line accelerationist White Supremacist circles and embraces political violence as the only valid response. Before hundreds of rioters broke into the Capitol building, Torba reportedly posted on his platform: "would be a real shame if the people outside stormed the Senate."[36]

Yet hate-fueled violence isn't limited to the darkest corners of the internet. Many extremists also use mainstream platforms—Twitter, Facebook, and Reddit—to communicate their message and recruit adherents, and it's clear that these outlets are playing a central role in the radicalization of domestic extremists too. Platforms like Facebook, which employ algorithms designed to promote engagement and thus end up amplifying the most corrosive content, serve up a firehose of material that glorifies hate and violence.

LONG-TERM TRENDS

You cannot successfully defeat an enemy that you do not know. While new strains of extremism are always evolving, there are observable long-term trends that we can study and analyze now to help us understand exactly what it is that we are up against and can reasonably expect to face in the foreseeable future. While trends are just that—neither an exhaustive list nor a guaranteed prediction—they can be

[35] ADL Survey, "On-line Hate and Harassment Report: The American Experience 2020." *(https://www.adl.org/online-hate-2020)*.

[36] ADL, "ADL Calls on U.S. Justice Department to Investigate Gab For Possible Criminal Liability in Capitol Attack," January 13, 2021. *(https://www.adl.org/news/press-releases/adl-calls-on-us-justice-department-to-investigate-gab-for-possible-criminal)*.

deeply informative in helping us understand the state of extremism, the threat it poses, and the mindframe of extremists today.

Extremist Groups

The January 6 attack on the Capitol reflected some of today's most active extremist groups, including the Proud Boys, Oath Keepers, Three Percenters, and other far-right contingents, including some White Supremacists.[37] ADL's Center on Extremism immediately started working to identify those who participated in the assault. We remained in close communication with law enforcement leading up to, during, and after the event. This was a natural extension of not only the work that we have been doing to track "Stop the Steal" and similar events since the election, but the work that our Center on Extremism has been doing for years to monitor and expose domestic extremists. In 2020 alone, ADL provided over 1,000 tips to law enforcement to address these threats.

Our assessment of the White Supremacist threat is outlined in detail above. The following provides additional information about 3 specific groups that played a significant role in the January 6, 2021 siege on the U.S. Capitol.

Proud Boys

The Proud Boys are a right-wing extremist group with a long track record of violence. Members of the group have always loudly insisted that they are not racist. In the face of any accusation of anti-Semitism or White Supremacy, they make a show of pointing to their Cuban-American leader, their Black and Latino members, or their tiny chapter in Israel.

Proud Boys leadership has carefully crafted a public image of an inclusive club for men of all races, backgrounds, and sexual orientations who subscribe to one mantra: The West (i.e. "Western" culture) is best, and anyone who "opposes" it ("leftists" of all stripes and feminists, among others) is the enemy.

The group has been remarkably successful at building a brand and they have become popular public allies and security providers for a host of right-wing and conservative activists and politicians, even receiving positive attention from President Trump.[38] Proud Boys leader Enrique Tarrio seems to understand that expressing overt anti-Semitism or racism would not help them, and Tarrio's continuing assurances of anti-racism as well as his own Latino background provide the Proud Boys with a ready way to defend themselves against charges of bigotry. However, the actions of the group's members and even leadership have repeatedly belied the official party line.

At the December 12 pro-Trump rally in Washington, DC, a member of the Proud Boys attacked a counter-protester while screaming "Fucking Jew."[39] The incident was captured on video that ADL has viewed.

Later that night, Tarrio, alongside an unidentified member of the Proud Boys, allegedly tore down and set fire to a Black Lives Matter banner outside the Asbury Methodist Church, one of the oldest Black churches in Washington, DC.[40] Tarrio later claimed that the attack was not motivated by race, but rather because "BLM is a Marxist movement," adding, "the burning of this banner wasn't about race religion [sic] or political ideology it [sic] was about a racist movement that has terrorized the citizens of this country." However, his action is being investigated as a potential hate crime by Washington's Metropolitan Police Department.[41] Tarrio was arrested and charged for his actions upon arriving in the District of Columbia ahead of January 6th's events.[42]

The Proud Boys' history of racist associations goes back to its founding. The 2016 creation of the group was first announced in Taki's Magazine, a right-wing publica-

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[37] ADL, "Extremists Engage in Political Violence During Pro-Trump Rallies," *ADL Blog,* January 6, 2021. *(https://www.adl.org/blog/extremists-engage-in-political-violence-during-pro-trump-rallies).*

[38] Neil MacFarquhar et al., "Far-Right Group That Trades in Political Violence Gets a Boost," *New York Times,* September 30, 2020. *(https://www.nytimes.com/2020/09/30/us/proud-boys-trump.html).*

[39] ADL, "Pro-Trump Rallies in DC Attract Extremists & Erupt into Violence," *ADL Blog,* December 13, 2020. *(https://www.adl.org/blog/pro-trump-rallies-in-dc-attract-extremists-erupt-into-violence).*

[40] Peter Hermann, "Proud Boys Leader Says He Burned Black Lives Matter Banner Stolen From Church During Demonstrations in D.C.," *Washington Post,* December 18, 2020. *(https://www.washingtonpost.com/local/public-safety/enrique-tarrio-proud-boys-black-lives-matter-sign/2020/12/18/c056c05e-415a-11eb-8db8-395dedaaa036-story.html).*

[41] Id.

[42] Elliot Hannon, "Proud Boys Leader Arrested and Charged With Burning D.C. Church's Black Lives Matter Banner," *Slate,* January 5, 2021. *(https://slate.com/news-and-politics/2021/01/proud-boys-leader-arrested-charged-burning-church-black-lives-matter-banner.html).*

tion that has published virulent racists like Jared Taylor and Richard Spencer.[43] Since then, there have been many examples of close ties between the Proud Boys and racist right-wing extremists, just some of which are outlined here.

In 2017, members of the Proud Boys marched at the deadly Unite the Right rally in Charlottesville, although the organization denounced the event and warned members that they would be banned from the group if they marched.[44] At the time of the event, Unite the Right's organizer Jason Kessler was a member of the group.

Despite their loud and persistent denials, the Proud Boys are all too willing to embrace racists, anti-Semites, and bigots of all kinds as long as they subscribe to the superiority of "western" civilization. The Proud Boys powerfully illustrate that an organization with a Latino leader and Jewish members is quite capable of racism and anti-Semitism.

Three Percenters

Three Percenters (also known as 3 percenters, III percenters, and Threepers) are anti-Government extremists who are part of the militia movement. Three Percenters have a track record of criminal activity ranging from weapons violations to terrorist plots and attacks. They believe that, just as a small revolutionary vanguard overthrew the tyrannical British rule in America, a dedicated group of modern patriots could rid the United States of today's alleged tyranny. The term itself is a reference to a false belief that the number of Americans who fought against the British during the Revolutionary War amounted to only 3 percent of the population at the time (historians say that percentage was actually far higher).[45]

Though the media often refer to Three Percenters as a movement or a group, they are neither. Rather, they constitute a major part of the broader anti-Government militia movement, whose ideology they share. Some Three Percenters form militia groups, while others form non-paramilitary groups or create on-line networks; even more are active as individual or unaffiliated Three Percenters.

At its core, the Three Percenter concept may be best understood as a way to simplify, popularize, and spread the ideology and beliefs of the militia movement—a right-wing anti-Government extremist movement that arose in 1993–94. Its core belief centers on the idea that the Federal Government is collaborating with a shadowy globalist and socialist conspiracy (often referred to as the "New World Order") in order to strip Americans of their rights and freedoms, starting with their right to bear arms, so that Americans can be made slaves to the New World Order and its agenda. Militia activists view the Federal Government as tyrannical and illegitimate; some seek to defend Americans from its perceived ravages, while others occasionally plot to attack the Government.

The Three Percenter concept both contributed to and benefited from the resurgence of the militia movement in 2008 through a blog, the Sipsey Street Irregulars. The blog was run by Mike Vanderboegh, an Alabama-based anti-Government extremist who had been involved in the militia movement for many years. Vanderboegh's creation of the Three Percenter concept occurred at a propitious time for the militia movement, due in part to anger and anxiety caused by the recession and mortgage crisis as well as the election of Barack Obama as President. These developments gave right-wing anti-government activists in both mainstream America and on its far right fringes a new focus for their anger.

In keeping with militia movement ideology, Three Percenters have typically focused most of their anger on the Federal Government. Their anti-Government ire usually focuses on gun control or on perceived "victims of government" militia that Three Percenters seek to protect. Many adherents of the militia movement strongly support President Trump. As a result, Three Percenters have not been as active in opposing the Federal Government in recent years, directing their anger at other perceived foes, including leftists, antifa, Muslims, and immigrants.

Three Percenters have been active in 2019–2020 in reaction to a range of issues, including attempts to pass State level gun control measures, State-imposed restrictions and lockdowns to prevent the spread of COVID–19, and the protests that have taken place across the country over the May 2020 murder of George Floyd in Minneapolis.

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[43] Gavin McInnes, "Introducing: The Proud Boys," *Taki's Magazine,* September 15, 2016. *(https://www.takimag.com/article/introducing_the_proud_boys_gavin_mcinnes/).*

[44] Leighton Akio Woodhouse, "After Charlottesville, The American Far Right Is Tearing Itself Apart," *The Intercept,* September 21, 2017. *(https://theintercept.com/2017/09/21/gavin-mcinnes-alt-right-proud-boys-richard-spencer-charlottesville/).*

[45] John A. Tures, "More Americans Fought in the American Revolution Than We Thought," *Observer,* July 3, 2017. *https://observer.com/2017/07/soldiers-militia-american-revolution/).*

Oath Keepers

The Oath Keepers are a large but loosely-organized collection of right-wing anti-Government extremists who are part of the militia movement, which believes that the Federal Government has been co-opted by a shadowy conspiracy that is trying to strip American citizens of their rights.[46]

Though the Oath Keepers will accept anyone as members, what differentiates them from other anti-Government extremist groups is their explicit focus on recruiting current and former military, law enforcement, and first responder personnel. Their propaganda reminds potential recruits that they swore an oath to defend the Constitution "from all enemies, foreign and domestic," and asks them to pledge to disobey theoretical unconstitutional orders they might get from superiors—orders that explicitly or implicitly reference militia-related conspiracy theories,[47] such as mass gun confiscation or rounding up Americans to put them in concentration camps.[48] Each theory goes back to the idea that the U.S. Government has fallen under global governance and will at some point use police and military members to enforce the New World Order's plans. The Oath Keepers urge military and law enforcement personnel to step up to stop the conspirators.

The number of active-duty police and military personnel who have publicly admitted to being Oath Keepers is very small; the number of closeted members may be larger. The Oath Keepers have had more success in recruiting former military personnel, which is a much larger pool to draw from; many Oath Keepers speak of past military service. The group has also recruited from among people already involved in the anti-Government extremist movement. Membership has never actually required current or former ties with military, police, or first responders. The popularity of Oath Keepers social media accounts illustrates clearly that many more people support the Oath Keepers without ever officially joining (which requires paying dues).

Based on its monitoring of the Oath Keepers, ADL estimates that the group has up to several thousand members, though the Oath Keepers have claimed far more. This estimated size would still make the Oath Keepers larger than any single traditional militia group. Though there is a formal national leadership, on the local level many Oath Keepers are essentially self-organized, forming official, semi-official, or informal groupings of Oath Keepers in specific, sometimes even overlapping, geographic areas.

The Oath Keepers were particularly active in 2020, participating in various anti-lockdown protests, providing vigilante-style "security" for local communities and businesses during the Black Lives Matter protests that spread in the wake of the murder of George Floyd, and warning about a potential takeover by the "Marxist left" during the 2020 election.

The group also gained notoriety for their armed participation in disputes between ranchers or miners and Federal agencies, particularly in 2014 and 2015. However, their decision to retreat from the Bundy Ranch standoff in 2014 out of a fear of possible drone strikes tarnished the group's reputation among other anti-Government extremists.

Members of the Oath Keepers have also been arrested in connection with a wide range of criminal activities, including various firearms violations, conspiracy to impede Federal workers, possession of explosives, and threatening public officials.

A New Breed of Extremists

President Trump has provided extremists the gift of a narrative that will carry them through at least the next 4 years. Extremists are often animated by the angry and paranoid conviction that something sacred is being or has been taken away from them, and the former President has offered a story about a "stolen election," all thanks to the treasonous "left" and mainstream media, who are, as the narrative goes, suppressing the rights and voices of "real Americans."

Many of the people who were roused to violent extremism for the first time on January 6 as the result of such incitement. They constitute a new breed of extremist, one foundationally animated by devotion to President Trump, placing him over party or country. They are living in an entire ecosphere of disinformation, lies, and

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[46] ADL, "Oath Keepers," *ADL Blog. (https://www.adl.org/resources/backgrounders/oath-keepers).*

[47] Mike Giglio, "A Pro-Trump Militant Group Has Recruited Thousands of Police, Soldiers, and Veterans," *The Atlantic,* September 30, 2020. *(https://www.theatlantic.com/magazine/archive/2020/11/right-wing-militias-civil-war/616473/).*

[48] Jennifer Williams, "The Oath Keepers, the far-right group answering Trump's call to watch the polls, explained," *Vox,* November 7, 2016. *(https://www.vox.com/policy-and-politics/2016/11/7/13489640/oath-keepers-donald-trump-voter-fraud-intimidation-rigged).*

conspiracy theories, one fertilized by Alex Jones, QAnon, President Trump and his most devoted enablers, and many others.

Over the coming months and years, as they mingle with established extremists—including White Supremacists, anti-Government extremists, anti-Semites, and hardcore conspiracy theorists—these individuals could coalesce into a distinct and potent extremist movement. Alternatively, they could eventually add to the ranks of those other hateful causes.

To be clear, this is not to argue that supporters of President Trump's policy agenda are domestic extremists. Indeed, 74 million Americans voted for him in the 2020 general election, and their interests, perspectives, and concerns should not be thoughtlessly dismissed. However, we must also recognize that Donald Trump's sustained propagation of falsehoods and acrimony—especially but not exclusively regarding the election result—has played an essential part in fueling our Nation's crisis of domestic extremist radicalization, recruitment, and violence.

Looking Ahead

While it is hard to say with certainty what lies ahead, we know that White Supremacists and some other extremists, including Islamophobes, anti-immigrant extremists and anti-Semites, are also driven by manufactured fears around demographic change. Some within the movement believe these changes will only accelerate during the Biden administration as it enacts more welcoming policies toward immigrants and refugees who are people of color. Extremists equate those policies to "White genocide."

Militia and other anti-Government groups may also be very active in the next few years. The militia movement has historically derived much of its energy and vitality from its rage toward the Federal Government. However, the movement's support of President Trump over the past few years dulled that anger. A Biden administration will allow militias to return to their foundational grievances—the belief that a tyrannical government in league with a globalist conspiracy is coming to enslave them by first taking their guns and then the remainder of their rights.

Finally, anti-Semitism will likely continue to be a central part of the conspiratorial views that fuel right-wing violence. Many of the key narratives, especially the conspiracy theories that animated the D.C. attackers, are also drivers of anti-Semitism.

Conspiracy Theories

No one who stormed the Capitol was radicalized the day before. They were animated over time by a conspiracy theory about a stolen election, stoked by politicians up to and including President Trump, and a fervent commitment to preserving the status quo. One of the most prominent conspiracy theories supporting President Trump is QAnon, with substantial numbers of adherents coming to "Stop the Steal" events across the country after the election and establishing a notable presence at the Capitol attack.

QAnon

QAnon is not a coherent organization or movement. It is instead an ill-defined and wide-ranging conspiracy theory that encompasses a host of other conspiracy theories. It has spread from the backwaters of the internet onto mainstream platforms, where it has built a substantial following among supporters of former President Trump. Since the inauguration of President Biden, QAnon's adherents have been scrambling for purpose and direction.

At its core, QAnon is a sprawling global conspiracy holding that rings of pedophiles control world governments. In the United States, QAnon adherents accuse leading Democrats and a supposed "Deep State," which includes high-profile celebrities, of being part of a cabal of pedophiles who were determined to bring down President Trump. In recent months, QAnon has been a primary driver of the false conspiracy theory that the election was stolen from President Trump by virtue of massive voter fraud. The violent mob action and assault on the U.S. Capitol on January 6 grew out of the viral spread of these conspiracy theories. Yet for years, there have been warning signs that social media platforms such as Twitter were providing a fertile environment for increased radicalization and potential violence from conspiracy groups like QAnon.[49]

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[49] Craig Timberg and Elizabeth Dwoskin, "As QAnon grew, Facebook and Twitter missed years of warning signs about the conspiracy theory's violent nature," *Washington Post,* October 3, 2020. *(https://www.washingtonpost.com/technology/2020/10/01/facebook-qanon-conspiracies-trump/).*

QAnon played a key role in the attack on the U.S. Capitol, with QAnon accounts on Twitter and other platforms hailing the violence as the first step in a civil war.[50] Reportedly, QAnon supporters were the first rioters to enter the Capitol. One of them, Jake Angeli, a far-right conspiracy theorist dubbed the "QAnon Shaman," has been a predictable presence at far-right rallies supporting President Trump's attempts to discredit the 2020 election.[51] After several QAnon supporters claimed Angeli was a member of antifa, Angeli publicly denied the charges and reiterated his support for QAnon.

QAnon's wide-reaching conspiracy theory is popular among a range of right-wing extremists and some public supporters of President Trump,[52] including a number of recent candidates for Federal office and 2 Members of Congress.[53] Its adherents follow the anonymous poster "Q" and believe that a shadowy cabal of pedophiles who control world governments must eventually be brought to justice. This dangerous conspiracy theory, which originated on the on-line message board 4chan in 2017, has been connected with a number of violent events,[54] such as an armed standoff near the Hoover Dam,[55] in addition to the attack on the Capitol in Washington, DC and an array of other plots noted in Representative Malinowski's bipartisan House resolution H. Res. 1154 that was passed resoundingly in October by 371 to 18 with ADL's endorsement.

THE TIME IS RIPE FOR CHANGE

According to a recent ADL survey[56] taken shortly after the events of January 6, approximately two-thirds of Americans believe that Donald Trump (67 percent) and members of White Supremacist, far-right, or militia groups (64 percent) are at least somewhat responsible for the violence at the Capitol. Roughly three-quarters of Americans are at least somewhat concerned about violence in the next year from anti-Government and militia movement members (77 percent) and White Supremacists (75 percent).

Over half of Americans also believe that social media companies like Facebook and Twitter (61 percent) and Congressional Republicans who said they would oppose certification of election results (55 percent) are at least somewhat responsible for the violence on January 6.

Unequivocally, Americans want the Government to do more to address violent domestic extremism. Sixty-five percent want the Government to do more to address the rise of far-right extremism. Sixty-six percent of Americans believe that the Government should prosecute individuals who stormed the Capitol, and 63 percent agree that social media companies should ban posts and individuals encouraging or celebrating extremism and conspiracy theories.

POLICY RECOMMENDATIONS

Just as the attack on our Capitol did not materialize out of nowhere, so too has the threat not dissipated in its aftermath. Those who perpetrated the attack will not readily abandon their principles, nor will those who supported this act of domestic terrorism from afar. We cannot expect there to be a change unless we change something about our approach. The trauma of January 6 must not be in vain. It

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[50] Jessica Guynn, "'Burn down DC': Violence that erupted at Capitol was incited by pro-Trump mob on social media," *USA Today,* January 6, 2021. *(https://www.usatoday.com/story/tech/2021/01/06/trump-riot-twitter-parler-proud-boys-boogaloos-antifa-qanon/6570794002/).*

[51] Rachel E. Greenspan and Haven Orecchio-Egresitz, "A well-known QAnon influencer dubbed the 'Q Shaman' has been arrested after playing a highly visible role in the Capitol siege," *yahoo!news,* January 9, 2021. *(https://news.yahoo.com/well-known-qanon-influencer-dubbed-230306934.html).*

[52] ADL, "QAnon," *ADL Blog. (https://www.adl.org/qanon).*

[53] Em Steck et al., "The congressional candidates who have engaged with the QAnon conspiracy theory," *CNN,* October 30, 2020. *(https://www.cnn.com/interactive/2020/10/politics/qanon-cong-candidates/).*

[54] Lois Beckett, "QAnon: a timeline of violence linked to the conspiracy theory," *The Guardian,* October 16, 2020. *(https://www.theguardian.com/us-news/2020/oct/15/qanon-violence-crimes-timeline).*

[55] William Mansell, "Man pleads guilty to terrorism charge after blocking Hoover Dam bridge with armored truck," *ABC News,* February 13, 2020. *(https://abcnews.go.com/US/man-pleads-guilty-terrorism-charge-blocking-bridge-armored/story?id=68955385).*

[56] The survey of U.S. adults was conducted from Jan. 7–8, 2021 by YouGov, a leading public opinion and data analytics firm, on behalf of ADL. There were 1,176 respondents, 1,102 of whom were aware of the incident in the Capitol. The figures have been weighed and are representative of all U.S. adults aged 18 or over. The survey has a margin of error of +/- 2.95 percentage points. ADL, "American Attitudes toward Extremist Threats: A Survey Following the Events at the U.S. Capitol." *(https://www.adl.org/american-attitudes-toward-extremist-threats).*

is time, at long last, for action. It is time for a whole-of-Government and whole-of-society approach to combating domestic extremism.

With that in mind, ADL respectfully presents to this committee the PROTECT plan—a comprehensive, 7-part plan to mitigate the threat posed by domestic extremism and domestic terrorism while protecting civil rights and civil liberties. Together, these 7 steps can have an immediate and deeply significant impact in preventing and countering domestic terrorism—more so than any one action, policy, or law—and can do so while protecting vulnerable people and communities against the risk of Government overreach. Our suggestions are that you:

P—Prioritize Preventing and Countering Domestic Terrorism
R—Resource According to the Threat
O—Oppose Extremists in Government Service
T—Take Domestic Terrorism Prevention Measures
E—End the Complicity of Social Media in Facilitating Extremism
C—Create an Independent Clearinghouse for On-line Extremist Content
T—Target Foreign White Supremacist Terrorist Groups for Sanctions.

PRIORITIZE PREVENTING AND COUNTERING DOMESTIC TERRORISM

First, we urge Congress to adopt a whole-of-Government and whole-of-society approach to preventing and countering domestic terrorism. Civil society has an important role to play in this effort. We must all work together toward a common goal if we hope to be successful.

- The Biden-Harris administration must ensure interagency coordination, as well as coordination between Federal, State, and local stakeholders, civil society, and the private sector. An important starting point would be the hosting of a "Preventing Domestic Terrorism Summit" with civil society groups.
- The Biden-Harris administration must work to develop a comprehensive interagency strategy designed to prevent and counter domestic extremism and domestic terrorism, including any international connections. This strategy must prioritize transparency and oversight, so that the public can see how the Government is analyzing the threat and that resources are being devoted proportionately.
- Law enforcement must be both instructed and trained to use the available existing legal authorities, which are sufficient, to investigate and prosecute domestic terrorist threats, and provided adequate resources to do so.[57]
- Congress should, to the maximum extent possible, work with the Biden-Harris administration to restore and empower offices, like the domestic terrorism unit within the Department of Homeland Security's Office of Intelligence and Analysis (I&A),[58] that have been hindered in their work to address the threat of domestic terrorism in recent years.
- Congress must explore opportunities to keep firearms out of the hands of convicted hate crimes perpetrators and to disarm violent hateful groups. It is clear that guns are the weapon of choice among America's extremist murderers, regardless of their ideology, and a major reason why the death toll of such attacks has risen over time.
- The Domestic Terrorism Documentation and Analysis of Threats in America (DATA) Act provided for appropriate coordination, accountability, and transparency in the collection and recording of data on domestic terrorism. A version of the bill passed in the fiscal year 2020 National Defense Authorization Act that became law in December 2019, yet has not been fully implemented. Congress should continue to monitor implementation of these requirements and ensure that we have accurate and comprehensive data on domestic terrorism.

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[57] Notably, this plan does not include the creation of a new Federal criminal domestic terrorism statute. Although there are a number of existing authorities for charging individuals with committing certain acts of domestic terrorism, a broad criminal domestic terrorism statute has not yet been codified at the Federal level, and for good reason. The Government's history of targeting marginalized communities and political activists in the name of National security, as well as First Amendment, Fourth Amendment and other civil rights concerns, raise serious questions about its feasibility. Trying to address the threat of White Supremacist violence through reforms that overstep or infringe on civil liberties and potentially expand racial profiling or unwarranted, discriminatory surveillance and harassment of marginalized communities would be unacceptable. Indeed, as a number of experts who are former law enforcement involved in counterterrorism have noted, law enforcement has all of the investigatory and prosecutorial powers it requires and that are consistent with Constitutional limitations, to effectively combat domestic terrorism.

[58] Woodruff, Betsy. "Homeland Security Disbands Domestic Terror Intelligence Unit." *Daily Beast.* April 2, 2019. *(https://www.thedailybeast.com/homeland-security-disbands-domestic-terror-intelligence-unit).*

- Congress must call out domestic terrorism as "terrorism." Federal prosecutors have a range of charges to choose from in individual cases and make those decisions based on specific facts to which the general public is generally not privy. Whether someone is formally charged with committing an act of domestic terrorism in court is distinct from whether they have committed an act of domestic terrorism as a definitional matter—namely, criminal acts that are dangerous to human life and intended to intimidate or coerce a civilian population or influence the policy or conduct of the Government. Public officials have an obligation to use their bully pulpit to call domestic terrorism what it is, regardless of what formal charges are brought. That sends an important message, and notably, means the Government is acknowledging that the priority threat in the United States at this time—right-wing and often White Supremacist political violence—is in fact domestic terrorism.

RESOURCE ACCORDING TO THE THREAT

Second, we must ensure that the authorities and resources the Government uses to address violent threats are proportionate to the risk of lethality of those threats. In other words, allocation of resources must never be politicized, but rather transparently based on objective security concerns.

- Congress should immediately pass the Domestic Terrorism Prevention Act (DTPA) to enhance the Federal Government's efforts to prevent domestic terrorism by formally authorizing offices to address domestic terrorism and requiring law enforcement agencies to regularly report on domestic terrorist threats. Congress must ensure that those offices have the resources they need and can deploy those resources in a manner proportionate to existing threats.
- Along with prioritizing the threat within existing budgets, legislative appropriators must work to expand the funding resources available to Federal and State officials to address the threat of domestic terrorism.

OPPOSE EXTREMISTS IN GOVERNMENT SERVICE

Third, it is essential that we recognize the potential for harm from when extremists gain positions of power, including in Government, law enforcement, and the military. Of broader concern, however, is the inherent power imbalance between civilians and those in Government, law enforcement, and the military. As such, we must be especially thoughtful about whom we give Government authority and sensitive resources. In the wrong hands, it can be deadly.

- To the extent permitted by law and consistent with Constitutional protections, take steps to ensure that individuals engaged in violent extremist activity or associated with violent extremist movements, including violent White Supremacist and unlawful militia movements, are deemed unsuitable for employment at the Federal, State, and local levels—including law enforcement. Appropriate steps must be taken to address any current employees, who, upon review, match these criteria.
- To the extent permitted by law and consistent with Constitutional protections, take steps to ensure that individuals engaged in violent extremist activity or associated with violent extremist movements, including violent White Supremacist and unlawful militia movements, are not given security clearances or other sensitive law enforcement credentials. Appropriate steps must be taken to address any current employees, who, upon review, match these criteria.
- Finally, it is imperative that appropriate steps be taken to identify any elected officials who have endorsed, given credence to, or intentionally promoted QAnon content, and leaders should decline to assign them to positions of authority, which in ADL's view should also mean removing such Members from Congressional committees.

TAKE DOMESTIC TERRORISM PREVENTION MEASURES

Fourth, we must not wait until after someone has become an extremist or a terrorist attack has happened to act. Effective and promising prevention measures exist, which should be scaled. We can and must approach this problem holistically rather than through an exclusively reactive lens.

- Congress can provide funding to civil society and academic programs that have expertise in addressing recruitment to extremist causes and radicalization, whether on-line or off-line. By providing funding for prevention activities, including education, counseling, countermeasures, and offramping, Congress can help empower public health and civil society actors to prevent and intervene in the radicalization process and undermine extremist narratives, particularly those that spread rapidly on the internet.

- These initiatives must, of course, be accompanied by an assurance of careful oversight and safeguards. They must also meaningfully engage communities who have been targeted by domestic terrorism and who have been targeted when prior terrorism authorities have been misused. They must be responsive to community concerns, publicly demonstrate careful oversight, and ensure that they do not stigmatize communities.
- While Congress has funded a small grant program for prevention measures domestically, the program is too small to have an impact at scale and, in some cases, DHS's implementation of the program has lost the confidence of communities. The administration should reform the Targeted Violence and Terrorism Prevention office at DHS and Congress should significantly scale its grant program; ADL has recommended a $150 million annual grant level.

END THE COMPLICITY OF SOCIAL MEDIA IN FACILITATING EXTREMISM

Fifth, Congress must prioritize countering on-line extremism and ensuring that perpetrators who engage in unlawful activity on-line can be held accountable with regard both to criminal charges and civil liability, and do so without implicating First Amendment concerns. There is clearly a role for Government here; we note, for example, that the few meaningful steps taken by the large social media companies to self-regulate came about only when the companies also faced a combination of legislative and regulatory pressure, as well as public outrage and significant reputational damage. It has also become abundantly clear that self-regulation will never be enough.

We need aggressive enforcement actions, increased transparency and accountability from social media platforms, and reports studying the prevalence of hate, harassment, and extremism across key platforms. We also need cyber hate victim resource centers, training for law enforcement, and funding for innovative tools to combat these issues.

So-called "transparency" reports touted by platforms such as Facebook are opaque and inadequate at best. Indeed, as ADL and others have reported, it is nearly impossible to understand the prevalence and impact of hate on social media, as well as accurate measurements of how effective enforcement is, based on platforms' current transparency reports. This is not surprising because platform transparency reports are self-initiated and, thus, there is no independent oversight of reporting requirements. Without clear and accurate reporting, there will inevitably be significant gaps in our understanding of how on-line extremism and cyber hate influence or impact domestic terrorism and hate crimes.

The public also urgently needs more research on the impact of social media platforms' recommendation systems and algorithmic amplification mechanisms on the mental health of users, especially related to addiction and radicalization. This can give us an important understanding of the role social media plays in amplifying extremism. Another imperative is more funding and support for technology innovation to mitigate on-line hate, including tools related to the measurement, detection, support, and mitigation of hate and abuse.

Another area that urgently lacks research and data is the world of on-line games and its relation to White Supremacy, harassment, and domestic extremism. Studying similarities between on-line games and social media platforms is crucial to determine the need for better oversight of their potential market power, influence on youth and adult consumers, and impact on our democratic systems. ADL's research shows that more than 80 percent of the 66 million U.S. on-line multiplayer gamers aged 18–45 have experienced harassment while gaming on-line.[59] Alarmingly, nearly 1 in 10 on-line multiplayer gamers (9 percent) witnessed discussions on White Supremacist ideology. We need to learn more about how gaming platforms enable hate and extremism.

On-line gaming should be considered a key part of the conversation about preventing on-line extremism and creating more just and inclusive digital social spaces.

- Congress can work with independent extremism experts to protect vulnerable targets from becoming either victims of abuse or radicalized perpetrators of violence. Legislation like the National Commission on On-line Platforms and Homeland Security Act,[60] for example, would establish a commission to investigate how on-line content implicates certain National security threats, such as targeted violence. Congress should also pass legislation like the Raising the Bar

[59] ADL, "Free to Play? Hate, Harassment and Positive Social Experience in On-line Games 2020." *(https://www.adl.org/free-to-play-2020#results).*

[60] H.R. 4782—National Commission on On-line Platforms and Homeland Security Act, 116th Congress (2019–2020). *(https://www.congress.gov/bill/116th-congress/house-bill/4782).*

Act,[61] which would attempt to reduce the amount of content related to terrorism on social media platforms.

- We also need to provide better recourse for victims and targets of on-line hate and harassment. In the 115th Congress, Representative Katherine Clark (D–MA) introduced and led H.R. 3067, the On-line Safety Modernization Act,[62] which, among other things, would have provided Federal protections against doxing and swatting. It is time to pass laws that cover these types of harms. It is crucial that legislation provide private rights of action.
- We also need to train law enforcement to investigate cyber crimes and require better reporting of these crimes. Only then can we fully understand the extent of the problem.
- Finally, Congress must amend Section 230 of the Communications Decency Act to make tech companies legally accountable for their role in enabling stalking, facilitating violence, civil rights violations, and inciting domestic terrorism. We do not support the elimination of Section 230 altogether for the simple reason that doing so will have the unintended consequence of allowing more hate on-line where that hate is heinous and harmful, but doesn't on its own rise to the level of being unlawful. We are also well aware that too blunt a legislative instrument in this area could silence and harm the very communities and speech we seek to protect. We therefore urge lawmakers to seriously consider Section 230 reform proposals that prioritize equity and justice for users and bar immunity when platforms put profit over people. This could include enacting measures such as the Protecting Americans from Dangerous Algorithms Act,[63] which would prevent the use of algorithms to amplify discriminatory content, or aid and abet terrorism. We will separately be providing more details on ADL's views on reform.

CREATE AN INDEPENDENT CLEARINGHOUSE FOR ON-LINE EXTREMIST CONTENT

Sixth, Congress should work with the Biden-Harris administration to create a publicly-funded, independent nonprofit center to track on-line extremist threat information in real time and make referrals to social media companies and law enforcement agencies when appropriate. The Center should be well-funded with sustained, on-going funding, but should be independent of the Federal Government.

- This approach is needed because those empowered with law enforcement and intelligence capabilities must not be tasked with new investigative and other powers that implicate civil liberties—for example, through broad internet surveillance. Scouring on-line sources through an independent organization will act as a buffer, but will not prevent the nonprofit center from assisting law enforcement in cases where criminal behavior is suspected. This wall of separation, modeled in part on the National Center for Missing and Exploited Children (NCMEC), will help streamline National security tips and resources while preserving civil liberties.

TARGET FOREIGN WHITE SUPREMACIST TERRORIST GROUPS

Finally, Congress must recognize that White Supremacist extremism is a major global threat of our era and mobilize with that mindset. Foreign White Supremacists influence domestic extremists and vice versa. Like the social media channels through which it courses, White Supremacy knows no borders.

- To date, no White Supremacist organization operating overseas has been designated as a Foreign Terrorist Organization. Only one has been designated as a Specially Designated Global Terrorist. The National Security Council should immediately hold a Deputies Committee meeting to review how these designation decisions were made, if any additional racially or ethnically motivated extremist groups outside the United States, particularly White Supremacist groups, have reached the threshold for either designation, and whether doing so would help advance U.S. National interests.[64]

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[61] Emily Birnbaum, "Democratic lawmaker introduces bill to tackle on-line terrorist activity," *The Hill,* November 20, 2019. (*https://thehill.com/policy/technology/471226-dem-lawmaker-introduces-bill-to-tackle-online-terrorist-activity).*

[62] H.R. 3067—Online Safety Modernization Act of 2017, 115th Congress (2017–2018). *(https://www.congress.gov/bill/115th-congress/house-bill/3067).*

[63] "Reps. Malinowski and Eshoo Introduce Bill to Hold Tech Platforms Liable for Algorithmic Promotion of Extremism," October 20, 2020. *(https://malinowski.house.gov/media/press-releases/reps-malinowski-and-eshoo-introduce-bill-hold-tech-platforms-liable-algorithmic).*

[64] The First Amendment's assembly and speech protections would not permit designation of White Supremacist organizations operating here in the United States, but designating foreign White Supremacist groups could make knowingly providing material support or resources to

- The Biden-Harris administration must also ensure consistent analysis of the global nature of the White Supremacist terrorist threat, including by scrutinizing links between foreign and domestic White Supremacist extremist groups. The recent surge of mass shootings targeting Jews, immigrants, Hispanics, Blacks, and Muslims from Pittsburgh to Christchurch—and many others—provide ample evidence of the global influence and network of the threat. One way to target foreign White Supremacists is by empowering the National Counterterrorism Center (NCTC) to analyze the threat to the fullest extent permitted by law. Another would be for the U.S. Department of State to create a comprehensive strategy to address the issue (as required by the NDAA) and carefully carry that strategy out. Congress and the administration should consider additional measures as well.
- States also have a role to play, including working closely with Federal authorities to identify and investigate foreign connections to domestic terrorist activity. Many times the first line of defense to a domestic threat is a State or local law enforcement official. States should ensure officials are aware of their role in protecting against this global threat and that they are working seamlessly with Federal counterparts.

CONCLUSION

Thank you for the opportunity to testify before this committee and for calling a hearing on this urgent topic. ADL data clearly and decisively illustrates that the impact of hate is rising across the United States, and that domestic extremism and terrorism will continue to pose a grave threat.

It is long past time to acknowledge that these threats overwhelmingly come from right-wing extremists, especially White Supremacists, and to allocate our resources to address the threat accordingly, while assiduously preserving civil liberties.

We must also address these threats holistically rather than piecemeal. This is precisely what ADL's PROTECT plan does, applying a whole-of-Government and whole-of-society approach to the fight against hate and extremism. On behalf of ADL, we look forward to working with you as you continue to devote your attention to this critical issue.

Chairman THOMPSON. Thank you very much.

I now ask Mr. Jenkins to summarize his statement for 5 minutes.

STATEMENT OF BRIAN MICHAEL JENKINS, SENIOR ADVISOR TO THE RAND PRESIDENT, THE RAND CORPORATION

Mr. JENKINS. Thank you, Chairman Thompson, Ranking Member Katko, Members of the committee, for inviting me to again testify.

We have come through a difficult year that has witnessed anguish, anger, and turmoil in our cities, which violent anarchists and others have exploited to advance their own agendas. We have recently seen the resurgence of threats from the far right, as the previous members of the panel have pointed out, culminating in the events of January 6. I want to focus on that event and its potential consequences.

But first, I, too, want to acknowledge the Capitol police officer killed during the attack, the 2 police officers who ended their lives shortly after, and the many brave officers who were injured defending the Capitol.

A violent mob invaded the very symbol of our Republic during a Constitutionally-mandated procedure necessary for the peaceful transfer of power, the very essence of our democracy. This unprecedented assault on America's political system will have long-term

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them a crime—extending authority for law enforcement officials to investigate whether such a crime is being planned or is occurring. Mary B. McCord, "White Nationalist Killers Are Terrorists. We Should Fight Them Like Terrorists," *Washington Post,* Aug. 8, 2019. *(https://www.washingtonpost.com/outlook/white-nationalist-killers-are-terrorists-we-should-fight-them-like-terrorists/2019/08/08/3f8b761a-b964-11e9-bad6-609f75bfd97f_story.html).*

consequences, including the likelihood of further violence throughout the country, as the most determined elements of the movement transition from mass protests to clandestine campaigns.

I have called for a National commission to review what happened on January 6, conduct impartial inquiries, and level hard criticism when warranted. The commission's purpose would not be to affix blame, but the reasons for the inadequacy of security must be examined and remedied.

Our concern is not just protecting the Capitol. Most of you, I suspect, have been obliged to think more about your own security in recent days. Incessant threats to politicians, their staffs, and their families, vandals attacking the homes of Congressional leaders, armed protesters barging into statehouses, extremists plotting to kidnap a Governor, now the violent invasion of the Capitol, are having a profound effect on public officials. The normalization of violence and threats affects their willingness to remain in office, and it could discourage others from entering public service.

Tougher laws against incitement and communicating threats may be necessary, but how much control is possible while maintaining First Amendment rights?

Many, including my fellow panel members here, are arguing for a domestic terrorism statute. Frankly, I have to say I am a bit wary about this. A new statute should improve the chances of preventing attacks by facilitating intelligence collection and criminal investigations. I believe that that can be addressed by adjustments in the Attorney General's guidelines, combined with Congressional oversight.

What many mean by a new domestic terrorism statute is a domestic version of the material support provision of the PATRIOT Act, which criminalizes providing material support to a designated foreign terrorist organization.

Now, that requires designating domestic terrorist groups, and there is the problem. There are hundreds of extremist groups on both ends of the political spectrum, along with other issue-oriented groups that conceivably might be labeled terrorist organizations. Battle lines will be drawn as each party proposes its preferred list. The contentious debate could distract us from the problem, and it could end badly.

My advice is to avoid the terrorism as much as possible and base prosecutions on existing criminal offenses, putting aside the political pretensions of the perpetrators.

Mr. Katko mentioned that we are coming up to the 20th anniversary of the 9/11 attack. For the past 20 years, home-grown jihadists have been a principal concern of authorities. Efforts to thwart their plots fortunately have been largely successful.

I believe that shutting down domestic violent extremists may prove far more difficult. They are better organized than the home-grown jihadists, and recent actions have given them the opportunity to expand their networks. They are better armed. Some have military or police experience. Intelligence operations may operate in a less permissive environment, and programs aimed at preventing radicalization will provoke greater resistance.

Let me conclude with a personal observation. Any realistic appreciation of the situation cannot ignore the current political environ-

ment. We, the people, elect you to represent our interests. Those interests are diverse and often conflicting. Addressing them requires calm discourse, thoughtful deliberation, and creative political compromise. How you conduct yourselves sets the tone. Whether it is one of divisive, bellicose rhetoric or instructive civil discourse, the choice is yours.

Thank you.

[The prepared statement of Mr. Jenkins follows:]

PREPARED STATEMENT OF BRIAN MICHAEL JENKINS [1] [2]

FEBRUARY 4, 2021

THE COLLAPSE OF COMITY: PERILOUS TIMES IN THE THIRD TURBULENT CENTURY OF OUR POLITICAL EXPERIMENT, CT–A1175–1

Thank you Chairman Thompson, Ranking Member Katko, and Members of the committee for inviting me to again appear before the House Committee on Homeland Security.

It is not an exaggeration to say that these are perilous times.

We face a continuing threat from a global jihadist enterprise that remains determined to mount terrorist attacks on the United States from abroad while exhorting home-grown jihadists to carry out attacks here.

We face a still-raging COVID–19 pandemic that in the past 12 months has killed more Americans than were killed during World War II.

And we face a heightened threat of domestic violent extremism.

A TRIFECTA OF DANGERS

It is a trifecta of dangers that is testing the resiliency of American society and the strength of our democratic institutions.

I believe that we will come through this as we have come through so many dark moments in our Nation's turbulent history, but we should not underestimate the hazards.

Jihadist fronts remain active in many parts of the world. At great cost in blood and treasure, we have degraded their operational capabilities, but we have not diminished their determination. They continue to plan operations against the United States—last in December, authorities revealed that a foreign jihadist plot to train a pilot to carry out a 9/11-style attack in the United States.[3] And as the arrest of a U.S. solider in New York in January confirms, there are still Americans willing to assist the jihadists in terrorist operations.[4]

Pandemics devastate economies, as COVID–19 has done. Pandemics expose and exacerbate existing inequalities in society, including throughout the recovery. Their economic, social, psychological, and political effects last long after the disease has subsided.

Historically, pandemics have been accompanied by popular resistance to public health measures, threats to political authority, increases in violent crime, and the spread of conspiracy theories. These things we have also seen here.[5]

We have come through an exceptionally difficult year that has witnessed anguish, anger, and turmoil in our cities, which violent anarchists and other extremists have exploited to advance their own agendas. These actions continue. On Inauguration

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[1] The opinions and conclusions expressed in this testimony are the author's alone and should not be interpreted as representing those of the RAND Corporation or any of the sponsors of its research.

[2] The RAND Corporation is a research organization that develops solutions to public policy challenges to help make communities throughout the world safer and more secure, healthier, and more prosperous. RAND is nonprofit, nonpartisan, and committed to the public interest.

[3] U.S. Department of Justice, "Kenyan National Indicted for Conspiring to Hijack Aircraft on Behalf of the Al Qaeda-Affiliated Terrorist Organization Al Shabaab," press release, December 16, 2020 (as of February 1, 2021: *https://www.justice.gov/opa/pr/kenyan-national-indicted-conspiring-hijack-aircraft-behalf-al-qaeda-affiliated-terrorist).*

[4] U.S. Department of Justice, "U.S. Army Soldier Arrested for Attempting to Assist ISIS to Conduct Deadly Ambush on U.S. Troops," January 19, 2021 (as of February 1, 2021: *https://www.justice.gov/usao-sdny/pr/us-army-soldier-arrested-attempting-assist-isis-conduct-deadly-ambush-us-troops).*

[5] Brian Michael Jenkins, "Could 2020 Spawn '70's-Style Radicals and Violence?" *NBC News THINK,* August 16, 2020 (as of February 1, 2021: *https://www.rand.org/blog/2020/08/could-2020-spawn-70's-style-radicals-and-violence.html).*

Day, anarchist protesters in Portland and Seattle attacked the offices of Federal agencies and a headquarters of the Democratic Party.[6] We have experienced the most contentious election in our Nation's history.[7] We have seen the resurgence of violent activity by far-right extremists across the country. In the wake of the recent attack on the Capitol, these extremists are currently the most immediate but certainly not the only cause of concern, and they are the focus of the remainder of my remarks.

Right-wing extremism in the United States is an assemblage of causes and grievances. We saw that on full display on January 6. Many of the extremists' causes constitute a continuing dark undercurrent in American history that widens during periods of economic, social, or political stress.

There is no single organization or doctrine that unites these disparate groups other than their shared hostility toward political authority in general and the Federal Government in particular.

Their discontents fuel and feed upon the increasing polarization of American politics and society.

Many elements of the movement coalesced in what I have called "the Battle of Capitol Hill."[8] This was a turning point in our cultural and political history. It will have long-term consequences.

Astonishingly weak security made it possible for a violent mob to invade the Capitol (the very symbol of our democracy) during a Constitutionally-mandated procedure necessary for the peaceful transfer of power (the very essence of democracy).

Some of those who broke in wandered about the building like tourists. Others trashed offices or stole so-called souvenirs. Some reportedly hunted for the Vice President and certain Members of Congress who were forced to hide out or barricade themselves in the House chamber.

Retaking the building took hours. It could have been worse. This was an unprecedented assault on America's political system.

A 1/6 COMMISSION

In an opinion piece published in the *Los Angeles Times* on January 19, I called for a National commission to review the events of January 6: What happened, how it happened, what lessons can be learned, and what should be done. Insulated from the passions that sunder our politics and our society, a commission can conduct impartial inquiries, assemble experts, and level hard criticism when warranted.[9]

A commission can also provide an accurate historical record of the events. The 9/11 Commission is still the most authoritative source on the attacks of September 11; although we now have additional information, its conclusions hold.

A 1/6 commission should aim for a detailed chronology that looks at the political setting over recent decades, the contentious atmosphere following the November 3 elections, the days and hours leading up to January 6, and a minute-by-minute account of what happened—from the gathering of the crowd in front of the Capitol to the clearing of the building hours later. There remains much that we do not know.

This is not merely for the historical record. A thorough and accurate accounting would provide the basis for an informed discussion of measures and policies. It is also a way of recording and thereby bounding the National trauma. A 1/6 commission could offer a road to National recovery.

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[6] There were violent demonstrations in Portland on both January 6 and January 20 and in Seattle on February 20. See "Windows Smashed, Portland Police Declare Unlawful Assembly," *KOIN 6 News,* January 6, 2021 (as of February 1, 2021: *https://www.koin.com/news/protests/direct-action-protest-justice-center-portland-01062021/);* Lindsay Nadrich, Jennifer Dowling, Jenny Young, Hannah Ray Lambert, and Elise Haas, "Inauguration Day in Portland: Tear Gas, Arrests, Demonstrations," *KOIN 6 News,* January 20, 2021 (as of February 1, 2021: *https://www.koin.com/news/protests/inauguration-protests-portland-01202021/);* "Three Arrested During Destructive March in Downtown Seattle," *KING 5,* January 20, 2021 (as of February 1, 2021: *https://www.king5.com/article/news/local/protests/seattle-protests-downtown-january/281-6e085af2-4d54-4238-8ec8-9b3c0fb3834d).*

[7] Brian Michael Jenkins, "Domestic Terrorism and the U.S. Elections," RAND Blog, October 7, 2020 (as of February 1, 2021: *https://www.rand.org/blog/2020/10/domestic-terrorism-and-the-us-elections.html).*

[8] Brian Michael Jenkins, "The Battle of Capitol Hill," *The Hill,* January 9, 2021 (as of February 1, 2021: *https://thehill.com/opinion/national-security/533474-the-battle-of-capitol-hill).*

[9] Brian Michael Jenkins, "Why We Need a January 6 Commission to Investigate the Attack on the Capitol," *Los Angeles Times,* January 19, 2021 (as of February 1, 2021: *https://www.rand.org/blog/2021/01/why-we-need-a-january-6-commission-to-investigate-the.html).*

WHY DID SECURITY FAIL SO SPECTACULARLY?

The commission's purpose would not be to affix blame, but the reasons for the inadequacy of security on January 6 must be examined. One issue is the matter of intelligence.

Public statements by Capitol Police, DC Police, and various FBI officials have offered contradictory accounts of whether there was intelligence warning of an attack and, if there was, who saw it. That sharing intelligence about potential attacks in the Nation's capital is still a problem nearly 2 decades after 9/11 seems astounding. One of the tasks of a commission would be to sort out who knew what when.

Even if there was no specific intelligence warning of the assault—often a finding of previous commissions looking at surprise attacks—that is no excuse for the security failure. Rarely is there specific intelligence indicating an imminent attack. If there were, the authorities could intervene and prevent it. There is a difference between specific tactical intelligence and sensible foresight.

An assault on the Capitol should have been anticipated. Shootings and bombings have occurred here in prior years. Since 9/11, the Nation has been especially concerned about a terrorist attack on the Capitol. We have gone through a year of protests in Washington. Violent street clashes occurred in the city just weeks before January 6. Members of Congress warned of potential problems.

Days before January 6, groups with histories of violence were gathering again. Internet chatter among these extremists—as reported in the news media—included discussions about smuggling guns into the Nation's capital. Formalizing the electoral count, which would take place in the Capitol, was identified by some extremists as the last opportunity to change the outcome of the November election. Yet no one thought the Capitol might be a target?

The Department of Homeland Security is responsible for preparing intelligence reports on domestic threats and sharing them with Federal, State, and local law enforcement, including the Capitol Police. Reportedly, social media were buzzing with talk of violence in the days leading up to the invasion, but the Department of Homeland Security had stopped at least some of its reporting months before. Why?

Whether the Capitol Police reportedly was prevented from enlisting help or rejected offers of assistance in preparing for January 6 appears to be another area of conflicting accounts. That still would not let other Federal agencies entirely off the hook. They were aware of the threat and had routinely dealt with situations like this before.

The President's State of the Union Address, for example, is a "National Special Security Event" that engages all assets of the Federal Government to protect it against terrorist attack. The Department of Homeland Security designates the events that fall in this category. Was doing so in the case of the electoral count even considered as a possibility?

The Department of Homeland Security is in the Executive branch. The Capitol Police operates under Congressional authority. Did jurisdictional issues get in the way?

Some have suggested that, following the criticism of the militarized response to the Black Lives Matter demonstrations over the summer, Federal authorities did not want to create the appearance of another oppressive armed presence. Was inadequate security at the Capitol an overreaction to an overreaction?

The Capitol Police performed bravely, as evidenced by the many who were injured and the death of one officer. (One other Capitol Police officer and one member of the DC Police who defended the Capitol later committed suicide.) And it is understandable that being so badly outnumbered discouraged futile resistance, but there are disturbing reports of inappropriate behavior, suggesting affinity with the invaders.

The astonishing inadequacy of security raises questions about the leadership, recruitment, and training of the Capitol Police, but it also raises questions about the adequacy of oversight. Did Congress take responsibility for ensuring its own safety, or did members simply assume that they would be adequately protected? After all, the Capitol Police comprises 2,300 officers and civilian employees and has an annual budget of $460 million.

A question going forward is whether the Capitol Police, which mainly mans security checkpoints at entrances, should be held responsible for protecting the facility from mass assaults.

The mass demonstrations and riots in the United States during the 1960's, the barricade-and-hostage situations that began in the 1970's, and the Middle East truck bombs of the 1980's required continuing changes in security measures and response. Facing large groups of potentially violent occupiers, some of whom may be

displaying but not using firearms, along with others who may be carrying concealed weapons, requires rethinking how to protect public officials and enforce the law.

ADDRESSING BROADER ISSUES

Earlier commissions charged with investigating specific events also identified broader National challenges. The 1960's commissions on civil disturbances pointed to the fundamental problem of violence in America and warned of a divided society.[10] The Long Commission not only examined the 1983 Beirut bombing but warned that terrorism had become a new mode of warfare—17 years before the 9/11 attacks—for which the Nation's armed forces must be prepared.[11] More than a year before 9/11, the National Commission on Terrorism warned of the potential for large-scale terrorist attacks on U.S. soil.[12]

The 1996 White House Commission on Aviation Safety and Security made numerous practical suggestions for improving security, but it also argued that aviation security was a component of National security, a concept that was accepted only after 9/11. The 1998–2001 Commission on National Security/21st Century determined that the United States would become increasingly vulnerable to hostile attack within its own borders and that U.S. military superiority would not entirely protect American citizens.[13]

The practical problem of defending Government officials and buildings goes beyond barriers and tactics. On the same day as the invasion of the Capitol, armed protesters showed up at the Georgia State house, demanding to see the secretary of state.[14] In April 2020, armed protesters entered the Michigan legislature to protest control measures for dealing with COVID–19.[15] Similar incidents have occurred at State capitols across the country, raising a fundamental question: How do we maintain the reality and appearance of open government that guarantees access by the public to elected officials and at the same time protect public officials and their staffs and even their families?

The internet and social media offer access to information and unprecedented connectivity. At the same time, they have become highways of hate, disinformation, radicalization, and incitement to violence while they facilitate mobilization and planning. How does a society maintain its commitment to free speech but deny those bent upon its destruction from hijacking this powerful communication technology?

The Capitol was not invaded by extraterrestrials. Domestic violent extremists are made in the USA. Part of the inquiry must be an examination of the motives and intentions of those who broke into the Capitol. That does not mean offering a forum for the spread of hate or excusing anyone's behavior. The country needs to understand the invaders' perspective, not just dismiss them as fanatics and lunatics. Who were the invaders? What did they want to do? Was this merely an aroused but disorganized horde that swarmed into the Capitol, or were there elements within it following a preconceived plan? If so, what were the objectives? Did they receive direction or support from others not on the scene?

The invaders describe themselves as "patriots," and Revolutionary War symbols were certainly abundant on January 6. In the eyes of most people, invading the Capitol and threatening the lives of democratically-elected officials hardly qualifies as an act of patriotism or a defense against criminal charges, but it is significant that the invaders see themselves in this way. If they were merely a mob of vandals and looters, devoid of intellectual content or spiritual impetus, this would be a secu-

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[10] National Advisory Commission on Civil Disorders, Report of the National Advisory Commission on Civil Disorders: Summary of Report, Washington, DC: U.S. Government Printing Office, 1968 (*http://www.eisenhowerfoundation.org/docs/kerner.pdf).*

[11] See, for example, DOD Commission on Beirut International Airport Terrorist Act, October 23, 1983, *Report of the DOD Commission on Beirut International Airport Terrorist Act,* October 23, 1983, Washington, DC, December 20, 1983 (as of February 1, 2021: *https://fas.org/irp/threat/beirut-1983.pdf);* see also Brian Michael Jenkins, *The Lessons of Beirut: Testimony Before the Long Commission,* Santa Monica, Calif.: RAND Corporation, N–2114–RC, February 1984 (as of February 1, 2021: *https://www.rand.org/pubs/notes/N2114.html).*

[12] National Commission on Terrorism, *Countering the Changing Threat of International Terrorism: Report of the National Commission on Terrorism,* Washington, DC, 2000 (as of February 1, 2021: *https://fas.org/irp/threat/commission.html).*

[13] United States Commission on National Security/21st Century: *New World Coming: American Security in the 21st Century; Supporting Research and Analysis,* Washington, DC, 1999 (as of February 1, 2021: *https://www.hsdl.org/?view&did=2078).*

[14] Associated Press, "Georgia Secretary of State's Office Evacuated as Armed Protesters Gather," *WBUR News,* January 6, 2021 (as of February 1, 2021: *https://www.wbur.org/news/2021/01/06/georgia-election-secretary-of-state-evacuated).*

[15] "Coronavirus: Armed Protesters Enter Michigan Statehouse," *BBC News,* May 1, 2020 (as of February 1, 2021: *https://www.bbc.com/news/world-us-canada-52496514).*

rity and law enforcement problem. The thinking they reflect runs deeper and poses a greater societal challenge.

THE POLITICAL CONSEQUENCES OF NORMALIZING THREATS AND VIOLENCE

As heirs to the Founding Fathers of this Nation, Members of Congress bear an awesome burden—increasingly, it is a dangerous one. I suspect that probably all of you have received venomous communications. Most of you, I suspect, have been obliged to think more about your own security in recent days.

When the mob broke into the building on January 6, no one knew how many might be armed or what their intentions were. Security had already broken down. A single determined shooter could have caused a massacre. Or the invaders could have seized hostages, leading to a dangerous siege.

Incessant threats to politicians and their families on social media, vandals attacking the homes of Congressional leaders, armed protesters barging into State houses, extremists plotting to kidnap, and, most dramatically, the violent invasion of the Capitol on January 6 are having a profound effect on those in public office and their families.[16] This goes beyond an immediate security issue and affects the psychology of politicians—whether they can trust their colleagues, their willingness to remain in office. It will alter the readiness of others to enter public service.

Some historians have noted that recent political violence may be no worse than that witnessed throughout U.S. history—a periodic spasm. But the violent takeover of the U.S. Capitol building on January 6 changed perceptions. This was an unprecedented assault on American legislators conducting a solemn responsibility, and it has understandably rattled Members of Congress.

An angry mob invaded your workplace. Experiencing any kind of criminal assault can cause anxiety, apprehension, and other psychological problems, which can take months or even longer to get over. Crowds, sudden approaches by individuals, shouts—any loud noise can trigger alarm. This is especially difficult for politicians who move constantly among strangers, shaking hands, pressing the flesh, drawing strength from noisy crowds—an affirmation of connectivity in a tumultuous democracy.

In addition to shootings, bombing plots, and angry mobs, politicians are targets of continuous, often graphic threats on social media, in e-mails, and on phone calls. A heavily-armed man arrested in Washington, DC, the day after the Capitol invasion had previously texted, "Ready to remove several craniums from shoulders."[17] Authors of threat messages seldom turn out to be assassins, but for the foreseeable future, no threats can be dismissed. They are a constant reminder of peril, and they contribute to distress.

Improving security is necessary, but there are practical and philosophical limits to what can be done. Are armed fortresses necessary to protect democracy from itself? Should 24-hour Secret Service protection be offered to all Members of Congress, as well as at the State level for Governors and legislators? Can politicians go entirely virtual, operating from undisclosed locations? Do we risk disconnecting Government from the citizenry?

Tougher laws against incitement and communicating threats may be necessary. More policing by social media platforms may be required. But how much control is possible while maintaining First Amendment rights?

ARE NEW DOMESTIC TERRORISM LAWS NEEDED?

A number of analysts have indicated that the takeover of the Capitol building meets the definition of terrorism. Federal prosecutors may or may not decide to add the terrorism enhancement to the criminal charges facing those involved. You may note, however, that I have avoided using the terms terrorism and terrorist as they apply to domestic crime. This avoidance is deliberate, but not for political reasons.

The term used by the U.S. Government is domestic violent extremists, or DVEs. The operative word is violent, which falls in the category of ordinary crime, like assault, kidnapping, or murder, for which there already are criminal statutes. Domestic refers to location, and without violence extremist beliefs are not a crime. Hate

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[16] Brian Michael Jenkins, "Capitol Rioters and Threats to Lawmakers Could Distort the Political Landscape for Years," *NBC News THINK,* January 25, 2021 (as of February 1, 2021: *https://www.nbcnews.com/think/opinion/capitol-rioters-threats-lawmakers-could-distort-political-landscape-years-ncna1255602).*

[17] Porter Garrison, "Officials: Man Who Traveled from Colorado to DC with Assault Rifle Charged with Threatening Pelosi," *Denver7,* January 10, 2021 (as of February 1, 2021: *https://www.thedenverchannel.com/news/local-news/officials-man-who-traveled-from-colorado-to-dc-with-assault-rifle-charged-with-threatening-pelosi).*

speech might be considered to be a nonviolent expression of extremism, although it often involves threats.

Terrorism is a pejorative. Affixing a terrorist label to one's foes offers political advantage. In the 1970's, national governments and nongovernmental organizations battled about the definition of terrorism, and it took years to achieve a rough international consensus based on specific acts, such as airline hijacking, or target categories, such as diplomats.

We can expand the definition of terrorism to include whatever crimes we want, but doing so will make the term increasingly meaningless.

Many have argued for a domestic terrorism statute, not as enhancement that increases a potential sentence but as a stand-alone crime. I am wary. In part, these initiatives reflect a popular view that ordinary criminal statutes do not adequately reflect the heinous nature of a deed. In part, they reflect a desire to draw greater attention to the threat.

In my view, neither of these is a valid reason to justify new laws. The only justifications for a new terrorism statute would be to improve the odds of preventing attacks by facilitating intelligence collection and criminal investigations or to assist prosecutions, thereby removing dangerous actors from society and deterring others, all while not creating other complications.

I believe that intelligence operations and decisions to open investigations can be achieved by adjustments in the Attorney General's guidelines, combined with Congressional oversight.

Hate crimes are included in the Federal criminal code, also as an enhancement. These are crimes committed on the basis of the victim's race, color, religion, National origin or motivated by a person's ethnicity, sexual orientation, gender, gender identity, or disability. Hate speech is another expression of extremism, but owing to First Amendment concerns, hate speech is not in the Federal criminal code.

Congress could legislate new laws or increase the penalties for illegally entering Federal buildings or disrupting Government operations. These need not contain the word terrorism.

Timothy McVeigh was not prosecuted for terrorism. He was charged, convicted, and executed for murdering 8 Federal law enforcement officers—a capital crime.[18]

What many mean by a new domestic terrorism statute is a domestic version of the material-support provision of the Patriot Act, which criminalizes providing material support to a designated foreign terrorist organization. Prosecutors have interpreted this broadly, and the courts have gone along.

The problem with a domestic version of a material-support provision is that it requires designating domestic terrorist groups—and therein lies the trouble. There are hundreds of extremist groups on both ends of the political spectrum, along with other issue-oriented groups that conceivably might be labeled terrorist organizations. And organization in the domestic context is a slippery term. Some "organizations" are definable groups. Others are mindsets.

Some are large. Others are little more than a website.

The emotive and propaganda power of the term terrorism will raise the political stakes.

Battle lines will be drawn as each side proposes its preferred list. One can envision Congressional horse-trading. The end result is not likely to be a coherent list of terrorist groups. The immediate consequence is that the effort could completely distract us from the problem.[19] My advice is to avoid the term as much as possible and base prosecutions on ordinary criminal offenses.

FUTURE TACTICS

Public revulsion over the Capitol building takeover, denunciations by politicians who were once viewed as supportive, and the deterrent effects of rigorous prosecution may combine to reduce the ranks of the extremists. With popular participation

[18] Timothy McVeigh was charged with "conspiracy to detonate a weapon of mass destruction," "use of a weapon of mass destruction," "destruction by explosives resulting in death," and "first-degree murder" (specifically, the murder of 8 law enforcement officers during the attack).

[19] To avoid the political complications that inevitably would arise in designating domestic terrorist groups, some Federal officials suggest relying on the earlier version of the material-support provision, 18 U.S.C. § 2339A, which addresses material support for crimes that entered the U.S. criminal code when the United States signed international conventions prohibiting certain crimes, such as airline hijacking. To ensure that hijackers, for example, would not be granted asylum, some of the conventions called for extradition or prosecution. Material support for tactics or target sets covered by these conventions is also illegal. However, the conventions that are part of the Federal criminal code address only a limited range of terrorist activity.

declining, the diehards may move from street brawls to more surreptitious operations.

Scenarios drawn from past attacks and plots include mass shootings by lone gunmen, such as the 2011 attack in Oslo, Norway, which also involved a large bomb, and the 2019 shooting at a mosque in Christchurch, New Zealand.

We can envision assassination attempts like the assassination of President Kennedy in 1963, the shooting of President Reagan in 1981, the 2011 shooting of Representative Gabby Giffords in Tucson, Arizona, and the 2017 shooting of Republican House members at baseball practice in Alexandria, Virginia.

The scenarios contemplated by those arrested for plotting the kidnapping of the Governor of Michigan included taking over the State house in Lansing and holding hostages, including the Governor. Armed takeovers of Government buildings to seize hostages, create Government crises, and perhaps make demands must be considered part of the potential terrorist playbook. There have been a number of dramatic hostage incidents in the United States, including in Washington, DC.

The arsenal displayed at some of the right-wing protests suggests a predilection toward shootings rather than bombings, which were the favored tactic of domestic terrorist groups in the 1970's; however, bombings cannot be excluded. Until 9/11, the 1995 bombing of the Federal building in Oklahoma City was the deadliest domestic terrorist attack the country had seen.

Although mass casualties were not the intent of the recent Nashville bomber, and his motives are still not entirely clear, the event reminds us that large-scale bombings remain a threat.[20]

Suspected pipe bombs were placed at the headquarters of the Republican and Democratic National Committees on January 5;[21] on January 27, the FBI arrested a suspected extremist with pipe bombs who might have been targeting California's Governor and social media companies who had blocked his accounts. Pipe bombs suggest a continuing terrorist campaign.

WE FACE A MORE DIFFICULT CHALLENGE

For the past 20 years, home-grown jihadists have been a principal concern of authorities.

Efforts to disrupt terrorist networks, prevent terrorist recruitment, thwart terrorist plots, and deter attacks through prosecutions of those who plotted or carried out attacks have largely been successful.[22] Shutting down domestic violent extremists may prove more difficult, for a variety of reasons.[23]

The home-grown jihadists have never had a supportive constituency. With deep roots in American history and society, today's domestic extremists may have a sympathetic underground.

Domestic violent extremists are better organized than the home-grown jihadists. Recent actions have given them opportunities to network, build contacts, and coalesce.

The Nation has not been galvanized. Fortunately, there has been no follow-on 9/11-scale attack to bring the country together in a fervent National effort. Rather than being a catalyst for unity, the events of January 6 seem to be a source of continuing division.

Right-wing extremists are better armed than the jihadists. Jihadists have been able to acquire firearms, but they did not match the personal arsenals on display at far-right protests.

Many right-wing extremists have military or police training, which adds to their skills in planning operations and avoiding arrest. We may have an insider problem.

Preventing radicalization will provoke outrage and raise civil liberty concerns. The idea that domestic extremists may be the subjects of thought control and thus

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[20] Natalie Allison and Adam Tamburin, "Retracing the Key Moments After the Christmas Morning Bombing in Nashville," *Tennessean,* January 10, 2021 (as of February 1, 2021: *https://www.tennessean.com/in-depth/news/local/2021/01/10/timeline-christmas-morning-bombing-nashville/6578915002/).*

[21] Michael Balsamo, "FBI: Pipe Bombs at RNC, DNC Were Planted Night Before Riot," *ABC News,* January 29, 2021 (as of February 1, 2021: *https://abcnews.go.com/Politics/wireStory/fbi-pipe-bombs-rnc-dnc-planted-night-riot-75566629).*

[22] Brian Michael Jenkins, *Paths to Destruction: A Group Portrait of America's Jihadists—Comparing Jihadist Travelers with Domestic Plotters,* Santa Monica, Calif.: RAND Corporation, RR–3195–RC, 2020 (as of February 1, 2021: *https://www.rand.org/pubs/research_reports/RR3195.html).*

[23] Some of these points are discussed in greater detail in Brian Michael Jenkins, "Domestic Violent Extremists Will Be Harder to Combat Than Homegrown Jihadists," *The Hill,* January 31, 2021 (as of February 1, 2021: *https://thehill.com/opinion/national-security/536637-domestic-violent-extremists-will-be-harder-to-combat-than-homegrown).*

require a form of "deprogramming" has already provoked angry complaints. The environment for domestic intelligence collection will be less permissive, and prosecutions may be more difficult.

Historically, the American political system has been adept at co-opting issues and addressing underlying grievances, thereby separating violent extremists from larger potential constituencies. A majority of Americans of all races believe that systemic racism against Black Americans is a problem that should be addressed, although perceptions vary greatly according to race.[24] Recognition is important to getting something done, although real progress is required.

Co-option is harder with far-right extremists. Government cannot compromise with those whose views are antithetical to unalienable rights and American values. However, a strategy aimed at reducing reservoirs of potential recruits for far-right extremists should not be ignored.

Beneath the anger, there are some legitimate and understandable complaints. Segments of our population and regions of our country have been left behind by technological developments, globalization, and insufficient investment in physical and human infrastructure. Education has not equipped them—or their children—to compete in the new economies. They have been marginalized, dismissed, and disparaged. Drug addiction, drink, and suicide are killing off middle-aged and younger White men who do not have college educations.[25] The system has failed them. Their despair does not entirely explain the rise of domestic extremists, but those who have been left behind are part of their constituency.

The challenges are daunting, but the situation is not hopeless. Continuing violence may attract some, but it will alienate many. The FBI ultimately cracked the Ku Klux Klan without a domestic terrorism statute. Recent arrests and revelations suggest that the bureau already has informants inside the extremist constellations. A new strategy will be required. I am confident that our democracy will prevail.

A FINAL OBSERVATION

Let me conclude with a personal observation. I am ferociously nonpartisan. However, any realistic appreciation of the situation cannot ignore the current political environment.

We, the people, elect you to represent our interests. Given this vast and diverse country, those interests are equally diverse and often conflicting. Addressing them requires calm discourse, thoughtful deliberation, and creative political compromise.

How you conduct yourselves sets the tone—whether it is one of divisive bellicose rhetoric or instructive civil discourse, the choice is yours. It will determine the course of our Nation.

Chairman THOMPSON. I thank the witness for his testimony.

I will remind each Member that he or she will have 5 minutes to question the witnesses. I now recognize myself for questions.

Dr. Rodriguez, just for the sake of the committee's information, were you aware of the potential violence that might have occurred on January 6? If so, who did you notify of this information?

Mr. RODRIGUEZ. Thank you, Mr. Chairman.

Can you hear me?

Chairman THOMPSON. Yes.

Mr. RODRIGUEZ. OK. So it is a great question. The Homeland Security Emergency Management Agency worked very closely with the Metropolitan Police Department and our Federal partners to assess the threat environment prior to the January 6 insurrection. We did, and as I think all Federal agencies that were sharing information with the city, did indicate that there was the potential for violence and that there was intelligence to suggest that there could be violence. So that information was shared with the city.

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[24] "Most Americans Agree That Institutional Racism Is Real and That Change Is Needed," *Ipsos,* September 2, 2020 (as of February 1, 2021: *https://www.ipsos.com/en-us/most-americans-agree-institutional-racism-real-and-change-needed).*

[25] Anne Case and Angus Deaton, *Deaths of Despair and the Future of Capitalism,* Princeton, NJ: Princeton University Press, 2020.

What it prompted us to do, Mr. Chairman, as the District of Columbia government, was to recommend to Mayor Bowser that we call up the National Guard. We did that on December 31 to help with traffic management and crowd control on city property. So we also activated our Emergency Operations Center to ensure interagency coordination from the city's standpoint prior to that—prior to the protests that were expected on the 6.

Chairman THOMPSON. Thank you very much.

Mr. Greenblatt, earlier before this committee you talked about the importance of political leaders' rhetoric in combating anti-Semitism. Do you see that kind of rhetoric as a problem for what occurred on January 6?

Mr. GREENBLATT. Thank you for the question, Mr. Chairman.

There is no doubt that right-wing extremists have been encouraged to see their rhetoric repeated, to see their memes moved around by elected leaders at the highest levels.

Again, when individuals, including the ex-President, would make statements, like after the melee in Charlottesville where a woman was murdered, where White Supremacists rampaged through the town chanting, "Jews will not replace us," when the President, the prior President, said that, "There are very fine people on both sides," or, again, when he would retweet out the rhetoric coming from White Supremacists and use their language, like making claims about globalist conspiracy theories or telling the Proud Boys in a debate that they should, "stand back or stand by," or even after the melee—after the attack on the Capitol, suggesting that his supporters were, "very special people," and that he loved them, when I say that this rhetoric emboldens them, I don't mean that rhetorically. I mean it literally.

Because at ADL we track the extremists. We are monitoring them on Facebook and Twitter, but also on Signal and Telegram and the other platforms that they use, and they were saying, "We feel emboldened," to one another. The Proud Boys were saying, "Reporting for duty, sir."

Again, we know that tens of thousands of people who showed up at the National Mall, look, the vast majority of them were ordinary individuals who had come to believe and been brainwashed to think that somehow the election wasn't legitimate, that somehow the votes had been stolen, despite the overwhelming and unambiguous evidence to the contrary.

So there is no question, Mr. Chairman, and all the Members of the committee, no matter—there is nothing political in pushing back on prejudice, right? There is nothing partisan in adhering to a basic set of principles. When leaders don't do that it creates the space, if you will, that extremists can exploit and move from the margins into the mainstream.

I will just make one last point. It isn't just about, again, the President of the United States. It could be the president of the local PTA. But people in positions of authority need to clearly and consistently call out disinformation, extremism, and hate. Whether, again, it is coming from the President of the United States or a first-term Member of Congress, those who obsess about conspiracy theories, those who spread anti-Semitism and racism, they don't

belong in the public conversation with a seat at the table. Period. End of story.

Chairman THOMPSON. Thank you very much.

The Chair now recognizes the Ranking Member of the full committee, the gentleman from New York, Mr. Katko, for questions.

Mr. KATKO. Thank you, Mr. Chairman.

Mr. Greenblatt, I appreciate your comments, and I do think that the rhetoric has definitely led to what happened on January 6. I credit what you are saying. It is incumbent upon all of us to be mindful of what that rhetoric can do and what it did in this case.

That is why I voted for impeachment, because there is no question in my mind—as a Republican, I was the first to do so, and I did so because there is no question in my mind that the rhetoric inflamed and turned the boiling water from a hot pot of water to overflowing, and that is what happened. There is just no question about it. So thank you for that.

But I want to look at the issues more broadly, because that is what our job is. Ms. Neumann, you mentioned that we need a domestic terror commission, if you will. What would you envision that looking like, and what would you think we should do from a legislative standpoint to form that commission and make sure it is effective?

Ms. NEUMANN. Thank you, Ranking Member, for the question.

Look, as a former Executive branch official, the day-to-day work that you have to do, the portfolios that counterterrorism professionals and law enforcement professionals have is enormous. You are often looking at urgent threats, at trying to make sure, especially in a heightened threat environment that we are in, that we are staying ahead of the threat actors.

So my concern is that in this moment that we have really the fantastic people that I trust, that I think are experts that are coming into the Biden administration, that are going to treat this seriously. They are going to look at updating what they can from a policy perspective or from even a cultural perspective. I think we need to explore how various institutional cultures may have contributed to missing this or not taking a threat seriously enough.

The honest truth is this is extremely complex. As Mr. Jenkins pointed out, we really need to weigh the pros and cons of what, if we change the law, what are the unintentional consequences? There are many communities that have been historically hurt by laws that were passed to try to address terrorism. We need to treat that seriously and hear their concerns.

It is not something that in your day-to-day work as a counterterrorism official you have the time and the space to treat with the level of diligence it deserves.

That is why I think this is where you need a commission. You also need it out of, quite frankly, the political spotlight. The rhetoric I am seeing on certain fairly prominent commentators that are painting with very broad brush strokes, they, whoever "they" is, believe that 74 million Americans that voted for President Trump are domestic terrorists.

Now, I am an avid consumer of news, and I have been a news commentator of late. I haven't heard anybody saying that. It is not a prominent talking point in the mainstream, if you will. Yet we

have just informed an echo chamber and it continues to be repeated that they are now painted as domestic terrorists.

Well, unfortunately, that feeds the grievance cycle. That is likely to create more moving toward radicalization, potentially mobilizing to violence, because they have now been told that they are been painted as domestic terrorists.

So we have got to cut that off. We have got to cool the rhetoric happening on both sides. Part of the way to do that is to stand up a commission, bipartisan, that the people that are selected are trusted as being experts, honest brokers, and let them go off behind closed doors and debate this. Then let them bring it out to the public, to you, the Congress, who have the most important job of debating what the laws should be in our country.

So I think you are looking for expertise in counterterrorism, law enforcement, civil liberties, and representatives from communities that have historically been on the receiving end of too much scrutiny or abuse by authorities. We need expertise from all those to come and evaluate what the best path forward is here.

Mr. KATKO. Thank you, Ms. Neumann.

Mr. Jenkins, real briefly, 2 questions, and you can answer them briefly, if you can.

First of all, obviously, some of the far-right violent extremism manifested itself on January 6, but is it fair to say that, you know, violent extremism goes across the entire political spectrum, from the far left to the far right, and that is something we need to keep in mind as we go forward here? That is No. 1.

No. 2 is, did you want to add anything to what this commission should look like and what Ms. Neumann said?

Unmute yourself, please.

Mr. JENKINS. To the first question, you, yourself, pointed out that in the 1960's and 1970's we were dealing with left-wing terrorists. In the 1980's and 1990's it shifted back to the right. For the last 20 years we have been looking at jihadist terrorists. In recent years right-wing terrorists has resurged again to be our principal problem.

This moves over time, and I think we do have to address all dimensions of the threat coming from left and right. That is the nature of the kind of political violence we deal with in our country.

In answer to the second part, about the mission of the commission, I certainly agree with Ms. Neumann that a bipartisan commission, insulated from daily news and partisan politics, can, No. 1, provide an accurate, thorough history of the events of January 6. The 9/11 Commission's history of the 9/11 events is still the most accurate, thorough account, and that is useful.

I think it can look at the intelligence issues, the security issues, not in the narrow sense but in the broadest sense about how we protect our Government and its processes going forward in an age of the internet and without turning really our public buildings, including the Capitol, into armed fortresses.

Mr. KATKO. Thank you very much.

I yield back, Mr. Chairman.

Chairman THOMPSON. Thank you very much.

The Chair now recognizes other Members for questions they may wish to ask witnesses. I will recognize Members in order of senior-

ity, alternating between Majority and Minority. Members are reminded to unmute themselves when recognized for questioning and to then mute themselves once they have finished speaking and to leave their cameras on so they may be visible to the Chair.

The Chair recognizes for 5 minutes the gentlelady from Texas, Ms. Jackson Lee.

Ms. JACKSON LEE. Mr. Chairman, thank you very much, and to the Ranking Member as well, and to the witnesses.

The attack on the Capitol was an act of domestic terrorism and it was primarily and much attributed to the words of the President of the United States, President Trump, who emboldened those who carried out this terrorist act.

I want to first of all acknowledge the loss of our beloved officer, Officer Sicknick, and other officers who have also lost their lives, but those who now continue to suffer with injuries, some of whom are still in hospitals. I believe it is our responsibility to find a solution and to do it in a bipartisan way. We need to do it as Americans.

So I am interested, Dr. Rodriguez, you indicated information coming from a number of sources. Would you tell me whether you as DHS know that you got information directly from FBI national? Did you convey that information to the Capitol Hill officers, police officers, brass, the chief and others, in your preparation?

Dr. Rodriguez.

Mr. RODRIGUEZ. Thank you, Representative Jackson Lee. I appreciate the question.

To the first part, about getting information from the Federal Government or from the FBI, yes, we have good information-sharing and intelligence-sharing relationships with the Washington Field Office here in the District and we were getting information from them about the potential for violence.

Ms. JACKSON LEE. Did you convey that to the police on Capitol Hill?

Mr. RODRIGUEZ. I was just about to get to that. So we did convene—the Metropolitan Police Department and my office convened a variety of different phone calls and briefings with all relevant Federal stakeholders, the Park Police, the Capitol Police, and all of our Federal partners, to make sure that everyone had the same intelligence and the same——

Ms. JACKSON LEE. Thank you so much very. I support Mayor Bowser's need for control over the National Guard. Thank you so much very much.

Let me ask Ms. Neumann about the idea of what has been represented is the number of witnesses—excuse me—the number of individuals found to be affiliated with the United States military and law enforcement formally, either active or retired.

What would be your thought about the idea of stopping this tide of extremism in these particular organizations, overcoming the many excellent officers who stood the line for us, visibly fighting against domestic terrorists? How do we address that?

I would like the witness, Mr. Jenkins, to answer that question as well. Thank you.

Ms. Neumann? My time is short. Thank you.

Ms. NEUMANN. Yes, ma'am. Thank you for the question.

Yes, can you hear me?

Ms. JACKSON LEE. Very well.

Ms. NEUMANN. Thank you for the question.

I believe that, though it might have shocked the American public and there has been a lot of conversation about it, this has been a known challenge for decades. We know that White Supremacist groups and militia groups have targeted military, former military and former law enforcement, for recruitment purposes upon their retirement.

We also know that they encourage people when they are young, when they have been recruited into these movements, to stay clean so that they can enter into and not get caught through screening mechanisms that are in place, so that they can get into the military, get into law enforcement. This is primarily because they are looking for people to have the training associated with being in the military and law enforcement.

So your question was, what do we do about it? I do know that military and law enforcement cultures do have——

Ms. JACKSON LEE. I have a short period of time, so I will take your answer.

Ms. NEUMANN. Yes.

Ms. JACKSON LEE. I will just get Mr. Jenkins for a brief moment, because I would like to ask a question of Mr. Greenblatt very quickly. I have a very short time, seconds.

Mr. Jenkins, do you want to offer any comments?

Mr. JENKINS. Yes. No, the military canon over the years has repeatedly had to address the issue of political displays, of political loyalties, of things that interfere with the unity of effort that is required in the military. They have experience in doing so, and they can do so.

With regard to police departments, the major police departments have the ability to do this and are addressing it. But we have 17,000 police departments in this country and to get some of the smaller police departments in various parts of the country to do this is a much bigger challenge.

Ms. JACKSON LEE. Thank you.

Mr. Greenblatt, the symbols of racism, hatred for African Americans, hatred for people of the Jewish heritage and faith, why is that so strong in the White terrorists or domestic terrorism?

Mr. GREENBLATT. So there are different types of right-wing extremists, Congresswoman, that you could bunch into White supremacists and sort of anti-Government types, but racism and anti-Semitism is at the beating heart of these movements. They believe there is a conspiracy controlled by Jews to use Black people to take over the White race. It is wrong, it is lunatic, but that is what we are dealing with, and unfortunately it is far too prevalent.

Ms. JACKSON LEE. Thank you so very much.

With that, Mr. Chairman, I yield back. Thank you so very much.

Chairman THOMPSON. Thank you very much.

The Chair recognizes the gentleman from Louisiana for 5 minutes, Mr. Higgins.

Mr. HIGGINS. Thank you, Mr. Chairman. Let me say I am humbled to return to the Homeland Security Committee to continue working to ensure the safety and security of our Nation.

I would also like to welcome all the new Members to the committee. This is an effective and functional and well-led committee. We seek nonpartisan solutions to challenges that face our country.

It is an honor to resume my duties as the Ranking Member of the Border Security, Facilitation, and Operations Subcommittee. There is still an abundance of work to be done to secure our Nation, and I look forward to working with my colleagues in this committee to make that happen.

The Biden administration has unfortunately begun implementing dangerous policies that threaten our homeland. The administration's proposal of amnesty for 11 million illegal immigrants will allow individuals who have knowingly committed the crime to receive the benefits and privileges that normally come with United States citizenship. This could be at the expense of hardworking Americans who are struggling due to the COVID–19 impact.

This issue is further compounded by the Biden administration's Executive Order to end funding for the border wall. Reports from boots on the ground and crime statistics overwhelming show that physical barriers work. They deter and delay illegal crossings, which gives our border agents an advantage, and they need that over the illicit activities of drug cartels, gangs, and human traffickers. Those guys are outnumbered down there, and any delay and deterrence to the actual crossing gives them a chance to respond.

Further, what is referred to as the "Remain in Mexico" policy, MPP, has been a critical tool in securing our Southwest Border. MPP ended the incentive of making fraudulent asylum claims and prevented migrants from disappearing into the United States. The end of that. Catch and release is back. Reversing that policy allows our laws to be exploited.

These Biden administration actions encourage illegal immigration. They reward it, and they will undoubtedly result in a surge of immigrants at the border, creating a new humanitarian crisis in the middle of a pandemic.

Politically-driven policies to reduce the footprint of Customs and Border Protection capabilities and resources at our Southern Border will also increase the number of immigrants who choose to take the dangerous, illegal journey across our Nation's bottom border.

The administration's immigration policies are not safe for the American people or immigrants. Border security should not be as partisan of an issue as it has become. It never was before. We should all agree that we should secure our sovereign border. Together, we can work on making improvements to our immigration system while enforcing laws and providing security to our citizens.

I am pleased to continue the important duty of securing our homeland. I look forward to working with my colleagues moving forward.

I thank the witnesses for being here today. The topic of domestic terrorism should continue to be addressed aggressively through this committee. None of us condone any type of violent protest. While at the same time we support a citizen's right to have his grievances heard through his First Amendment protections to assemble and to redress those grievances.

So we must seek a balance of aggressively prosecuting domestic terror where it is truly uncovered after a thorough investigation and due process has been served and, at the same time, maintain our core principles of protection of First Amendment rights and freedoms across the country.

Mr. Chairman, I especially appreciate your leadership. You have been a solid and fair and incredibly even-handed gentleman through the course of my service. I look forward to working with my colleague and friend, Representative Katko, as the Ranking Member. God bless us, one and all. We have work to do.

I yield, Mr. Chairman.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentleman from Rhode Island, Mr. Langevin, for 5 minutes.

Mr. LANGEVIN. Thank you, Mr. Chairman.

First of all, I want to congratulate you, Mr. Chairman. Thank you for, again, sharing together in a very timely and important hearing, but I especially want to congratulate you on once again taking the helm, the gavel, as our Chairman. I look forward to continue working with you.

I want to congratulate also Mr. Katko on his new role as the Ranking Member of the full committee. I have found Mr. Katko to be one of most bipartisan Members of Congress.

I have enjoyed working with you, Mr. Katko, on a number of issues, particularly around cyber, and I especially appreciate your leadership on that topic.

So, with that——

Mr. KATKO. Thank you, Mr. Langevin.

Mr. LANGEVIN. Thank you.

I also just wanted to welcome our witnesses. Thank you for your input and your insights today and helping us and guiding us as we go forward to get our arms around the challenges we face around domestic terrorism and the undermining of our democracy. This is a long-term challenge that we are going to have to confront, and we have to get this right for the good of our country.

One of the most corrosive things I see out there and that we have to contend with is the disinformation/misinformation campaigns that are out there and that continue to have this terrible corrosive nature.

Ms. Neumann, I wanted to start with you, asking what tools and metrics does the Department of Homeland Security have in place for measuring the prevalence of corrosive disinformation/misinformation in circulation?

Also, Ms. Neumann, I wanted to ask, in your written testimony, you highlight that the starting point for many extremists is a vulnerable population who may be frustrated or angry and are susceptible to messages of blame and grievance. You list countermeasures, including community-based resilience and direct counter-messaging.

What agencies or organizations are in place to implement these countermeasures, and what more can we be doing?

But if you can start with the misinformation/disinformation.

Ms. NEUMANN. Yes, sir. Thank you for the question.

On the disinformation, at DHS, the Cybersecurity and Infrastructure Security Agency, CISA, largely has taken the lead around disinformation, in particular because of election security, but I believe they appreciated that there is much to disinformation that expands far beyond the elections.

In particular, we noted, when the pandemic was starting back in March, we saw early signs of disinformation and misinformation. My former staff actually predicted that we were likely to see violence related to that, and, sadly, that became true.

You asked, though, how we measure it, and I don't know that I have a good answer. During my tenure, it was certainly more qualitative, not necessarily quantitative. But it has been a year since I was at the Department, so they may have made some advances. Certainly, they were able to tell me whether there had been an increase or a decrease or if the nature or origin of it had shifted, but I don't know that we have solid metrics. That would be a good question to ask the Department.

On the nature of the vulnerable individuals and what do we do, that is where the Office of Targeted Violence and Terrorism Prevention is doing work around innovation and research. You all provided grant funds. This last year, it increased to $20 million. Those funds, in part, are going to research some of these issues.

There are also some private industry or private-sector efforts. Moonshot CVE comes to mind, where they are looking at, when people search for certain terms, if they are offered kind-of an alternative perspective, does that messaging work? Does that move people away from maybe the disinformation that they were seeking?

So there are any number of efforts, including one that I feel is fairly promising, a peer-to-peer exchange where college students, as part of a class in communications, develop campaigns to basically counter disinformation. The winning—usually it is done in a contest style—the winning campaign gets paid for to be used more broadly in their community.

I think innovation is really important here. Disinformation, of course, has been around for decades, but the viral nature of it through technology makes the challenge very hard.

Mr. LANGEVIN. OK.

Do you think that DHS is the agency that should be leading this counter-messaging resilience within the U.S. Government, yes or no?

Ms. NEUMANN. It certainly—yes, in strong partnership with other agencies that have expertise.

Mr. LANGEVIN. OK.

Thank you, Mr. Chairman. I yield back.

Chairman THOMPSON. Thank you very much.

The Chair recognizes the gentleman from North Carolina for 5 minutes, Mr. Bishop.

Mr. BISHOP. Thank you, Mr. Chairman.

Ms. Neumann, you are familiar with the security profile around Lafayette Square and the events of last June, where St. John's Church was burned somewhat, and then there was a big controversy over the security cordon that was sort of established thereafter, right? You are familiar with that?

Ms. Neumann, are you able to hear me?

Ms. NEUMANN. I am familiar. I was a private citizen at the time.

Mr. BISHOP. Yes, ma'am.

Ms. NEUMANN. Yes, I can. I was a private citizen at the time, but I am familiar with the public accounts.

Mr. BISHOP. OK. You spend time in Washington even now, I assume, right?

Ms. Neumann, were you able to hear me?

Ms. NEUMANN. Yes, I live in the area.

Mr. BISHOP. Have you been in the Lafayette Park area since then and seen the fencing and so forth that is in that area?

Ms. NEUMANN. Yes, I live in——

Mr. BISHOP. It is also true that, since last summer, much of the downtown area has been boarded up and so forth, correct?

Ma'am, it has been—there were a lot of the storefronts and so forth——

Ms. NEUMANN. Yes, sir.

Mr. BISHOP [continuing]. That have been continuously boarded up, Right?

You have also said in your paper, made the point, in fact, on page 10——

Ms. NEUMANN. That is correct.

Mr. BISHOP [continuing]. That there is a known challenge involving right-wing extremist violence. In fact, you sort-of make the point that, you know, there is a false equivalence drawn. You make the point that the official view is that the source of right-wing violence is actually more concerning as a matter of domestic violent extremists. Is that correct?

Are you able to hear me, ma'am?

I am not sure my——

Ms. NEUMANN. My point is that, historically, the statistics show that the preponderance—yes. Sorry. There does seem to be a delay. I am able to hear you.

The issue is that the statistics show that there has been more violence, more planned attacks, more arrests coming from groups that would be considered right-wing extremists.

CSIS, ADL, multiple organizations have studied this from a statistical standpoint, and you have seen—let's just take the last 10 years—76 percent of all hate-crime-related murders are coming from that right-wing violent extremist ideology, as compared to Islam jihadism and left-wing violent extremism.

So the issue——

Mr. BISHOP. Yes, ma'am. So, Ms. Neumann, given——

Ms. NEUMANN. So the issue is, No. 1, not that we don't need to treat all violence with seriousness and go after that threat——

Mr. BISHOP. Given the prevalence of that——

Ms. NEUMANN [continuing]. But, statistically speaking, we have seen more come from what is ultimately the right wing.

Mr. BISHOP. Given the prevalence of that, wouldn't it be true that there would have been a fairly obvious need for a significant security profile around the Capitol on January 6?

In fact, I understand there were some threat warnings and so forth in advance. Do you have any insight as to why decisions were made not to have the sort of security around the Capitol that we have right now?

Chairman THOMPSON. I think Ms. Neumann is having some challenges with her internet right now.

Ms. NEUMANN. I will tell you that, as I was observing on the TV, I was—can you hear me?

Mr. BISHOP. Mr. Chairman, I think, unfortunately, there is such a delay——

Ms. NEUMANN. I will keep talking in case you can.

Mr. BISHOP [continuing]. I think perhaps I will just yield back.

Ms. NEUMANN. I believe that what I observed on TV, I thought that the security was woefully unprepared. It did not make sense to me why police officers——

Chairman THOMPSON. The gentleman has yielded his time, Ms. Neumann, and we will go to our next questioner.

The Chair recognizes Mr. Correa for 5 minutes for questioning.

Mr. CORREA. Thank you, Mr. Chairman. Can you hear me OK?

Chairman THOMPSON. Yes, we can.

Mr. CORREA. Thank you very much.

First of all, I want to thank you, Chairman Thompson, for holding this most important hearing on domestic terrorism.

Mr. Katko, I want to congratulate you for your position as the Ranking Member.

We are going to continue to have a long discussion [inaudible]. As you know, this is not a Democrat or Republican issue, but, rather, this is an issue about security of all Americans, here and abroad.

Mr. Chairman, again, I thank you for this hearing because, as you remember, I called on the House Homeland Security Committee right after the Charlottesville "Unite the Right" rally, where 32-year-old Heather Heyer was killed, I called on this kind of a hearing to address this home-grown right-wing terrorism. So I am glad we are finally here.

In the few moments that I have, I want to ask some of our witnesses a couple of questions.

First, my question to all of you: Given the events that we just witnessed, especially January 6, and, again, having been in that gallery myself and watching everything unfold, are we now prepared? Are we adequately redirecting resources to address domestic terrorism?

After 9/11, rightly so, we focused almost exclusively on foreign terrorism. My question is, to all of you, are we now focused the way we should be on domestic terrorism?

Mr. Rodriguez.

Mr. RODRIGUEZ. Thank you, Representative Correa.

I do think that, in the wake of January 6, we need to reinforce the importance of information sharing and intelligence sharing. That is why I spoke in my comments——

Mr. CORREA. I am limited in my time, Mr. Rodriguez, so let me ask you: We have more than 17,000 police agencies, fusion centers. Do we need more legislation? More resources? Or do we just have to have a better attitude in terms of coordinating information?

Mr. RODRIGUEZ. We need more information [inaudible] and get that information flowing into liaison officers into some of these Federal agencies. Yes.

Mr. CORREA. Ms. Neumann, same question.

Mr. Greenblatt.

Mr. GREENBLATT. What I would say, Mr. Congressman, is, we at the ADL work closely with the FBI, who I think is focused on the problem, but we do not yet have a whole-of-Government approach. We do not yet have adequate resources. The Biden administration has given us some very encouraging signals and said they will make it a priority, but now we really need an integrated Federal strategy across the Executive branch.

Mr. Congressman, we also need State and local governments to make sure they are also resourcing to the threat.

Mr. CORREA. Mr. Jenkins.

Mr. JENKINS. Certainly the focus is there right now. I can't answer to how the resources are being readjusted. I think we do need, however, to have a rethink of our fundamental strategy. We simply cannot take the strategies that we have used to deal with homegrown jihadists and say we will apply these to domestic violent extremists. Because there are different conditions, we do need to have a fundamental rethink of our whole-of-Government strategy to deal with this problem.

Mr. CORREA. So, Mr. Jenkins, you talked about the material support, a legal framework, as it addresses foreign terrorism, maybe flipping that and applying that to domestic terrorism. I am thinking to myself, YouTube, GoFundMe, First Amendment, hate speech that incites hate violence.

Do we need more legislation? How can we pivot from foreign material support to domestic support and preserve our Constitutional rights?

Mr. JENKINS. Mr. Correa, in my written testimony and in my oral testimony, I have said that I am very wary of additional legislation or additional criminal statutes. I think we do have adequate criminal statutes to deal with this as a criminal problem.

I think that, if we go in the direction of adding terrorism statutes to deal with the domestic issue, we are going to become embroiled in endless discussions about definition and about designation of groups. So I would be very, very cautious in that area.

Mr. CORREA. Mr. Greenblatt, same question to you, sir.

Mr. GREENBLATT. Mr. Congressman, it may be a bit beyond scope for this committee, but I believe that Section 230 of the Communications Decency Act absolutely needs attention. It needs to be reformed. It creates a shield of liability for the big social media platforms, a shield that I would suggest to you they have abused. They have utilized it to the detriment of the public.

It absolutely needs attention. I know Congressman Malinowski and Congresswoman Eshoo have a bill on that. It absolutely merits your attention and that of other Members of Congress.

Mr. CORREA. So you do believe there are some legislative fixes that we can——

Mr. GREENBLATT. The Domestic Terrorism Prevention Act absolutely should be passed. That is out there right now. So there are some existing—and the NO HATE Act, as well, should be looked at to deal with hate crimes.

Then I think new legislation, Mr. Congressman, to look at Section 230, it is long overdue. You will find wide-spread support in civil society and in the business community if you take that on.

Mr. CORREA. Same question, Ms. Neumann——

Chairman THOMPSON. The gentleman's time from California has expired.

Mr. CORREA. Thank you, Mr. Chairman.

Chairman THOMPSON. Thank you very much.

The Chair recognizes the gentleman from New Jersey, Mr. Van Drew.

Mr. VAN DREW. Good morning, everybody. It is wonderful to be with you all.

I do want to congratulate the Chairman on being Chairman once again and look forward to working with him. I had a wonderful relationship last year. Of course, our Ranking Member, Congressman Katko, I know will do a wonderful and fine job, and I look forward to working with him.

I am proud to be here with my colleagues on both sides of the aisle and to be addressing these real issues that are facing our Nation. As you know, I am someone that served at almost every level of Government, and I understand the importance of bipartisanship. It would be supremely cool—I don't know how else to say it—if we actually could do it. It would be wonderful if we were, like, an example of one of the very, very few committees that actually achieves that goal. I think that that is possible.

You know, in all my years as a dentist and in State politics, State senate, which I was in for 16 years, I never thought I would be here discussing the threat that violent domestic extremism exposes to our great Nation. Whether it is left-wing extremism, such as what we saw in Portland, Seattle, Kenosha, and even here in the District of Columbia, or right-wing extremism, as what occurred at the Capitol on January 6, it is a serious issue, and it must be remedied.

Just to be clear, I am not condemning peaceful rallies in memory of George Floyd or Jacob Blake, but, rather, the violent anarchists who senselessly take advantage of protests. No form—no form—of extremism should ever be tolerated, period. We can't pretend one side is good and one side is bad. We need to use common sense and work with one another.

We live in a country where freedom of speech is not only allowed but it is encouraged, which needs to happen without destructive and divisive actions. That is the real devil in the details here with all of this. Our voices as Members of Congress need to be used to soothe rather than to inflame.

I just wanted to agree with Jonathan Greenblatt on Section 230. I think there is support for legislation along those lines on the Republican and the Democratic side.

I think you are absolutely right. They have gotten away with too much, too arbitrarily. Thank you for making that statement.

I have a couple of questions, and one of them is—and let me find it—to Chris Rodriguez.

Chris, what I wanted to ask was, how much is too much when we talk about the kind of protection—this is a very specific question—around the Capitol?

We didn't have enough before, obviously. I have to be honest with you. As somebody who was used to being in the State capitol many years and now in this Capitol for a few years, as you just walked

around, sometimes you would have the sense—wonderful, brave, good men and women—that there just wasn't enough of them and enough help for them.

So we have learned the hard way that we need to do more. But are we overdoing it a bit? I mean, we are literally affecting commerce in the city. We are affecting traveling in the city. We are affecting a way of life.

You know, somebody asked me, when I went to the inauguration, how did I feel or how did it feel. To be really honest with you, I felt like I was in a Third World country or I was somewhere—like, I was in Venezuela or somewhere. It just didn't feel like America, the amount of National Guard we had and the amount of barbed wire.

When is too much just too much?

Mr. RODRIGUEZ. Thank you, Congressman. It is good to see a fellow New Jerseyan today.

But I would say that——

Mr. VAN DREW. We always stick together. You know that.

Mr. RODRIGUEZ. Yes, we do, sir.

I would say that we do recognize, from the city's standpoint, the importance of security. We do not agree that the current security footprint at the Capitol is something that should be maintained permanently. It is the people's House, and we need to make sure that the citizens who it serves have access to it.

Mr. VAN DREW. Yep. I agree with you. I think that is one of the first things we have to work at, is really finding the right formula for safety but making sure it is still the people's House. Just the feeling you get in your gut, it is just—it is not reminiscent of America. It is not reminiscent of our Capitol and what we have been.

We have had things happen before. We have to fix them. We have to make sure we are safe. We may need more, and we may need to check better, and I have no problem with that. But we have to, in some way, get back to—you know, I have all these kids piled up—everybody does here—who want to go and tour the Capitol, and families and just people. It belongs to them, and we want to get them back. So that is so important, and I hope that we do that soon.

I had another question, if I have time for one more question, and that——

Chairman THOMPSON. The gentleman's time has expired.

Mr. VAN DREW. It did. I couldn't see the clock. Thank you so much, Chairman.

Chairman THOMPSON. Thank you very much.

The Chair recognizes the gentleman from New Jersey, Mr. Payne, for 5 minutes.

Unmute yourself.

Mr. PAYNE. Thank you, Mr. Chairman. It seems like you have been inundated with New Jerseyans all of a sudden.

Ms. Neumann, I would like to ask about the responsibility that political leaders bear for encouraging and inciting the violence at the Capitol.

In your testimony, you note that, as of last week, 78 percent of Trump voters believe that the Presidential election was stolen. This follows months of lies by the former President and his allies that

the election was stolen. These baseless claims of election fraud have been rejected by courts over 60 times in multiple jurisdictions.

Can you please share with the committee how these months of lies helped contribute to the violent mob that killed a USCP officer and led to 2 others to death by suicide?

Ms. NEUMANN. Yes, sir.

The issue that we have at the present moment is that there is still a perpetuation of this belief that the election was stolen. The latest poll from last week was around 78 percent of Trump voters believe this, and that is about 57 million Americans.

So, when I look at that for the potential of violence, of course not all 57 million would go and do something violent about this. I think, in some ways, January 6 really crystallized for many that that was too far.

But when you are looking at the radicalization process, you have vulnerable individuals, a smaller subset of those radicalized in their thought, and a smaller subset of those mobilized to violence. That is what that graphic that RAND produced kind of shows.

My concern is, when your vulnerable pool is 57 million people, 1 percent or even half of 1 percent puts us at 250,000-ish people, and that is too much. I mean, if somebody were to say, we have 250,000 ISIS adherents inside the country, the country would panic.

But the potential that we have the longer that this lie is allowed to stay out there—so it is really important for credible voices within the community to come out very clearly and explain the election was not stolen, that there was not enough fraud to overturn the results of the election, and help us shrink that pool of vulnerable individuals.

That is not going to save us all of the potential violence, but that goes a long way to helping the security officials be able to wrap their arms around the challenge that we have.

Mr. PAYNE. Thank you.

Also in your testimony, you note that recruitment is easier now for extremists. Extremist ideas have been mainstreamed and normalized via political speech.

Is this trend reversible? If political leaders that are perceived to be sympathetic to extremists were to speak out and disavow these lies about the election, could that lead to a reduction in the threats and violence?

Ms. NEUMANN. So, yes, we need more credible voices to be speaking out, calling for calm, telling the truth. That reduces our vulnerability.

Mr. PAYNE. Thank you.

Mr. Chairman, I will yield back.

Chairman THOMPSON. Thank you very much.

The gentleman yields back.

The Chair recognizes the gentleman from Texas, Mr. McCaul, for 5 minutes.

Mr. MCCAUL. Thank you, Mr. Chairman.

As the Chairman knows, when I was Chairman, we had several hearings on domestic terrorism. I know it has been an issue of concern for the Chairman as well.

I think that what happened on January 6—when you look at the USA PATRIOT Act, they actually define domestic terrorism, and international, but they never include any charges or penalties for domestic terrorism. They only did it for international. I think it was because, in 2001, they were more focused on foreign terrorists like al-Qaeda, those responsible for 9/11.

But the definition says: Activities that involve dangerous acts to human life that are a violation of the criminal laws in the United States or any state that appeared to be intended to influence the policy of a government by intimidation or coercion, or affect the conduct of a government by mass destruction.

I think the Capitol attack seems to fit squarely within that definition.

So my question: I introduced a bill, along with Congressman Weber, last Congress called the Domestic Terrorism Penalties Act, which—in working with the FBI, who fully agree. You know, they open up DT cases, but they can't charge it as a domestic terrorism case.

So my question is to both Ms. Neumann and Director Rodriguez. Do you believe that now is the time that we should proceed with this type of legislation?

Ms. NEUMANN. I do. I believe that, while the prosecutors and the FBI are doing the best that they can with the tools that they have—and they will tell you, "Hey, I can usually deal with this"—you also see them having to go the extra mile in a way they really shouldn't.

There was a case late summer of last year that was a Boogaloo Bois case, and the best way to be able to make sure that they were able to be prosecuted was to see that they got tied to Hamas in their planning. That just shows you, it is indicative that, hey, if we can get them tied to a foreign terrorist ideology or group, it is easier for us to prosecute.

So there is one thing. You know, let's make their jobs just a little bit easier.

But the second thing is just equal justice. It doesn't make sense to me why, if you commit a crime in the name of White Supremacy or you commit a crime in the name of an ISIS ideology, that you get more jail time for ISIS versus a violent White Supremacist act. We should treat things equally. That is what "equal justice under the law" means.

Mr. MCCAUL. I agree with that statement.

Mr. Rodriguez.

Mr. RODRIGUEZ. Yes, Congressman, I do believe that it is absolutely critical that we hold individuals accountable for terrorism, domestic and international.

Mr. MCCAUL. Well, thank you.

Mr. Chairman, I hope we can work on getting this bill out this Congress. I think, if anything, what happened January 6 just cries out—and I was a Federal prosecutor as well, and I know there are other charges that could be brought, but I think it sends a strong message about where Congress is, that we are going to treat domestic on an equal plane as international terrorism.

My last question has to do with threat streams. I also introduced a bill to use the fusion centers to gather the social media. It is my

understanding that, prior to January 6, there was quite a bit of social media coming in. I think it was underestimated. I think the crowds were underestimated and the level of violence was underestimated. I think it would have been helpful in terms of the planning of security for January 6, specifically the National Guard.

What do you think about a bill to allow the fusion centers to gather this social media in advance to help in the planning of these events? But, also, what in the world happened with the National Guard that day? Why did it take maybe 2½ to 3 hours for the National Guard to respond?

I would ask Director Rodriguez and I guess Ms. Neumann again.

Mr. RODRIGUEZ. Congressman, thank you for the question.

If you are referring to the Protecting America through Information Sharing Act——

Mr. MCCAUL. Yes.

Mr. RODRIGUEZ [continuing]. I believe that that is absolutely critical for the fusion centers to be able to work with technology companies to look at the indicators of violence and of terrorism.

The challenge, as you know, sir, is that some of those fusion centers are not designated as law enforcement entities, and some of them cannot access that information. So I know here in the District of Columbia we have legislation that has already been passed and signed by our mayor that designates our fusion center as a law enforcement entity to access law-enforcement-sensitive information.

On the issue of the National Guard, I think you would have to ask the National Guard. But that is one of the reasons why we support the mayor of the District of Columbia controlling the Guard, as a Governor, as the equivalent of a Governor, to be able to deploy or redeploy resources as swiftly as possible.

Mr. MCCAUL. Thank you.

Ms. Neumann, any final comments?

Ms. NEUMANN. I concur. I will keep it short and just say I concur.

Mr. MCCAUL. Well, Chairman, I would love to work with you on these two pieces of legislation, and I think it is vitally important.

Chairman THOMPSON. I think there is a general sentiment that we have to do something, and we have a number of Members who have expressed an interest. So I am sure, somewhere, there will be agreement on specific legislation.

The Chair recognizes the gentlelady from Michigan, Ms. Slotkin, for 5 minutes.

Ms. SLOTKIN. Thank you, Mr. Chairman. Congratulations to you and Mr. Katko. I am happy to have you leading our committee.

I am really proud to be back and to be subcommittee Chair for the Intel and Counterterrorism committee. A lot of the issues that we are talking about today are going to be the bread and butter of that subcommittee. They are sticky issues, complicated issues.

I have started to discuss with my Co-Chair what an opportunity it is for our subcommittee and for this committee writ large to set an example that we, as Democrats and Republicans, can do our best at keeping this out of politics and focusing on protecting the American people. I think we have a real opportunity to demonstrate that.

I think it is important. Because, for me, as someone who worked on preventing terrorist attacks on the United States for the first 20 years of my career, I believe the post-9/11 era is over. I think January 6 was the cap of one era and the beginning of another that makes clear that the most dangerous threat right now to us as Americans, physical threat, is the division between us and the way that some are exploiting those divisions.

So I think it is good that we are having our first hearing on this and we are going to be really diving into this in this new Congress.

For those of us who are from Michigan, what happened on the 6th is extremely familiar. In my district, in particular, in April, we had armed protesters force their way into our capitol. We had plots uncovered in my district where people were trying to kidnap and kill my Governor. We have had a precipitous rise in groups like the Proud Boys and Boogaloo Bois, a four-fold increase in anti-Semitic events in the State of Michigan. Then, of course, threats against elected leaders, myself and others on this screen.

So I knew there was going to be violence on the 6th; I just didn't think it would be inside the Capitol. I thought it was going to be outside, which is why I directed my staff not to come to work that day.

But there are legitimately complicated issues around domestic terrorism because, at its heart, it is about our fellow citizens. It is about our neighbors and making sure that civil liberties aren't rolled over.

Some of these issues we brought up today—do we want a commission? Do we need a new domestic terrorism law? I think what is going to hold us steady in this committee is agreement on the definitions of "terrorism" versus "extremism" and then the data, making sure that we are not expanding and exploding the numbers, the cases, the instances, that we use data.

As FBI Director Wray came and testified in front us last Congress about what the real nature of the threat is, and we know he said that there are now more open domestic terrorism cases than foreign domestic cases and that White Supremacy constitutes the largest number of those domestic threats.

One of those complicated issues some have talked about here, and it is the role of social media companies. It is very clear to me—we heard them testify last Congress. Frankly, they could not get their act together. They could not come up with a common policy. They could not rise to the occasion of this new industry and talk about how they were going to protect the public. Then the pendulum swung after the 6th, and thousands of people have been kicked off social media platforms.

So we heard from Jonathan Greenblatt on this. I would like to hear from Ms. Neumann on what you think we should do with the social media companies vis-á-vis domestic terrorism.

Ms. NEUMANN. Thank you for the question, and congratulations on your Chairmanship. I was pleased to see that you were appointed to that role.

I agree with your assessment. They have dragged their feet too long. There are places where they have done really good work; it is just not enough. We need them to be moving faster.

I am supportive, as others have mentioned, to looking at Section 230, in particular what Congressman Malinowski proposed last session, or the last Congress, that we need to explore the algorithms and the monetization of the algorithms. I think there are ways in which we can create incentive structures for them to do the right thing.

I was also heartened by the Apple chairman, Tim Cook. In his comments last week, he also seemed to challenge the tech community.

In the United States, we always prefer for industry to self-correct, but we might be at the point where it is needed for the Congress to not just hold a hearing but potentially pass legislation to address this problem.

Ms. SLOTKIN. I know I am out of time, Mr. Chairman. I look forward to working on those issues and the other sticky issues with this committee.

Chairman THOMPSON. Thank you very much. I don't think there is any question about us looking at social media companies and whether or not they are being as forthright in managing those platforms as they should be.

The Chair recognizes the gentleman from South Carolina, Mr. Norman.

Mr. NORMAN. Thank you, Chairman Thompson and Ranking Member Katko. Thank you for holding this meeting.

Mr. Jenkins, you have had a storied career in the military with the Green Berets, and thank you for that service. But what is your opinion—we have talked a lot about, you know, incitement of violence and different things. But how does—when you have a *Time* magazine that publishes a defense of violent protest, when you have the Hachette Book Group publishing "In Defense of Looting," when you have those calling for defunding the police, when you have sanctuary cities that don't cooperate with the police, what effect does this have on extreme movements and, I guess, their empowerment?

Mr. JENKINS. Mr. Norman, thank you very much for the question.

Look, there is no—we protect in this country free speech. A lot of that free speech is hateful, it is repugnant, but it is part of our country's history that we protect that.

No. 2, we protect the right of protest in this country, and we do so fiercely. We realize that throughout our history there has been a lot of pushing and shoving in terms of getting things done. So that has to be maintained. We can't destroy that.

However, I think, in the area of incitement, which is the word that you use, the courts have interpreted the incitement laws very narrowly, particularly applying the Brandenburg rule. I think, in the age of social media, in the age of internet, in the age of this kind of communications technology that we have, that we do have to reexamine how we view incitement.

Now, that is not to destroy free speech, that is not to destroy right to protest. But I think that looking for too narrow of a connection between a specific word spoken by an individual and subsequent actions that take place, I think we do have to reexamine that.

I think we do—I would agree with the others. I am cautious about new anti-terrorism legislation that leads us to deciding, well, you are a terrorist, this group is a terrorist, this group is a terrorist. That is going to be a long and futile argument.

But examining these communications technologies and how these platforms run and rule themselves is something I think we have to do.

Mr. NORMAN. Let me take it a step further. You know, we have talked about what happened on the 6th at the Capitol. We had fences. We had a perimeter that was fortified by our Capitol Hill police. It ended up not being enough.

But from your vantage point, were they given, I guess, the enforcement measures, regardless of what it was to stop people from coming in a Capitol that was clearly off limits? What if the Green Berets had been there? What force would you describe that you would be authorized to take to stop it?

Mr. JENKINS. First, Mr. Norman, as a former soldier, I would desperately like to keep the military out of these civil terrorism, these domestic terrorism issues as much as possible. The National Guard is different, but if we are talking about the Armed Forces, if we are talking about Green Berets, Special Forces, no, they do not have a role in dealing with domestic terrorism. We are not there.

Insofar as putting that aside, the problem is that, clearly, the defenders of the Capitol were badly outnumbered. That was simply—I think is at issue. Now, a commission can investigate this further, but just having a greater number of people on the exterior, as well as—and I think this is one thing that I don't see in the response, is that there should have been inner perimeters as well.

In other words, the presumption that, what if they break through that outer line? What if they break through the doors? Now we are dealing with them inside. Do we have prepared security within the Capitol Building, as opposed to around the Capitol Building, that will protect the officials and their staffs that are threatened by this action?

Mr. NORMAN. Yes. But wouldn't it go to——

Chairman THOMPSON. The gentleman's time has expired.

The Chair recognizes the gentleman from Texas, Mr. Green, for 5 minutes.

Mr. GREEN. Thank you, Mr. Chairman. If I may, I would like to associate myself with every word that you spoke in your opening statement. I totally concur with you.

Let me start with this. My assumption is that all of our witnesses believe that there is something called White privilege. If I am incorrect, I would like for the witness who differs with me to say so. Is my assumption correct, that all of our witnesses have some understanding of what White privilege is?

Hearing none, I assume that they do.

I would like to know, what role do you think White privilege played in the response that the officers had to the persons who marched on the Capitol, who stormed the Capitol, who, by many standards, participated in what was called an insurrection?

So let me just start quickly and ask—we will start with Director of Homeland Security Rodriguez, if you would, please.

Mr. RODRIGUEZ. Thank you, Congressman Green.

I know that there are a variety of investigations that are on-going and commissioned by the Hill, and we will certainly find out the role that, I think, far-right and White Supremacy played in the insurrection.

The FBI and U.S. Attorney's Office——

Mr. GREEN. If I may, not White Supremacy, White privilege. White privilege. What role did it play in the reception that those persons who marched on the Capitol received?

Mr. RODRIGUEZ. Well, Congressman, as I said, I think that that is going to come out a lot in the investigations that are on-going as we speak.

Mr. GREEN. All right.

Is there anyone who has an opinion as to what role White privilege played?

Ms. NEUMANN. I——

Mr. GREENBLATT. What I might offer, Mr. Congressman, is, you know, as a civil rights organization that tracks these issues, we definitely have seen law enforcement not take quite as seriously when a bunch of young people get together with Confederate flags. They treat them very differently than a bunch of boys or young men of color when they get together.

But I will just say that the failure of law enforcement to create a National security special event and adequately protect the Capitol on January 6 contributed to what was nothing short of catastrophe. There is no excuse for it.

So I think White privilege may have played a role, but it was incompetence at the top or maybe even a political decision that created the ultimate consequence that we are all dealing with today.

Mr. GREEN. All right.

I will yield to the lady next, please.

Ms. NEUMANN. I echo what Mr. Greenblatt just said. It does appear that the nature of the threat, perhaps it is unwitting, perhaps it is—I wrote in my testimony that some of the challenge that we have had with this threat is that it wasn't taken seriously. It is really hard to understand fully everybody's motives behind that.

I think one of the problems was the persistent use the term "lone wolf" when you describe various attackers over the last 10 years associated with domestic extremism, and it kind of leaves you with the impression that they are kind-of alone in their motivations, when, in fact, they are part of a massive movement.

So we way underestimated what I believe to be the number of people in the country that are involved in the movement. They are not all violent. But in underestimating, I think that led to some of the bad judgment calls.

But, yes——

Mr. GREEN. If I may interrupt——

Ms. NEUMANN [continuing]. I do think that White privilege is a part of this.

Mr. GREEN. Let me apologize for interrupting, but I want to ask you a follow-up question.

If the persons who marched on the Capitol—and I am being kind by saying "marched," in my opinion—were of color and had hockey sticks and nooses and swastikas—I am told there may have been

some, but let's say shirts with "Auschwitz" on them—would the reception have been the same? This is your best guess. Would it have been the same?

Ms. NEUMANN. No. I think the evidence of even recent events like this last summer have showed that we treat threats differently based on the color of the protesters' skin. That needs to change.

Mr. GREEN. Which leads me to my final question. Do we need some sort of means by which we can educate—I would prefer not to use the term "train"—but educate the constabulary, those among the police and constables and sheriffs, all of these various departments, about something that we call an unconscious bias? Do we need to train and teach people about this?

Ma'am?

Ms. NEUMANN. Yes.

Chairman THOMPSON. The gentleman's time——

Mr. GREEN. Thank you, Mr. Chairman.

Chairman THOMPSON [continuing]. From Texas has expired.

The Chair recognizes the gentlelady from Iowa, Mrs. Miller-Meeks, for 5 minutes.

Mrs. MILLER-MEEKS. Thank you so much, Chairman Thompson, Ranking Member Katko. I am delighted to be a Member of this committee and look forward to working with all of you.

I just had a question. We have heard from several of the witnesses about disinformation and specifically disinformation in social media. But I also want to ask Ms. Neumann, with a very short answer, if you will, do you feel that there was also disinformation among the traditional media?

Ms. NEUMANN. From time to time, but the term of "disinformation" means intentional. I think what we were more often likely to see in traditional media is the misinformation, which is inaccurate information but there is not an intentionality behind it. That often happens when things go viral and it takes a while to circle back around and discover things aren't true. That is a common problem that we have in this society today.

Mrs. MILLER-MEEKS. Did you see on traditional media with police cars burning and being told by traditional media reporters and anchors that these were peaceful protests?

Ms. NEUMANN. No, I——

Mrs. MILLER-MEEKS. Is that considered disinformation or misinformation?

Ms. NEUMANN. You know, if we are talking about the protests over the summer where there was rioting in certain cities, is that what you are referencing?

Mrs. MILLER-MEEKS. Yes, ma'am.

Ms. NEUMANN. The way that I—and I consume a lot of different media, but the media I personally consumed seemed to frame this as we did have some places where there was violence. Some of it I would classify as traditional criminal riots, you know, criminal actors taking advantage of a moment and/or very angry and acting out their anger. It is illegal. It should be handled appropriately.

We also had a number of right-wing violent extremists use protests as a cover for acceleration of violence. That is part of their ideology. Boogaloo Bois have been arrested. They were very prominent in some of the killings of law enforcement officers. We saw on-

line chatter any time there was a planned protest of right-wing violent extremists using this as an opportunity to potentially cause acts of violence.

I think the data might refer to—the ADL, they might have better stats, but some of the data that is now coming out demonstrates that the preponderance of actual violence, intentional violence, as opposed to looting, was sadly more coming out of those right-wing violent extremist organizations as opposed to what had been argued, that it was Antifa. We, as far as I know, only have one incident of Antifa-related murder.

Mrs. MILLER-MEEKS. So thank you very much for that, acknowledging that there is misinformation and disinformation both within social media and in traditional media, both in what is covered and portrayed.

Mr. Jenkins, there is a question about the National Guard and why it took so long for the National Guard to respond. Would it be fair to say that the National Guard is made up of individuals who are not stationed at a post or a base, they are not stationed collectively together, that they have to be called upon to be activated, and that would cause a delay, they are not like a police SWAT team where they can immediately respond to an incident?

Mr. JENKINS. That is true, that normally the National Guard are at their homes and are summoned to deal with various types of emergencies.

However, as we have seen in the cases during the summer and in preparation for other events in Washington, National Guard units are mobilized in advance to be on standby. They may not be visible, but they are mobilized, they are in the area and can readily respond.

I don't know the reasons for the delay in the response on January 6, but the fact that members of the National Guard in their normal civilian lives are scattered is not one of the reasons. We have seen them mobilize to standby before.

Mrs. MILLER-MEEKS. Thank you.

Throughout this have you heard of disinformation on the attacks on January 6? I am just wondering if people have investigated or looked at irregularities in voting that could have perpetuated disinformation. Have we had that oversight investigation yet to your knowledge?

Mr. JENKINS. I don't know that we have had that investigation, if I understand your question correctly. I mean, in terms of the irregularities in the voting, there have been numerous investigations by the State authorities which run the elections in ensuring that there is an accurate count of the vote and that the elections can be certified.

Are you talking about an investigation beyond that?

Mrs. MILLER-MEEKS. I was just wondering if any of the—if you had looked into irregularities or complaints of irregularities. So thank you.

Mr. JENKINS. No, I have not.

Mrs. MILLER-MEEKS. Thank you very much.

I yield my time.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentlelady from New York, Ms. Clarke, for 5 minutes.

Ms. CLARKE. I thank you, Mr. Chairman. I thank you for your continued strong, fair, and inclusive leadership. Today's hearing is quite timely.

I would like to acknowledge my fellow New Yorker. It is great to have you serving as the Ranking Member of this extremely crucial committee.

I continue to extend my condolences to the family, friends, and loved ones of Capitol Police Officer Sicknick. He lost his life protecting our lives, and I and the people of the Ninth District of New York prayerfully stand with their family during this season of bereavement.

Last Congress one of the focuses of this committee was to highlight the threat of domestic terrorism. With terrifying frequency we have seen White supremacist terrorists terrorize our communities. Until January 20 of last month, we had a Federal Government that refused to take the threat seriously enough to address it, in effect complicit with the exponential rise of these terrorist organizations.

Just a few short weeks ago this rising tide of White supremacist domestic terror combined forces with another dangerous force: Donald Trump's efforts to overturn the results of the 2020 election. The result was an attempted coup, orchestrated by none other than Donald Trump himself, and an insurrection at the Capitol, as we gathered to elect and certify the election of Joe Biden as our new President.

We cannot parse words. This was an act of domestic terrorism, an attack on our citadel of democracy. It was incited and operationalized by Donald Trump. There are Members and Senators in this body who voted to overturn the results of the election, even after the very building where we work was attacked.

Yes, this was an intelligence failure. Yes, this was a security failure. But even more troubling, this was a societal failure. Until we put to rest the lies about the election, the conspiracy theories like QAnon, and the racist ideologies that drive so many toward hate we will not be safe.

As I mentioned, actions of these domestic terrorists are directly linked to the words of President Trump. For 2 months he promoted the lie after lie about the election fraud and demanded that they, "Stop the Steal."

So my question, Mr. Jenkins, is, do you agree with my assessment that Donald Trump is directly responsible for and must be held accountable for what happened on January 6?

Mr. JENKINS. You are going to be disappointed in my answer, not because it is contrary to the events as you have laid out. But, look, we have Congressional investigations taking place. We have criminal investigations taking place. We have an impeachment trial beginning next week.

Ms. CLARKE. Mr. Jenkins, I have a short period of time. If it is yes, it is yes. If it is no, it is no.

Mr. JENKINS. It is neither. It is——

Ms. CLARKE. OK.

Mr. JENKINS. That is a political question which I can't answer.

Ms. CLARKE. Very well. It is a practical question. But be that as it may.

It is no secret that White Supremacist groups such as the Proud Boys were key players in the attack on January 6. This is not an isolated incident. From Charleston to El Paso to Pittsburgh to Wellington, deadly White Supremacist attacks have become the norm, not the exception.

So my question is—and this is for any of our panelists. Let me direct it to Jonathan Greenblatt.

What explains this surge in hate? What role has Presidential rhetoric played in fostering it over the last 4 years? What additional steps can the new administration take to prioritize this deadly threat?

Mr. GREENBLATT. Thank you for the question, Congresswoman Clarke. It is nice to see you.

Ms. CLARKE. Likewise.

Mr. GREENBLATT. I would say a few quick points.

So, No. 1, I mean, fighting hate previously was not a Republican issue or a Democratic issue. It was a bipartisan issue. That changed in the last 4 years when the prior President, indeed from the rhetoric he used on the campaign in 2015 to 2016, when he would retweet White Supremacists and he would use their language, terms like globalists and whatnot and George Soros, that created the conditions in which they felt encouraged. So, No. 1, it was a failure of leadership, and, again, to call them out clearly, consistently, cogently, after Charlottesville, after the debate, every time.

No. 2, the extremists felt emboldened, Congresswoman, and they leapt into the vacuum that he created. They recruited, they did more public events, they ran for office, and they really exploited social media. So they felt emboldened.

No. 3, social media. Again, the tech companies have been far too lax and lazy about enforcing their own terms of service. They do not as a business have to abide by the First Amendment. But even then, freedom of expression isn't the freedom to incite violence. What has happened in the past 30 days, taking off the worst actors, Congresswoman, it should have happened years ago.

Social media should abide by the same standards as any business and give no quarter to those people who would commit violence against Jews, African Americans, or any other marginalized community in this country.

Ms. CLARKE. Thank you.

Mr. Chairman, I yield back.

Chairman THOMPSON. Thank you very much.

The Chair recognizes the gentlelady from Tennessee, Mrs. Harshbarger, for 5 minutes.

Mrs. HARSHBARGER. Thank you, Mr. Chairman.

I am just going to introduce myself to the committee today. I am Diana Harshbarger, and I represent the First District of Tennessee, which is east Tennessee.

As a health care provider and pharmacist for the past 30 years, I really appreciate being put on this committee because, you know, I understand the National security threats of having over 90 percent of our finished pharmaceutical products and our chemicals

that we use to make those products come outside of the United States of America—and in a lot of cases from adversarial nations, as a matter of fact. It took the COVID pandemic to open a lot of people's eyes as to the problem that we have with this.

What we need to do is get domestic supply chains into this country so we won't have to worry about that, because we have an overreliance to those foreign adversarial countries for that supply chain.

In my district of east Tennessee we have a couple of different things as far as National security threats to infrastructure. I have Nuclear Fuel Services, which works closely with the Oak Ridge National Laboratory, and I also have Holston Army Ammunition Plant in my district.

I wanted just to comment on something that Mr. Jenkins said and he made the statement that the defenders of the Capitol were woefully outnumbered and we need to investigate this. I would hope honestly that we would be able to do that to see if there was any information exchanged between the Capitol Police, the D.C. Mayor, and the FBI, and, you know, that is of utmost importance. Also everything that has been said about Section 230 and taking that immunity away from these social media companies, that is imperative.

I look forward to working with my colleagues on things that would help with National security, both foreign and domestic.

I yield the remainder of my time back, sir. Thank you.

Chairman THOMPSON. Thank you very much.

Mr. Jenkins, do you want to respond? I can go to the next questioner.

Mr. JENKINS. Just very, very quickly.

I mean, the public statements made by various officials in the FBI, Capitol Police, District police are somewhat contradictory as to who knew what when. That is, to what degree the warnings that were seen, in some cases produced by specific parties, were shared with other parties. That has to be an issue for the commission. I don't have personal knowledge to sort that out now.

Insofar as the inadequate numbers, again, this was inadequate preparation. Why this was not already indicated as a special event requiring the coordination of all of the authorities and the sources available as, for example, the inauguration or the President's State of the Union Address, again, that is something that has to be investigated. Was it impeded? Was it poor planning? Was it bad decisions? I don't know.

Chairman THOMPSON. Thank you.

The gentlelady yields back.

The Chair recognizes the gentlelady from Nevada, Ms. Titus, for 5 minutes.

Ms. TITUS. Thank you, Mr. Chairman.

From Nevada, from Las Vegas, I am no stranger, we are no strangers to this whole problem of domestic terrorism. We have had a U.S. Forest Service building bombed in Carson City. We had the Bundy armed stand-off against the BLM over their illegal grazing of cattle on public lands. He has since commented that you needed to get the work done, you can't drain the swamp by stand-

ing off to the side, and encouraged more people to turn out for Donald Trump's rally and attack on the Capitol.

When I flew home after that incident that was so terrible that we all watched in horror there were people on the plane with me who had obviously come from Nevada to attend that. They were sharing pictures on their phone. They were talking about it. They were wearing masks that had derogatory comments on it.

So that just leads me to ask Ms. Neumann the question about the screening of terrorists on airlines. We have heard that many of the people there maybe were already on the FBI's Terrorist Screening Database, known as the terrorist watch list, but that sometimes results in additional screening or not, but it doesn't necessarily mean that these people end up on the No Fly List, which is managed by DHS.

Just tell me if that is correct or not and tell me if there would be any value in maybe redesigning or certainly looking at that comparison to see if we should put them on the No Fly List. You mentioned it just briefly in your statements, but could you unpack that a little bit more for us?

Ms. NEUMANN. Yes, ma'am. The No Fly List is very explicitly for individuals that the intelligence community assesses pose a threat to aviation. So if in their assessment an individual poses a threat, that alone does not put you on a No Fly List.

The second thing is that the purpose of the watch list, there are individuals that are known terrorists and there are individuals that are suspected terrorists, and then there are associations, meaning we don't quite know, but there is reason to believe that there might be associations that lead us to believe we need to screen this person more effectively before we allow them to receive an immigration benefit or board a plane or seek some other type of activity.

The watch list in particular was designed for screening and vetting purposes, but it was designed at a time that we were primarily concerned about terrorists over there trying to get to us over here.

I do know that there have been efforts to update and figure out if within existing authorities the watch list screening and vetting apparatus is able to apply it to anybody that has met the criteria to join the watch list.

So I know that they are doing as much as they can, but it would be a good thing to talk to DHS, maybe have some closed-door briefings to see if they have ideas of authorities that might help them be able to go do those things.

That is part of the reason why I think there at least needs to be a discussion about a designation. I recognize that that is fraught with peril, as Mr. Jenkins has pointed out. But some of the tools that we have in our toolkit at DHS would be more effective if there were some clear ways in which you determine who is designated and who is not.

So I just believe it needs to be discussed. I don't have my own opinion yet of what the right answer is.

Last, I just want to point out there were a lot of conversations or media reports that people had been booted off of planes because they were, "on the No Fly List." I believe that was misunderstood. Airlines have the ability to make decisions about who they allow

on their planes for certain reasons. If they had been No Fly-listed they wouldn't have been allowed into the secure area past TSA screenings. So most likely those circumstances probably are a little different as opposed to saying that people had already been No Fly-listed.

Ms. TITUS. Well, thank you for that. I think we definitely need to look into it, because if we do come with some other kind of designation, TSA is going to have to be trained, airports are going to have to figure out how to accommodate that, and it would be a pretty big project, but certainly maybe one worthwhile to pursue. So thank you.

Just briefly, a follow-up on Mr. Correa's question about fusion centers. You know, Las Vegas has the best private security in the world. We have got the eye in the sky watching everything that goes on along the Strip and in the gaming casinos that are so regulated. I wonder if these fusion centers are taking advantage of cooperating or working with or setting up some kind of plan to interact with private security. Anybody?

Dr. Rodriguez.

Mr. RODRIGUEZ. Representative Titus, yes, I think there is a lot of work that still needs to be done in that environment and certainly building out the fusion center capabilities to work closely with the private sector is one of them, yes. There is a lot more work that could be done.

Ms. TITUS. Great.

Thank you, Mr. Chairman. I yield back.

Chairman THOMPSON. Thank you very much.

The Chair recognizes Mr. Gimenez from Florida for 5 minutes.

Mr. GIMENEZ. Thank you, Mr. Chairman, and it certainly is a pleasure for me to be here. It is my first complete meeting. I am very honored to work with you and the Ranking Member on this most important topic. If we, you know, want to work in a bipartisan manner—and I don't think—if we can't agree to work in a bipartisan manner on homeland security, I don't know what we can agree on.

I have a couple of questions that I would like to get to. I know that we have a lot of topics, but I want to really home in on what happened on the 6th here at the Capitol.

Mr. Rodriguez, is the Capitol Police part of the D.C. fusion center?

Mr. RODRIGUEZ. The D.C. fusion center has representatives at the U.S. Capitol Police, sir.

Mr. GIMENEZ. All right. Did you have any information that indicated that there was a significant event about to happen on January 6?

Mr. RODRIGUEZ. Sir, as I have stated, we have had intelligence to suggest there would be violence in the city on January 6, and recall that there was some indication that there might be protests on the 4th and the 5th as well, which didn't materialize to the level that we had anticipated. But we did have indications that there would be violence on the 6th, yes.

Ms. GIMENEZ. Was the National Guard offered to the Capitol Police?

Mr. RODRIGUEZ. Sir, from the city's standpoint, we are not responsible for security at the Capitol. So that would have to be a question for the Capitol Police. From the city, we did request the National Guard and we did receive National Guard resources in response to the threats that we received.

Ms. GIMENEZ. I understand that that is something that the Capitol Police may have to respond to. But do you have any knowledge that the National Guard actually offered their help to the Capitol Police for the 6th?

Mr. RODRIGUEZ. Not prior to the 6th, sir, no, I do not.

Ms. GIMENEZ. OK.

To Ms. Neumann. You said there was poor judgment and poor judgment was exhibited. Who exhibited the poor judgment?

Ms. NEUMANN. I will leave it to the investigation to show, but it just makes no sense to me that there were so few, such a low law enforcement presence at the Capitol, that there wasn't stronger perimeter security, that those law enforcement officers present didn't have riot gear. There are just basic things that we have learned over the last 20 years that a strong deterrent often avoids violence, and that was not present on January 6. So somewhere somebody made a bad judgment call.

Ms. GIMENEZ. OK. Back to Mr. Rodriguez, do you know what the rules of engagement were that the Capitol Police was given?

Mr. RODRIGUEZ. No, sir, I do not. That is a question for the Capitol Police.

Ms. GIMENEZ. What are your rules of engagement when you are—you know, look, I was the mayor of Miami-Dade County. We saw some disturbances in Miami back in June, July. But my rules of engagement were very, very direct to my director. As mayor, I also happen to be the sheriff, OK, of Miami-Dade, and my rules of engagement were we will protect everybody's right to protest, but once they leave that boundary and now they go into violence, there was no—there was zero tolerance.

So they tested us the first night and they went into what is called Bayside, a very popular tourist site, and Miami-Dade police went in and made sure those people that were rummaging through Bayside were arrested and dispersed.

What are the rules of engagement here in the District of Columbia concerning protestors, the right to protest, and then once they cross that boundary?

Mr. RODRIGUEZ. So, sir, as the sheriff, you will appreciate the answer here, which is I am not going to speak for the Metropolitan Police Department. But we can get you that information on the rules of engagement from the police department.

Ms. GIMENEZ. You don't know—obviously, you also don't know what the Capitol Police's rules of engagement were for the 6th.

Mr. RODRIGUEZ. No, sir, that would have to be for the Capitol Police.

Ms. GIMENEZ. Fair enough. OK. I think I have got sufficient.

One more question to Ms. Neumann.

You said that we needed a law, and I agree with you. I do think we need a law concerning terrorism, all kinds of terrorism. In Florida they are looking at upping significantly the penalties for people that break the law while they are protesting, in other words, they

go outside the bounds of just protesting and now they start to create violence, destruction, et cetera.

If we do, in fact, have a Federal law, how do you—how would you think that we would standardize the enforcement of those laws, say, if in a particular area the leadership, the political leadership, actually agreed with the philosophy or the ideology of the people that were protesting?

Ms. NEUMANN. I mean, that is one of the very real challenges of going into strengthening our domestic terrorism laws, right? The threat is what it is today, but as has already been discussed, 50 years ago it looked different and we have to presume 50 years from now it will look different again.

I think the critical factor is the violence associated with it. You know, clearly, given the experience we have just had, I would love to see an exploration of how we might be able to hold even our political officials accountable, either criminally or civilly, for incitement to violence. I think we need to send a strong signal that if you are choosing to take an oath of office, if you are choosing to take a leadership role in our society, that you have to be responsible for the words that you use.

We do have individuals in this country that are both—we certainly have people that are mentally unwell. We also have people that are just vulnerable, maybe not definably mentally ill but are vulnerable to disinformation, they are vulnerable to their grievances being fed.

We have seen over the last 5 years this increase in hateful political rhetoric and examples of it happening on the left as well as obviously a lot on the right.

So I think that we may need to have, you know, an examination of what else could we do to encourage our elected officials and other leaders to be more responsible for their words.

Ms. GIMENEZ. I agree with you on both the left and the right.

Thank you. I yield my time.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentlelady from New Jersey for 5 minutes, Mrs. Watson Coleman.

Mrs. WATSON COLEMAN. Thank you, Mr. Chairman, and to the Ranking Member. Congratulations to both of you. Thank you for this really important hearing. I appreciate the information that has been shared and the concerns that have been raised.

I have a couple of observations. I certainly have a question for a former New Jerseyan, Dr. Rodriguez.

First of all, I want to say that we all were pretty scared on January 6 and fearing for our lives and we all had some idea that things were really bad behind the—in the hallways and in the rooms. We were closeted in various places and perhaps we were safe or maybe not so much, depending upon what happened to us with COVID, but we knew that this was serious. We knew also that this was a breach, this was an insurrection against our Government.

Here is my concern. I agree that rhetoric is bad. I agree that inflaming incitement happened on that day in the Ellipse. I agree that the higher up the rhetoric comes from, the more intense it is experienced and the more action that it provokes.

I also think that things that happened afterwards were equally as important. Two of the things that concern me, particularly, is the way these thugs were treated breaching the Capitol, predominantly White female and male, and how other protestors of color have been treated in our Capitol, and also after the fact.

We have got two examples of White women brought before judges who were given what I consider the ultimate White privilege in what happened to them. The first one was a young woman who stole the laptop and threatened Nancy Pelosi. She was given an ankle bracelet and sent home to her mommy.

The second one was a woman who owns a small business and had tickets to go to Mexico. She is given permission from the court to leave the country to go to Mexico. Yet there are young people in prison right now for stealing backpacks, for having small drug offenses, that are people of color.

This disparity in justice at all levels sickens me. This latest manifestation of this White Supremacy, this White privilege, has just got to stop.

We had a gathering of the most diverse group of people who hate something in the whole country in the Capitol on January 6. You know what I find the common thread was that brought them together? The former President of the United States, Donald Trump. So if they were anti-Government, they were pro-Donald Trump. If they were anti-Black or anti-Semitic or anti-LGBTQ or whatever they were against, they were pro-Trump. So the common thread there was Donald Trump and he needs to be held accountable.

Mr. Rodriguez, I have got a question for you. I want to know, how early did you have information that we were possibly going to experience the kind of violence that we did experience, either before the 5th or the 6th, and what agencies were you communicating with specifically, and what were their responses? Because I don't think that this was a lack of intelligence. I think this was a lack of a desire to do what they needed to do to keep this Congress safe, to keep our leadership safe, and to have enough resources to push back what became an insurrection. I want everyone accountable.

Before you answer that question, I have one more issue, and that is I don't know if we need more legislation or if we need more enforcement of existing legislation, and I look forward to that investigation, that kind of commission consideration, so that we know where we should go. We can't jump before we know. We need to know before we jump.

So, Mr. Rodriguez, could you please in the time that I have left answer the question, when did you know, who did you tell, and what was their response? I want to know specifically what agencies you communicated with.

Mr. RODRIGUEZ. Yes, thank you, Congresswoman. It is good to see you again, and I appreciated working with you when I was the director in New Jersey.

We saw indications that there would be violence for the 4th, 5th, and the 6th in the middle of December. I will caveat that by saying that we had known that there would be or at least the initial indications of intelligence there would be violence around the election period. We were planning, and we briefed Mayor Bowser on this, that we could see protracted violence through the inaugural period.

So as we began to brief—and that is why the Mayor called up the National Guard. That is why she activated the emergency operations center. That is why we activated our fusion center.

Mrs. WATSON COLEMAN. Did you communicate with anyone up higher than the local government? I want to know how far up in the Federal Government, the State government, the FBI, the Capitol Police, whoever, I want to know who knew what you thought was going to happen.

Mr. RODRIGUEZ. Yes, ma'am. As you know, it is an information-sharing process. It is an iterative process. FBI, Secret Service, U.S. Capitol Police, U.S. Park Police, Metropolitan Police Department, the U.S. Department of Homeland Security Intelligence and Analysis. So all of those entities are being communicated with on the violence and the threats.

I think it is important also, if I could just say one last thing, Congresswoman, is that as an intelligence analyst by trade, the issue here was not the lack of intelligence or the lack of information. The issue here was the inability or the unwillingness to act on the intelligence.

Mrs. WATSON COLEMAN. Amen. Amen. That is where the accountability needs to take place. I think Ms. Neumann——

Chairman THOMPSON. The gentlelady from New Jersey's time has expired.

Mrs. WATSON COLEMAN. You know, I gently yield back. Thank you, sir.

Chairman THOMPSON. Thank you very much.

Mr. KATKO. Mr. Chairman, sir, could I speak just for a moment?

Chairman THOMPSON. Yes, the Chair recognizes the Ranking Member.

Mr. KATKO. There has been repeated questions about what happened that day and how we are going to get to the bottom of it. I just want to reiterate that I have a bill out there that does exactly this. I think it is really important and it would be incumbent upon Members of the committee, I think, to join onto the bill and get that bill passed, so we can get this commission up and running and find out. Because I think, until we do that, we are going to have a hard time really understanding where the shortfall was here and where people fell down.

So, with that, I will just yield back. Thank you, sir.

Mrs. WATSON COLEMAN. I agree.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentleman from Georgia for 5 minutes, Mr. Clyde.

You need to unmute yourself, Representative.

I think there are some technical issues around Representative Clyde.

We will go to Mr. LaTurner while Mr. Clyde gets his technical challenges corrected.

Mr. LaTurner.

Mr. LATURNER. Thank you, Mr. Chairman. I appreciate that.

I want to say to you, this is my first meeting, and want to say to you and the Ranking Member and all the colleagues that I am honored to be on this committee. I look forward to working with

you on the very serious issues that this committee has jurisdiction over.

It is my sincere belief, and I hope that it rings true as we go through this process, that National security issues should not be partisan. I hope we can work together and make sure that we are working on behalf of the American people.

My question is for Ms. Neumann. I have a couple of them.

The first thing I would like you to talk about, you talked about January 6 was an inspiration point and would be an inspiration point for 10 to 20 years. So I would like for you to talk about the concept of it being an inspiration point, have you seen evidence of that, and where the time frame of 10 to 20 years comes from.

Ms. NEUMANN. Thanks for the question.

We have seen on January 6 and in the month since then on-line chatter that indicates that White Supremacist groups and anti-Government groups in particular view this as a rallying point. I don't want to say a starting pistol because they have existed for so long and have had this ideology of eventually overthrowing the U.S. Government. If you are a White Supremacist, you want to establish this White homeland within the United States.

But it is certainly this moment where for many this fantasy was finally coming true and they—one of the examples is that in "The Turner Diaries" there is an attack on the Capitol. It is different than what we saw on January 6, but many cited that scene out of "The Turner Diaries" which, if folks watching are not familiar, is that horrible book about White Supremacists basically taking over the world. But there is this scene where they attack the Capitol and that is, like, the starting point for eventually leading to societal collapse and, you know, leading to nuclear war, and then you are able to start over and have a White homeland.

So, sadly, some view this as a huge success, even though, you know, it only lasted a few hours. They see the terror that it caused. They see that it was easy to do. They believe that this is their moment, that they may actually be able to lead us into a civil war. So some of the concern is that those that belong to those types of ideology are going to be inspired to try to bring more violence so that they can eventually reach that civil war state.

The other factor here is that you have such a large group of people that are unaffiliated with these terrorist movements or terrorist organizations but they are very vulnerable right now. They are disheartened QAnon followers, for example, or former Trump supporters who really thought that something was going to happen on January 6 and Trump was going to remain President.

They are very vulnerable and we actively see neo-Nazis recruiting Trump supporters to their ideology. They are very sophisticated in how they do it. They don't come right at you. You don't necessarily know you are talking to a White Supremacist.

So the concern I have is that we may see more mainstreaming of this fringe right ideology and, from that, you are going to have larger numbers of the people, not necessarily that are all the way to the violent end of the spectrum. But the more you have in the radicalized section of that graph, the more likely you are to see acts of violence.

Then, last, you asked about the generational struggle. In talking with extremist experts, most of them see this as one of those moments in our history where it is going to inspire and encourage people for quite some time and that is why I gave that time period.

Mr. LATURNER. The other thing I want to ask you really quick, because my time is running out, is the problem that I very much acknowledge is the social isolation that makes people more vulnerable to these kinds of arguments. As I am sure you would agree with me, this is going to exist after COVID is over. It will get better. But this has been a growing problem for the last couple of decades with the rise of what is in all of our pockets. That is a contributing factor. We can't pass a law to make people get to know and care about their neighbor.

So what is the future of this social isolation? What can be done about it? Where do you see it going?

Ms. NEUMANN. A couple of thoughts.

No. 1, I do think when the restrictions related to the pandemic—and hopefully later this year—some of the challenge that we are facing right now will lessen a bit. So that is some bright news in an otherwise dark assessment.

But you are absolutely right, we are increasingly isolated. This is a problem that has been documented going back at least 2 decades. It is not one Government can solve. I wrote in my written testimony it really is so far beyond anything that the security industry can solve or the Government can solve. We really need to ask citizens and leaders within our neighborhoods and within our communities to stand up and decide that they want a country that looks different than the current moment that we are in. It does require changes in the faith community. It requires changes in the tech community. It requires changes maybe within our education system.

I don't—I personally don't think—I am a conservative—I don't think that is coming from the Federal Government. I think what makes America great is when it comes from—organically from grass roots. I think there are so many amazing men and women in this country that love their country and don't want another January 6 attack, and we need to encourage them to step up and serve their communities and demonstrate the good that we still have in this country and push back the darkness and the violence and the hateful rhetoric.

Mr. LATURNER. Thank you, Ms. Neumann.

Thank you, Mr. Chairman.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentlelady from California for 5 minutes, Ms. Barragán.

Ms. BARRAGÁN. Thank you, Mr. Chairman.

Let me start by saying that I appreciate every Member of Congress in this committee that believes 9/11 is real and that it happened. I never thought I would have to actually say that, but I have much greater appreciation now. So I wanted to start by thanking my colleagues on this committee for believing and agreeing that it occurred and that we are doing everything we can to stop another domestic terrorism attack or those coming from foreign terrorists from coming to our country.

Ms. Neumann and Mr. Greenblatt, questions for you. The FBI warned, called QAnon a domestic terror threat. How dangerous is it for Members of the Congress to support these domestic terror groups and repeat their lies?

Ms. Neumann.

Ms. NEUMANN. QAnon has certainly accelerated as a threat, particularly over the summer. I think a lot of that has to do with what we were just talking about, social isolation, the pandemic, people searching for answers for why their lives had been turned upside down and seeking for a way to take control.

It is really hard to extract people once they really go down the rabbit hole. So it is really important for anybody in a position of authority, particularly those that are considered a credible voice, which is often a pastor or, you know, a media personality or an elected Member of Congress, it is really important that they talk about what truth is and what is not truth.

Even if in QAnon, it is a lot of asking questions like, "Well, suppose," or, "What if?" You know what? Like that is gossip and slander. We need to kind-of go back to the basics of we don't tell—we don't bear false witness. If you don't have a first-hand account of the conspiracy that you think is true, then you probably don't need to be spreading it. I think we need to help encourage our citizens to get back to the basics of civic society.

Ms. BARRAGÁN. Thank you.

Mr. Greenblatt.

Mr. GREENBLATT. Congresswoman, thank you for the question.

I would say dangerous conspiracy theories, from 9/11 truthers to the Sandy Hook kind of people to QAnon, are all part of a piece. They are a danger to our National security, and they are a danger to our communities.

So the QAnon folks demonstrate anti-Semitism. They demonstrate racism. They demonstrate demonizing other people, suggesting that Democrats are pedophiles or part of some conspiracy to kill and eat children. All of it is disgusting.

Whether you are an elected Member of Congress or some other office or you are an aspirant, whether you say it now or you said it in the past, it should disqualify you from being on committees or participating in it.

If you believe that our democracy is being taken over by pedophiles and you subscribe to these crazy theories about Jewish space lasers, you don't belong at the table. Period. End of story.

Ms. BARRAGÁN. Mr. Greenblatt, what message will it send if there are no consequences?

Mr. GREENBLATT. It is baffling how no matter what party you are a part of, no matter how you choose to pull the lever in the ballot box, that people think that someone who believes such crazy, outrageous lies should be part of a political process, who thinks that Sandy Hook didn't happen should sit on an Education Committee. It boggles the mind, and it undermines the credibility of whatever party would choose to do that and the political process overall.

Ms. BARRAGÁN. Thank you very much.

Now, often the role of women in extremist groups or movements is overlooked or underplayed. What role have women played in

growing domestic terrorist movements over the past 4 years, and what role did they play in the January 6 attack?

Ms. Neumann, do you want to start?

Ms. NEUMANN. I actually think my colleagues might have better answers to that. It is a really good question, though.

Ms. BARRAGÁN. OK.

Mr. GREENBLATT. Congresswoman, if I might. So ADL has studied extremists for decades. First of all, I would say there is a clear link between White Supremacy and misogyny. So we should just point out right up front that White Supremacist rhetoric and extremist rhetoric often demeans and denigrates women. I would be happy to send you and all the Members of the committee our reporting and analysis on this.

Second, it is also worth letting you know that, like, women can be radicalized just like men, and QAnon and conspiracy theories, disinformation campaigns, aren't just, if you will, the portion of one gender.

We watched, you know, the ADL has watched all these extremists as they converged on the Capitol, and there were women and men among the crowd. We know that young woman was killed when she tried to literally burst into the Chamber of the Speaker.

So women are often denigrated by these movements and yet they can be brainwashed and radicalized just like anyone else.

Ms. BARRAGÁN. Good. Thank you.

With that, my time has expired. I yield back, Mr. Chair.

Chairman THOMPSON. Thank you very much. The gentlelady yields back.

The Chair again recognizes the gentleman from Georgia, Mr. Clyde, for 5 minutes.

We still can't hear the gentleman from Georgia. We will wait on the technical correction for the gentleman from Georgia again.

We will go to the gentlelady from Florida, Ms. Cammack, for 5 minutes.

Mrs. CAMMACK. Hello. Can you all hear me?

Chairman THOMPSON. Yes, we can.

Mrs. CAMMACK. Excellent. Excellent.

Well, I want to thank the gentleman for yielding. I am honored to join the Homeland Security Committee and look forward to working with Members of this committee this Congress to ensure the security of our Nation.

I also want to thank my colleagues on both sides of the aisle for continuing the tradition of bipartisanship and addressing the issues and threats facing our National security.

Because of COVID restrictions, I haven't had the opportunity to meet all of my colleagues on this committee and wanted to take a brief moment to introduce myself. I proudly represent Florida's Third Congressional District, which I affectionately refer to as the Gator Nation, central, north-central Florida.

The issue of homeland security is a personal and passionate issue for myself, having graduated from the United States Naval War College with a master's degree in information operations and counterterrorism.

Additionally, for nearly a decade I have worked closely with law enforcement and first responders throughout the State of Florida

and I am keenly aware of the issues that they face on a daily basis. In fact, my husband is a SWAT medic and a first responder for Gainesville Fire and Rescue in our hometown. Together we have created a nonprofit organization called The Grit Foundation which serves to provide critical life-saving equipment to our departments.

That experience over the last few years has given me critical insight into how we can better serve and protect our communities by bolstering resources for first responders, rather than cutting them.

I am also honored to serve as the Ranking Member on the Subcommittee for Emergency Preparedness, Response, and Recovery, along with Chairwoman and fellow Floridian Val Demings. I look forward to the work that we will do there.

But turning now to the events of January 6 and the broader issue that we have been facing, which is extremism and domestic terrorism.

As someone who witnessed the attack personally from the House floor, I have been vocal about condemning the attacks of that day, just as I have been very vocal about condemning the violence that we witnessed in Portland, Minneapolis, the District of Columbia, Denver, and beyond last year.

I personally spent the following days after the attack speaking to law enforcement and custodial staff that was present there with us that day. That brings me to the conclusion that there is no doubt in my mind that the events of that day were premeditated and that a thorough and complete investigation that is extraordinarily transparent is needed, which is why I am very proud to support Ranking Member Katko and Representative Davis' efforts to create a 9/11-style commission to investigate the events leading up to January 6.

I would be remiss if I did not make note of the fact that several of our colleagues have continued to rachet up divisive political rhetoric, for example, insinuating that fellow Members have been complicit in the planned violence of that awful day, January 6.

We must also speak out against more than 570 protests last year that turned violent, resulting in 2,385 looting incidents, 624 arson incidents, and more than 2,000 police officers that have been injured.

Baseless and continual accusations are not helpful. We must denounce racism, we must denounce hate, and we must denounce violence, regardless of its origins. We need to collectively hold these criminals accountable that stormed the Capitol to the fullest extent of the law.

I believe that we as Americans are bigger than the divisive rhetoric that continues today. I believe that we are bigger than the events of January 6. We are bigger and stronger that the challenges that we face as a Republic.

So I know that I am limited here on time. I am going to turn this to Mr. Jenkins and ask, I know that you have touched on this a bit today, but I wanted to bring up this important issue again. How does Government and the Members of this committee here best move forward in preventing extremism and domestic terrorism, while preserving all Americans' First Amendment rights and privacy?

Mr. JENKINS. Thank you very, very much for the question. I think that there are a couple of things that you do.

No. 1, I, again, come back to the issue of a commission would be a most useful thing to start with a full exploration of the events of January 6 and what happened then.

I think a second thing I have already heard repeated a number of times from my colleagues on the panel and from new Members of Congress, and that is to try to recover some of the comity that has been a hallmark of this Nation and to reduce the bellicose rhetoric going forward.

Put aside the issues of the past for a moment, looking ahead. We still have people in this country talking about civil war. I am talking about high-ranking officials in State governments and elsewhere talking about civil war, talking about secession, talking about loading up with ammunition.

That kind of rhetoric isn't going to help us going forward. It has nothing to do with going after and prosecuting those responsible for violence. They should be prosecuted wherever they are coming from on the political spectrum. But we certainly, as part of our National strategy, need to bring it down a notch and to try to set the standards for how we are going to communicate with one another.

Chairman THOMPSON. The gentlelady from Florida's time has expired.

The Chair recognizes the gentleman from New Jersey, Mr. Gottheimer, for 5 minutes.

Mr. GOTTHEIMER. Thank you, Mr. Chairman. It is an honor to be on this committee, and I want to thank you for welcoming me. I am grateful to be here and looking forward to serving together with all of my fellow Members on both sides of the aisle.

In the wake of the unprecedented terrorist attack on the Capitol, we have seen detailed reports, thanks to the Anti-Defamation League, of the involvement of despicable and dangerous extremist groups, such as the Oath Keepers, the Three Percenters, the New Jersey European Heritage Association, the Proud Boys, and others which were on the ground that day.

Ms. Neumann, if I can ask you a question. What do you believe is the single most impactful thing we can do right now to stamp out these groups?

Ms. NEUMANN. When you limit it to right now, I mean, most of the prevention work that interacts with individuals, helping them to either not radicalize or, if they are radicalized, to kind-of off-ramp them from violence, that takes a long time. The capabilities that we have in the country are limited. They are scaling. I think we can scale faster. That is something I noted in my comments that I hope to see you all take up.

But we have very limited resources to do the one-on-one individual work that we really need to get after this problem from a comprehensive perspective. So if I look at the moment right now, the best thing would be, if we can clarify that the election was not stolen from credible voices, that reduces the vulnerable and reduces then the pool from which perhaps, you know, people get recruited into a Proud Boys or Boogaloo Bois or a neo-Nazi group. That is probably the single most important thing that we could do.

Then the other thing is we have got to make sure that our protective systems are there. It has been a while since we have had mass gatherings. I think as summer comes, we will be outside. There will be more people. Hopefully the pandemic is starting to wane. That will create targets of opportunity.

Now is the time to encourage critical infrastructure, owners and operators of any sort of event venue, malls, restaurants to dust off those plans, make sure that you have your protective measures. If you haven't exercised them in a while, you should do them now.

Mr. GOTTHEIMER. I appreciate that, and I appreciate you being here.

There seems to be a difference of opinion about whether we need a statute criminalizing domestic terrorism or not. But without a Federal law, given the failure to enforce laws in most States criminalizing paramilitary activity, won't these groups continue to openly gather and threaten our communities if we don't take this action?

Ms. NEUMANN. Yes. In particular I love that you pulled out the militia piece. That is something that we could probably make an impact on rather quickly if we could do some sort of coordinated public advisory, public communication effort to educate people that it is illegal to participate in a private militia, that that is not Second Amendment activity. I won't get into all of the nuance. There are experts out there, especially at Georgetown, that have put together the campaign that we would need to be able to educate people in the States.

But I think there is a ton of misinformation out there, people thinking that it is perfectly legal and Constitutional for them to join these militia, and once you are in that group that it is easier for individuals to potentially follow that pathway to something violent.

If we can educate people that private militias are not legal, and the second step, as you suggested, if we could pass a Federal law that makes that even more clear, that would be very helpful.

Mr. GOTTHEIMER. Thank you very much.

Mr. Greenblatt, for years the ADL has diligently detailed the rise of anti-Semitism, and, of course, the rise in anti-Semitism and violent extremism are intertwined. For instance, we were all sickened and horrified to see a man on the Capitol on January 6 wearing a hoody with the words "Camp Auschwitz" on the front and "Staff" on the back. I saw others the days before wearing other shirts with anti-Semitic slurs across them.

How has the failure to contain and confront virulent and anti-Semitic conspiracy theories like QAnon and accelerationism led us not just to the lone wolf attacks in Pittsburgh and Poway, but to the insurrection here at the Capitol on January 6?

Mr. GREENBLATT. Well, thank you for the question, Mr. Congressman.

I think we know that anti-Semitism is literally at the root of White Supremacy and that it courses through right-wing extremism as an underlying theory of the case. They believe that Jewish groups, that Jewish people are somehow controlling, manipulating the levers of power, Government, Wall Street, Hollywood, the media. I could go on. We need to—law enforcement needs to recog-

nize this and to see those symbols, like what you mentioned were on display at the Capitol.

By the way, the ADL maintains an open source database of extremist symbols. You can find it at adl.org. We need law enforcement to utilize these things, take advantage of the information that we have, so that when they arrest someone and they see patches on their jacket or tattoos on them that indicate an affiliation with anti-Semitic, racist, White Supremacist groups, they treat them appropriately.

I think the question was asked earlier by the Congressman from Texas about White privilege. We need to treat these hatemongers, these extremists, like the criminals that they are.

Look, as a First Amendment—as a civil rights organization, Congressman, that deeply believes in the First Amendment, I have no problem with hate speech, even if I don't like it. But when people seek not hate—not just hate—but to cause harm, that is a clear and present danger that needs to be dealt with to the fullest extent of the law.

Mr. GOTTHEIMER. Thank you very much.

Chairman THOMPSON. The gentleman's time from New Jersey has expired.

Mr. GOTTHEIMER. I yield back. Thank you so much, Mr. Chairman.

Chairman THOMPSON. Thank you.

The gentleman from Georgia, Mr. Clyde, for 5 minutes.

Unmute yourself.

Mr. CLYDE. OK. All right. Is the third time the charm here?

Chairman THOMPSON. The third time is the charm.

Mr. CLYDE. Great. Thank you. Thank you for holding this important hearing.

Thank you for the witnesses for coming out today.

First, I must remind the Members of the committee of the President's own words during the demonstrations held on January 6. President Trump said, "I know that everyone here will soon be marching over to the Capitol Building to peacefully and patriotically make your voices heard."

Our President called for peaceful and patriotic protests here at the Capitol, which is the right of every American citizen, and that is one of the reasons I did not support and I voted against the sham impeachment of President Trump. There was no investigation. There were no witnesses called. There was no cross-examination. Nothing was consistent with any prior impeachment precedent.

That was wrong. Our Nation is a nation of law and order, and I think everyone will agree with that, and that includes the right of due process for everyone, including the President.

Mr. Greenblatt, my question is for you. Your comments about screening members of the military—and I am a proud member of the military. I served 28 years in the Navy, including 3 combat tours, both Active and Reserve. But your comment about screening the members of the military, law enforcement, and every Government position, including those in elected office, are very concerning to me. This smacks of the thought police.

We are Americans. We respect every person's right to their own opinions, especially those with which we do not agree. We all raised our hand and swore to the same oath of office.

So, Mr. Greenblatt, do you agree that people can have differing opinions on issues and ideologies, but those differences will not affect the jobs that they do for our country, be it in the military, be it in law enforcement, or be it in political office?

Mr. GREENBLATT. So, Mr. Congressman, first, let me just thank you for your service. I appreciate not just your service as a Member of Congress but your service in the U.S. military. I am the son of a veteran of the U.S. Army, and I have only the highest respect. I have family members who are in law enforcement. I have only the highest respect for people in public service.

Again, as a civil rights organization who deeply believes in free speech, I fully appreciate and fiercely protect the right of Americans who have differing opinions, even those that I don't like.

But freedom of speech is not the freedom to commit sedition. Let's just be clear——

Mr. CLYDE. I did not——

Mr. GREENBLATT. Let me just——

Ms. CLYDE. I said differing opinions and ideologies.

Mr. GREENBLATT. But, Mr. Congressman, at the ADL, we track extremists. It was mentioned earlier by Ms. Neumann. We know for a fact that right-wing militias and White Supremacists have made it a point to try to be recruited into the military and enter law enforcement——

Mr. CLYDE. Can you answer the question, Mr. Greenblatt?

Mr. GREENBLATT. I am. I am answering the question. I am answering the question.

It is not thought police to make sure that our police don't subscribe to White Supremacist ideals. It is not thought police to make sure that our politicians don't subscribe to conspiracy theories and want to overthrow the Government. I draw a distinct line between the two.

Mr. CLYDE. Mr. Greenblatt, can people not have differing opinions and those opinions not affect the actual work that they do? We all raised our hands to the same oath of office. Do you not agree with that, that they can have differing opinions and it cannot affect the job that they do?

Mr. GREENBLATT. I deeply agree on the value of differing opinions and fierce debate. But fierce debate shouldn't——

Mr. CLYDE. OK. All right. Thank you——

Mr. GREENBLATT. But fierce debate shouldn't allow you to dehumanize me or any other person from any minority group.

Mr. CLYDE. I didn't say that.

OK. Thank you.

I would also like to comment that I completely disagree with putting the National Guard under the mayor of the District of Columbia. The mayor of the District of Columbia is not a Governor. As a Reservist, I think it is very important that that separation continue to exist.

Thank you, and I yield back my time.

Chairman THOMPSON. The gentleman from Georgia yields back the time.

The Chair recognizes the gentlelady from Virginia, Mrs. Luria, for 5 minutes.

Mrs. LURIA. Well, thank you, Mr. Chairman.

Thank you to all of our witnesses for joining us to talk about this important topic today. As a new Member of this [inaudible] and also joining the Homeland Security Committee, because I know this is really a threat to our country and our democracy, and I think it is these important issues that we need to continue to address.

I would like to address my question to Mr. Greenblatt. It follows on what one of my colleagues just mentioned a few minutes ago.

You know, as you mentioned, we have seen the photos of insurrectionists in the Capitol. They were wearing sweatshirts that say "Camp Auschwitz," "6MWE," 6 Million Wasn't Enough, which is just reprehensible to myself as a Jewish American but, you know, I would assume, to everyone who is watching and listening to this today.

You know, I would like to just spend a little bit of time addressing in a little bit more depth some of the anti-Semitic tropes that appear frequently in these White Nationalist groups and are associated with movements such as QAnon and how we could potentially look to address these issues and what you as an organization are doing to identify these groups and threats and, you know, root out some of these tropes that have existed for a long time but are just very clearly manifesting themselves today in the public eye.

Mr. GREENBLATT. Well, thank you very much for the questions, Congresswoman. I would say a few thoughts.

So, No. 1, again, anti-Semitism is at the core—is a conspiracy theory of sorts and at the core of White Supremacy in this country. So it didn't just start on January 6. We saw this from Capitol Hill to Charlottesville and before that. You have seen it again and again. You know, Ms. Neumann referenced "The Turner Diaries." If you go back and look at White Supremacist literature and philosophy, again, it is rooted in a hatred of the Jewish people. Again, it is not right or left; it is just right and wrong. There should be no excuse for it in any public setting.

In terms of what do about it, I mean, there are a few things.

No. 1, I do believe—and I believe this very fiercely—that we have to hold these White Supremacists and right-wing extremists accountable for their actions. Every individual who perpetrated in that attack should be identified and arrested and prosecuted to the fullest extent of the law. We need to make sure that hate crimes are tracked effectively at the local level and the perpetrators punished, again, to the fullest extent of the law so there is some degree of deterrence.

But I also think that we can't just legislate or arrest our way out of this situation. We also have to change hearts and minds. I really applaud Congresswoman Maloney for the Never Again Education Act that was passed in the last session that mandates Holocaust and genocide education. We are doomed to repeat the mistakes of history if we don't learn from them. So educating young people about the Holocaust and hate, all forms of hate, can have a demonstrable impact.

At the ADL, we are one of the largest providers in the United States of anti-hate content in schools. We reach over 1.5 million kids a year. We do that because we have seen the difference it makes. When children learn about difference, they demonstrate more compassion, more empathy. It can affect conditioning the environment to be more tolerant of everyone, no matter how you pray or where you are from or who you love.

Mrs. LURIA. Well, thank you for that additional insight and feedback, and, you know, I appreciate the work that you continue to do on behalf of this important topic.

I yield back the remainder of my time.

Chairman THOMPSON. The gentlelady yields back.

The Chair recognizes the gentleman from Texas for 5 minutes, Mr. Pfluger.

Mr. PFLUGER. Chairman Thompson, Ranking Member Katko, thank you for this opportunity. I am grateful to serve on this committee. Really, there is no greater importance to our country than for us and those in our military and law enforcement to safeguard the American people from any threats.

As a 20-year veteran of the U.S. Air Force myself and somebody who has fought all over the world and, most recently, against terrorism in the Middle East, I hope that I can bring some value and that same commitment to our work here.

As you may know, the 11th District of Texas, which I represent, is a critical intersection of National security interests for our country. It lays just north of the Southern Border, over 1,200 miles of shared border between Texas and Mexico, and is home to the top-producing area for oil and gas, a tremendous amount, millions of acres in fact, of agriculture, of farm and ranch land, and of a military base which trains intelligence personnel for our joint defense. It is a pretty incredible place that produces food, fuel, fiber, and powers and feeds the American people.

A country that feeds and fuels itself is inherently safer and more secure. Ensuring that the development and the transportation of these resources remains safe and secure from chemical, biological, and cyber terrorism or any other threats is of utmost importance. So I appreciate the work that is being done here.

I am additionally thankful for the trust bestowed upon me to use my experiences to lead my Republican colleagues on the Subcommittee for Intelligence and Counterterrorism. I would like to congratulate Chairwoman Slotkin as the Chair for that subcommittee, and I look forward to working with her to continue to strengthen the intelligence community and deter those future threats. I look forward to working together with all of the committee on something that really is a nonpartisan issue, the security of our country.

Mr. Chairman, I would like to specifically thank you for your thoughts earlier on making sure that we don't distract from the threat, that there is no attempt to distract from the threat. Right now our country is facing a number of threats, and homeland security is incredibly important.

I would like to explore a topic—and I will start with Mr. Greenblatt—on the subject of rhetoric and specifically that rhetoric which could embolden.

I would like to kind-of pull this thread a little bit, Mr. Greenblatt, and ask your opinion on the escalation of rhetoric that has happened—and I will use a partisan term—that has happened on both sides, or the lack of rhetoric, or the lack of ability to condemn violence, or selective condemnation, and just hear your thoughts on where we are today and how that rhetoric has shaped this point.

So, Mr. Greenblatt, over to you.

Mr. GREENBLATT. Congressman Pfluger, thank you for the question.

I think it is absolutely fair to say that neither side of the political spectrum is exempt from intolerance. As I said in my opening remarks, we have seen extremism on both sides. It is absolutely true. I think it is incumbent upon everyone, regardless of how you vote, to represent a core set of values, like decency and fairness and the humanity of their fellow man and woman.

That being said, I don't want to engage in kind-of a what-aboutism here. Like, what happened on January 6 really has no precedent. I mean, again, at ADL, we track these extremists, and I just want to clarify, what we saw that day wasn't a riot; it was an attack. Right? Those weren't, like, protesters. They were militants who were marching up the Capitol steps to kidnap and murder many of you if they had the chance. Those people who would try to undermine our democracy and kidnap and kill our elected officials, I just think we have to acknowledge the fact that they were coming from one particular hateful ideology.

Let me just say this. I don't think White Supremacy, like, has anything to do with traditional Republican politics. Like, we do ourselves and we do our great democratic tradition a deep injustice when we pretend as if these people are on the spectrum. They are not. They are way off the spectrum. They belong in the dustbin of history.

Mr. PFLUGER. Thank you, Mr. Greenblatt.

Ms. Neumann, thank you, and to all the witnesses, for your expertise today.

I am very interested in your thoughts on how a commission and how a nonpartisan look at this issue can be executed and recommendations for how we can conduct this and the types of resources that we pull in to make sure that we hear the facts, that we make good decisions, and that we come up with a good solution.

Ms. Neumann.

Chairman THOMPSON. The gentleman's time has expired, but I will allow Ms. Neumann to answer the question.

Ms. NEUMANN. I would suggest that the model that we got out of the 9/11 Commission works fairly well. I am sure that some of the staff and commissioners probably have some lessons learned about how they could improve on that model, and I think that is something that is worth the committee's consideration.

It certainly needs to be bipartisan. It certainly needs to be staffed on a full-time basis. They certainly need to have the authority to be able to review documents and compel people to tell the truth.

Then you need a wide variety of expertise. You also need to ensure that various perspectives that have concerns, legitimate concerns, feel heard and that there is buy-in into the process.

What I specifically mean is that, already, in the last few weeks, we have seen voices from the Muslim community, from the Black community express concern that, if we change the law, it ultimately will boomerang back around—even though we are saying it is because of White Supremacists, it is going to boomerang back around and affect their communities.

This is coming from very real experiences that these communities have faced in the previous decades. That needs to be heard. We need to learn from our mistakes of the last 20 years, in particular, and build that into whatever recommendations come out.

But I also would argue that we have seen too many deaths. We have seen the most catastrophic symbolic and physical attack from a domestic terrorist since 1995. Not doing things, not updating our laws that in some cases haven't been touched in 50 years is also not the answer.

So we would encourage that we hear from the voices that have concerns, treat that with seriousness, but also not to let that become so chilling that we can't find a path forward.

Chairman THOMPSON. The gentleman from Texas's time——

Mr. PFLUGER. Thank you so much for allowing that.

Chairman THOMPSON. Thank you.

The gentleman from Texas's time has expired.

The Chair recognizes the gentleman from New Jersey for 5 minutes, Mr. Malinowski.

Mr. MALINOWSKI. Thank you so much, Mr. Chairman. I am so happy to have a chance to join the committee this year and look forward to working with you and all of my colleagues.

Mr. Greenblatt, I wanted to start by taking you back to something you said about the people who were part of that mob that attacked the Capitol on January 6. You said, I think quite rightly, that under normal circumstances we would have recognized them as just ordinary Americans who were absolutely convinced in that moment that what they were doing, this deviant thing that they were doing, was something completely normal. They were also probably convinced that most Americans were completely on their side, agreed with them.

You mentioned that one reason for this—and this is, I think, the core problem we face—is that they were radicalized to these beliefs on social media. They came to believe that what they doing was normal and everyone supported them.

My first question to you is, how did that happen? Did they just wake up one morning, these schoolteachers and real estate agents and fitness instructors, and decide they were going to search on the internet for neo-Nazi beliefs or White Supremacy? Or did something recommend it to them?

Mr. GREENBLATT. So, Congressman Malinowski, thank you for your question. Again, as someone who I know throughout your career you have looked at human rights issues around the world, I think what you probably saw happen on January 6 bore resemblance to coups and other insurrections you have seen in developing countries across the planet.

Mr. MALINOWSKI. It did, yes.

Mr. GREENBLATT. So I want to say one thing that builds upon my earlier answer. We need to recognize that the reason why tens of millions of ordinary Americans came to the National Mall is because, first, I will just say they were rallied to do so by mainstream politicians. They were encouraged to show up by mainstream pundits on cable news shows.

So we do need to acknowledge that there is a broad responsibility for what happened. Again, the politicians who were standing there on the Mall encouraging them with waving their fists to go take Congress, they were only from one—I mean, it is not a political statement to—it is an observation of fact, they were only from one party. So let's say that, No. 1.

No. 2, indeed, why do people believe this kind of insanity and this lunacy, that there are pedophilia—you know, Satan-worshipping Democrats, you know, in the basements of pizza parlors eating children, for God's sake?

Part of it is because the algorithms that animate these social media platforms, invisibly to the user, route information to them. So, once you click on a certain kind of story, it is often reinforced. Any of us can see this today, if we have a normal internet browser like Chrome or Firefox or Edge, and you look at a YouTube video, it will start to send you more videos, the kinds of which you just looked at.

So that algorithmic routing that happens to the user, unknown, shapes their world view and creates what Eli Pariser calls "filter bubbles." They are deeply dangerous when they are telling people that, again, you have this conspiracy trying to hurt them.

Mr. MALINOWSKI. Just one example of that. You know, Facebook, in 2018, they did an internal study in which they determined that 64 percent of all joins, people joining an extremist group, on their platform was due to their recommendation tools, that it was recommended to them to do that by Facebook.

The reason for that is that these algorithms are engagement-based, right? In other words, they are designed to maximize the time that everybody spends glued to the screen. They have figured out that what does that to us is content that reinforces our most passionate, intense beliefs, our fears and our hates. Isn't that correct?

Mr. GREENBLATT. It is absolutely correct. Their business models are based on engagement and clicks. As they used to say for local news, if it bleeds, it leads. Right? So, again, if it is a conspiracy, it drives clicks.

It is deep—we see that things don't happen in a vacuum. On-line hate and conspiracy theories can metastasize into real-world violence, and we saw that on January 6.

Mr. MALINOWSKI. So, you had mentioned the legislation that I introduced with Congresswoman Eshoo——

Mr. GREENBLATT. Yes.

Mr. MALINOWSKI [continuing]. Which is a narrow, narrow effort to deny these companies immunity under Section 230 if that kind of content, which they promote through these algorithms, contributes to real-world violence.

I would say to all my colleagues, we can believe that the biggest problem is on the right, on the far right, or on the far left; it doesn't matter. We can debate that. But whichever of those things you believe, you should be for this, because the mechanism works the same way. It pushes people on the left further left, it pushes people on the right further right, until they reach an extreme that, as you rightly said, is totally out of the mainstream.

Thank you so much.

I yield back.

Chairman THOMPSON. Thank you very much.

I assure the gentleman from New Jersey that that issue has come up in a number of questions and responses to those questions, and, at some point, that part of the jurisdictional edge that we have, we will look at it. We will talk to the other committees, obviously. Because it presents a clear and present danger to us all if we don't get our arms around it.

Mr. MALINOWSKI. Thank you, Mr. Chair.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentleman from Michigan, Mr. Meijer, for 5 minutes.

Mr. MEIJER. Thank you, Chairman Thompson and Ranking Member Katko, and our esteemed guests for joining us here today.

I am Peter Meijer, representing Michigan's Third Congressional District, and proud to also be the Ranking Member on the Subcommittee on Oversight, Management, and Accountability. You know, I am extremely excited to be sitting on this committee. I am excited for the opportunity to work in a bipartisan fashion to address the security concerns that are confronting our Nation, especially those of a domestic nature.

I have been greatly enjoying and learning a lot from the conversation so far.

Ms. Neumann, I really appreciate you offering that clarification. The way in which we are engaging—the delta between how we treat international terrorism and, sort-of, the statutory grounding to prosecute versus domestic, I think, is a really salient issue. As you noted, the arrests in September of 2 Boogaloo Bois, you know, for conspiring with Hamas. The way that the FBI, especially in undercover operations, has to, in most cases, default to finding an international connection in order to move forward on a prosecution, you know, does suggest that we need to be reevaluating or, as Mr. Jenkins said, fundamentally rethink some of these dynamics. That is a point I want to get back to in a minute.

But one thing that was in Mr. Greenblatt's written remarks, I think, I really want to drill down in a little bit, and it is around the concept of accelerationism. You know, originally it came from Marx. It was a claim that capitalism carries the seeds of its own destruction, with the inherent social conflicts it creates.

But what started off as a sort-of more left-wing notion has kind-of crossed over—and maybe it is with a horseshoe theory, where extremists on both sides loop back in the middle—and found its root on the right as well. The Boogaloo Bois are arguably accelerationists. You know, one of the uniting threads between some of the people who stormed the Capitol, such as the QAnon shaman with the face paint and the Viking horns, is just this de-

sire to bring about some type of cataclysm, some means of upsetting the order.

The question is, why is that so persuasive? Why are so many folks feeling disaffected and becoming entranced by some of these wilder theories?

I think, Ms. Neumann, you said in your testimony, you know, it is about filling unmet needs caused by marginalization, grievance, and humiliation. Indeed, a lot of the folks I spoke to who felt compelled and came out on the 6th, not necessarily those who were violent—I didn't speak to any of them—but they did feel a sense of humiliation, they felt a sense of grievance and a means of address.

Obviously, please do not take this to be a what-aboutism or a both-sidesism. I voted for impeachment and was 1 of only 10 Republicans to do so and have unequivocally condemned the actions of January 6 and look forward to, in this hearing, making sure we are doing the necessary steps for redress.

But I want to circle back and ask the question of Mr. Jenkins: When you talk about fundamentally rethinking our approach, as Ms. Neumann said, with the challenge between how we treat international terrorism and how we treat domestic, it also seems that the broader issue is, it is easier to go after an organization, something with a hierarchy, a command-and-control structure, and that is identifiable in a way.

But when it is a more pervasive, persuasive ideology like accelerationism, you know, how do we then root out that cause at the individual level, rather than having a strictly reactive approach?

So, Mr. Jenkins, I would appreciate your thoughts along those lines.

Mr. JENKINS. Thank you very much for the question.

Look, some recent research, not done by RAND but done by the University of Chicago, looking at the people who were arrested for participation in the events on January 6, based upon statements they made on their own Facebook accounts and so on, indicates that about 20 percent of them were actually members of extremist groups going in, that the remaining 80 percent were there because they felt the election had been stolen.

Now, that raises a broader issue, and that is, we don't want to see the radicalization of the 80 percent by that 20 percent. Part of the strategy, counterterrorism strategy, has to be that we will isolate the violent extremists from a potential constituency. That means going after with the full force of the law the violent extremists. But it also means addressing some of the issues that are broader.

Now, I am not for one moment suggesting any had kind-of co-option or compromise with individuals in groups whose causes are fundamentally antithetical to unalienable rights that we accept. But I am saying that within that broader community there are individuals who feel marginalized, people who have lost faith in our political systems. This is on both sides of the political spectrum. What we have to do, in our zeal to go after the violent component, is not accidently brand as enemies of the state a broader section of our population.

Now, that is a continuing strategy, and that is one of the reasons, actually, why I want so much of our efforts against the violent extremists to be done within the ordinary criminal code. Put aside the political pretensions. Don't give them that. These are crimes—murder, assault, willful destruction of property. Deal with it on that basis.

Mr. MEIJER. Thank you, Mr. Jenkins.

I yield back.

Chairman THOMPSON. Thank you very much.

The Chair recognizes the gentleman from California for 5 minutes, Mr. Swalwell.

Unmute yourself.

Mr. SWALWELL. Thank you, Chairman. Also, thank the Ranking Member, you know, for the collaboration on taking on such an important issue. I think for this to be our first hearing in the new Congress reflects the true threat that we are facing from domestic terrorism, particularly from White Supremacy groups.

Last year, researchers at the Combating Terrorism Center at West Point Academy, they monitored QAnon activity on Telegram, and they found that there is a growing overlap between QAnon channels and more extremist channels affiliated with Proud Boys, paramilitary groups, and White Supremacists.

Have any of you similarly observed an overlap between QAnon adherents, White Supremacists, militias, and other potentially violent extremists?

Ms. Neumann, I think we should start with you, just considering your expertise and service in Government.

Ms. NEUMANN. Thanks for the question.

Yes, I mean, look, this idea of ideology is—we started to recognize maybe 3 or 4 years ago that it is kind-of held loosely. There is a phenomenon called ideology-hopping. When I was serving in the Government, we had U.S. attorneys telling us anecdotes of individuals that would join one White Supremacist group, then get frustrated it wasn't violent enough, and then join an ISIS-related group, which you would think is contradictory. But for some, it is just about the other psychological unmet needs that are driving them toward the violence and not about the ideology itself. So, increasingly, you are seeing intermixing of groups.

QAnon, you know, kind-of made it famous to build your own conspiracy, so the thing that you might think QAnon is 5 days ago has changed at this point. We certainly see that as it pertains to, there was this expectation that January 20 was going to be the big moment and everybody was going to get rounded up and executed in one big day of judgment and Trump was still going to be President. When it didn't happen, some recognized, "Oh, I have been conned" and moved on, but a whole bunch just came up with the next theory: Now it is January 31; now it is March 4. They just keep evolving the theory.

So, the more that some of these conversations go mainstream, the more that you see intermingling between the groups. The fact that they were in person together on January 6 is this massive networking opportunity. As Mr. Jenkins pointed out, we have got to drive a wedge between these two. We don't want the organized or-

ganizations to be able to recruit from the unaffiliated, because that unaffiliated population is very large.

So all of those factors have made the job of law enforcement counterterrorism specialists more difficult, because we are so used to thinking about a neat ideology, and, in fact, what is driving individuals may change from day to day.

Which is why the prevention efforts that we started a few years ago that were based off of this RAND study that they ran in 2018 actually are ideologically neutral, that the signs and indicators of somebody mobilizing to violence—the risk factors, the stress factors—they were largely ideologically neutral, which allows us to train by standards and develop capabilities, locally-driven capabilities, that might be able to intervene with an individual before they mobilize to violence.

Mr. SWALWELL. Ms. Neumann, what effect does it have on a group like QAnon or a White Supremacy group when people who they perceive are leaders in Government and people they would support denounce them? Like, does that have an effect, when they are denounced by people who they are supporting? How important is it to do that, as far as legitimizing or delegitimizing them?

Ms. NEUMANN. Historically, your anti-Government extremist and White Supremacists groups are used to being antithetical to the Government, meaning they view the Government as the enemy, so they are used to the condemnation.

What shifted was that, all of a sudden, people in authority, elected officials, and then, quite frankly, some of the media outlets started using some of their ideology to justify their positions. That mainstreaming effect emboldened them. Then, when given the opportunity to condemn, and certain personalities have not, that further emboldens them, and it makes them feel like they can be more brash and bold in both what they say and in what they do.

So, to counteract it, yes, it would be great if we could go back to the way things were, and the condemnation helps prevent enlarging the problem, but it doesn't necessarily get rid of the problem.

Mr. SWALWELL. Thank you very much.

I yield back.

Chairman THOMPSON. Thank you.

The Chair recognizes the gentleman from New York, Mr. Garbarino, for 5 minutes.

Mr. GARBARINO. Thank you very much, Mr. Chairman.

I just want to thank the Chairman and the Ranking Member for hosting this hearing today. Securing the homeland from all threats is the most critical thing that we can do in America. I am honored and eager to fill the seat on this committee left by my predecessor, Congressman Pete King, and I look forward to continuing to protect New York and our Nation from all security risks.

Nearly 500 Long Islanders were killed in the horrific events on September 11, and many more Long Islanders have died or become sick in the years following that fateful day. I am committed to continuing the fight against radical Islamic terrorism as well as the increasing threat of additional foreign and domestic terrorism.

As a New Yorker who is tough on terrorism and strongly supportive of law enforcement, I am eager to get to work as the Rank-

ing Member of the Cybersecurity, Infrastructure Protection, and Innovation Subcommittee, and I look forward to working with my fellow New Yorker, Congresswoman Clarke, on these important issues.

I am also excited to be a Member of the Emergency Preparedness, Response, and Recovery Subcommittee. My district was ravaged by Superstorm Sandy, and dealing with these issues is very important to me and my constituents.

As all Americans continue to adapt to working and learning remotely as a result of the COVID–19 pandemic, I believe it is now more important than ever to work with agencies like CISA to fight to protect our data, infrastructure, and networks.

Although it remains true that malicious cyber attacks are an increasing tactic used by America's adversaries to degrade our operational capabilities, we cannot ignore the fact that physical attacks by extremists in our Nation exist today. Physical threats and attacks by extremist groups are one of the greatest risks to our democracy, as evidenced by the events that occurred against the United States Capitol on January 6.

We must not let these criminals win. We must rise above partisan labels and rhetoric and denounce all forms of violent extremism. That is why my colleagues and I are cosponsoring H.R. 275, to establish the National Commission on the Domestic Terrorist Attack Upon the United States Capitol.

We must condemn the actions of those who stormed the Capitol and urge law enforcement to prosecute these criminals to the fullest extent of the law. The establishment of a commission will provide a bipartisan venue to ensure that what happened on January 6 never happens again in our country.

Just as the September 11 Commission has been cited as one of the most widely-accepted data sources on 9/11, I strongly believe that our National commission to analyze these events on January 6 will provide factual data and solutions that will help heal our wounds and begin to pave the way to recovery across the United States.

Thank you, Mr. Chairman. I yield back.

Chairman THOMPSON. Thank you very much.

The Chair now recognizes the gentleman from New York, Mr. Torres, for 5 minutes.

Mr. TORRES. Thank you, Mr. Chair.

It was noted earlier that the security failure on January 6 was not an intelligence failure but it was a planning failure. For me, the lack of preparedness on the part of the Federal Government for the siege on the U.S. Capitol reflects a deeper problem. It reflects a pattern of almost willful blindness to White Supremacist violence as a domestic terror threat.

Even though White Supremacist violence has been the dominant driver of domestic terrorism in the United States for decades, the Federal Government did not designate a White Supremacist group as a terrorist organization until 2020.

What does that tell us about the seriousness, or lack thereof, with which the Federal Government treats White Supremacist extremism as a domestic terror threat?

That question is for Ms. Neumann.

Ms. NEUMANN. Thank you for that question.

So, interestingly enough, the designation that you are referencing uses the foreign terrorist designation statute. That means that we cannot use it—the restrictions that are in there do not allow us to designate a group that originated in the United States.

Sadly, most of what we consider global White Supremacism at this point is originating from the United States. Now, there are other active pockets, particularly in Germany, some of the Nordic countries, Russia. Australia recognizes that they have some challenges.

But, in large part, when you talk in the counterterrorism community—and this happened. In 2018, I was at a conference with 100 other like-minded nations that were supposed to be talking about retraining foreign terrorist fighters coming out of Syria, and everybody was acknowledging that the growing rise of what the world calls right-wing violent extremism was a problem. They were turning to us and saying, "You guys are the exporters. What are you going to do about it?"

The laws are not written to address the global nature of the threat that we are facing. Many of these laws have been around for decades. It is time for them to be updated, in my opinion.

Mr. TORRES. Fair enough. But I think it is important to emphasize that the United States does not have a monopoly on White Supremacist extremism; it is a global phenomenon. I find it odd that the United States until 2020 did not designate any White Supremacist group anywhere in the world as a terrorist organization. For me, it just speaks volumes about the counterterrorism priorities of the Federal Government.

I have a question about social media sites. We all know that social media sites have been amplifiers of disinformation, and we know that social media sites have been an enabler of coordination among White Supremacist extremists who might otherwise operate as lone wolves but who can organize more easily on-line.

So social media companies have been part of the problem. My question is, how do we get those companies to be part of the solution? How do we get those companies to do their part in countering terrorism?

Mr. GREENBLATT. Who was that question directed to, Mr.——

Mr. TORRES. It could be anyone, but I think it was Greenblatt who actually brought up social media companies earlier, so I will direct it to you.

Mr. GREENBLATT. Sure.

So, first of all, I would say your earlier point about the global threat of White Supremacy is real. There were European White Supremacists marching in Charlottesville. There have been American White Supremacists who have participated in marches and training exercises in Europe. We saw what happened in Christchurch; that harkened back to what happened in Charleston. You are absolutely right; it is a global terror threat and needs to be treated as such.

With respect to social media companies, look, ADL literally opened a center in Silicon Valley in 2017. I have staffed that not with nonprofit veterans but, rather, with industry veterans from the technology space. Because we need to have engineers on our

side working to address these issues. We can't wait for the companies to do so.

But I will be honest, Mr. Congressman. Their lackadaisical approach to this, their laziness, feeling like they are shielded from liability by Section 230, therefore they can be hands-off, that needs to change.

We saw what happened in the wake of Capitol Hill attack. We saw how they could immediately move, when push came to shove, to remove armed militia groups, to remove White Supremacists, to shut down those accounts that were spouting disinformation, delegitimizing the election, and literally inciting violence. They have had the capabilities.

But, in order to align interests, I would encourage you, No. 1, to look very hard at how do we reduce the liability shield to clarify what they are responsible for. No. 2, I think you have to look at the issue of monopolistic indifference and whether platforms like Facebook are just so big, just so large, that they are immune and invulnerable to the typical competitive pressures and fiduciary pressures that most companies deal with.

So I think, both from the 230 and even the anti-trust end, there is work for Congress to do to apply the appropriate oversight to make sure these companies, which, again, are so innovative and have done so much good on so many levels, are not undermining our democracy and spreading stereotypes and hate.

Mr. TORRES. I yield back.

Chairman THOMPSON. The gentlemen's time has expired.

Well, let me just take off from that, as Chair.

It is obvious that 230 we will look at. I will repeat it: If the companies don't assume the interest in policing their own platforms, then you leave Government no choice.

So, for those companies who might be listening to this hearing, it is absolutely essential that they step up in a big way. Because, obviously, from the questioning and the responses, there is interest on the right and the left, Democrat and Republican, that we have to look at it, and I assure you as Chair that we will.

I want to thank the witnesses for their testimony and the Members for their questions.

The Members of the committee may have additional questions for the witnesses, and we ask that you respond expeditiously in writing to those questions.

I would also like to ask unanimous consent to enter into the record the following reports: the Southern Poverty Law Center's report entitled "The Year in Hate and Extremism 2020" and Everytown's report entitled "The Role of Guns and Armed Extremism in the Attack on the U.S. Capitol."

[The information follows:]

THE YEAR IN HATE AND EXTREMISM 2020

February 01, 2021

By Rachel Janik and Keegan Hankes, Southern Poverty Law Center

INTRODUCTION

"Our country has had enough. We will not take it anymore, and that is what this is all about . . . we fight, we fight like hell, and if you don't fight like hell, you're not going to have a country anymore. . . . So we are going to, we are going to walk

down Pennsylvania Avenue . . . And we're going to the Capitol . . . "—with those words on Jan. 6, Donald Trump incited a mob that included the hate and antigovernment groups the Proud Boys, the Oath Keepers, and the Three Percenters to storm the U.S. Capitol in an insurrection to maintain white supremacy.

Trump refused to condemn the insurrection, which left five people dead, including a Capitol law enforcement officer. He even praised the rioters, calling them "patriots," saying "we love you" and "you are very special." The episode was reminiscent of his notorious declaration that there were "very fine people on both sides," in the aftermath of the violence at the deadly 2017 white supremacist rally in Charlottesville, Virginia.

While every few months it seemed there was a new, brazen moment that would define the Trump presidency, it was this siege of the U.S. Capitol, with pro-Trump rioters parading through the halls of Congress with Confederate flags and a self-described white nationalist pilfering from the office of House Speaker Nancy Pelosi, that will exemplify Trump's racist demagoguery for posterity.

Historically, SPLC research shows that when extremists perceive more allies in the halls of power, their numbers dip. Not so with the Trump presidency. For the first 3 years of his presidency, SPLC recorded historically high hate group numbers as bigotry found a comfortable home in the White House, and white nationalist ideologues influenced policies like the Muslim ban and separation of immigrant children from families at the border.

Hate groups that traditionally occupy the mainstream, like anti-LGBTQ groups and anti-immigrant groups, saw their influence in government balloon over the last 4 years, with serious consequences for human rights in America and around the world. Nativist bigotry brought about one of the worst human rights crises in modern U.S. history, when the Department of Homeland Security separated children from their parents at the southern border. The administration also effectively suspended the legal asylum process, stranding people who fled violence in their home countries, and vacated asylum protections for survivors of intimate partner violence. Anti-LGBTQ appointments to the judiciary will likely threaten trans and queer Americans' civil rights for a generation.

HATE GROUPS DECLINED, BUT HATE DID NOT

In 2020, SPLC tracked 838 active hate groups. Though numbers have dropped 11 percent overall, we are still recording historic highs. In 2015, the numbers jumped from 784 to 892, and they have remained well above 800 for the duration of the Trump presidency.

It is important to understand that the number of hate groups is merely one metric for measuring the level of hate and racism in America, and that the decline in groups should not be interpreted as a reduction in bigoted beliefs and actions motivated by hate. The SPLC has begun conducting polling as an additional tool to measure extremist sentiment. Our August 2020 polling, for example, revealed that 29 percent of Americans personally know someone who believes that white people are the superior race.

As another metric, SPLC keeps track of extremist flyers reported around the country. This year we recorded almost 4,900 flyering incidents. Groups under the white nationalist ideology exploited flyering as a tactic to spread their hateful worldview nearly 12 times more than all other ideologies combined.

Typically, new hate groups are formed and membership grows in reaction to changes in society, especially changes that challenge white hegemony. A historical example of this is the Ku Klux Klan, which was virtually nonexistent in the 1930's and 1940's after its membership reached record levels in the 1920's, and came roaring back in the 1950's. White nationalist beliefs had not declined in the 1930's and 1940's alongside group membership, a fact that became clear when organized hate activities erupted after the 1954 Supreme Court decision in *Brown* v. *Board of Education* made segregation illegal. In the modern era, we tracked a gradual rise of hate groups during the George W. Bush administration, when numbers peaked in the 800's. After Barack Obama became the Nation's first Black president, the number jumped to more than 1,000.

The demise of the Klan in the last decade has specifically resulted in an overall reduction in the number of hate groups that the SPLC tracks. The Ku Klux Klan, formerly a significant generator of white supremacist terror, saw its count dwindle to 25 groups in 2020. The number of Klan groups the SPLC tracked used to be consistently over 150; in recent years they dropped below 100, and then under 50. A major reason for this is that the Klan's name has become extremely toxic—if you are a Klan member and your employer finds out, for instance, you are all but guar-

anteed to be fired. Unfortunately, those declining numbers do not reflect a parallel reduction in support for their ideas.

Despite the massive drop in Klan groups, there are now many alternative hate organizations that make Klan membership obsolete. For example, the Proud Boys, which SPLC lists under the General Hate category, vandalized historically Black churches in Washington, DC. during a December pro-Trump demonstration, and members of the Proud Boys were front and center during the U.S. Capitol insurrection.

Many extremist ideologues are not formal members of any organization. Online platforms allow individuals to interact with hate and antigovernment groups without joining them, as well as to form connections and talk with likeminded people. And, despite the lack of formal affiliation, these individuals still take real-world actions. The U.S. Capitol insurrection exemplifies this. Most of the people storming the Capitol building may not be card-carrying members of a hate or antigovernment group, but they harbor extremist beliefs.

The U.S. Capitol insurrection also showed us how the Trump campaign and the MAGA movement offered individuals a twisted kind of camaraderie that you get from being a member of a hate or antigovernment group, where Trump himself was a radicalizing force. We again see this with the people who were arrested—many had previously attended several rallies, and viewed President Trump as their leader.

Two other trends that impacted the count in 2020 and will likely affect it in future years: (1) COVID–19 minimized overt hate group activity. There were some groups that we did not relist this year because they ceased their in-person activity and did not appear to do anything online; and (2) Hate groups are increasingly being booted from popular social media platforms and moving their communications into encrypted chatrooms, which makes it harder for the SPLC to track them.

THE HATE GROUP LANDSCAPE IN 2020

As previously mentioned, The Ku Klux Klan continued its collapse, with only 25 active chapters in 2020.

White nationalist group numbers also dipped by 27, a change that does not signal a trend toward less white nationalist organizing. Both white nationalist groups and neo-Nazi groups are becoming more diffuse and difficult to track and quantify as they proliferate online and communicate on encrypted platforms, a trend this report will explore in greater detail in our next installment.

Anti-immigrant, anti-Muslim and anti-LGBTQ hate groups, which are typically more successful at laundering their ideas into mainstream political discourse, saw their numbers remain largely stable, though their in-person organizing was curtailed due to the COVID–19 pandemic.

Even though anti-immigrant groups were not able to hold as many in-person events as years past, their influence was felt where it mattered: In policy and legislation. Over Trump's 4 years in office, according to data published by the Migration Policy Institute, the Trump administration implemented more than 400 policy changes to curb both legal and illegal immigration. Exploiting the COVID–19 pandemic to stoke health and economic fears, the Trump administration enacted a de facto moratorium on all immigration to the U.S. by the end of 2020.

Influential anti-LGBTQ hate groups became further entrenched in the Trump White House, and the Trump administration continued its years-long pattern of appointing Federal judges with ties to anti-LGBTQ groups. The most high-profile of these appointments was Amy Coney Barrett, who joined the Supreme Court last fall and has ties to Alliance Defending Freedom, which SPLC has designated an anti-LGBTQ hate group. Though the anti-LGBTQ hate movement has lost an ally in the president, they are likely to continue to use the lower courts and the Supreme Court to try and roll back LGBTQ rights.

The number of anti-Muslim hate groups dropped by 12, from 84 last year to 72 this year. The largest anti-Muslim hate group in the country, ACT for America, enjoyed attention from the Trump White House, which met with ACT head Brigitte Gabriel on at least two documented occasions in 2020. A former ACT staffer was also hired at the State Department. Despite that influence, the group suffered from infighting between smaller local chapters and the national office in Washington, DC. Following Trump's election loss, some leaders in the anti-Muslim movement have signaled a shift toward local and State-level organizing.

Recommendations to combat extremist groups:

- Enact the Domestic Terrorism Prevention Act, which would establish offices within the Department of Homeland Security (DHS), the Department of Justice, and the FBI to monitor, investigate and prosecute cases of domestic terrorism—

and require these offices to regularly report to Congress. Passed overwhelmingly by the House of Representatives last September, this legislation would also provide resources to strengthen partnerships with State and local law enforcement authorities to confront far-right extremism and create an interagency task force to explore white supremacist activities within the U.S. armed forces and Federal law enforcement.

- Improve Federal hate crime data collection, training, and prevention. Data drives policy. The FBI's annual Hate Crime Statistics Act (HCSA) report is the best national snapshot of hate violence in America, but data received from the 18,000 Federal, State, local, and tribal law enforcement agencies is vastly underreported—in part because reporting is not mandatory. In 2019 (the most recent report), 86 percent of police agencies either affirmatively reported that they had zero hate crimes, or they did not report any data to the FBI at all.
- As we work to build support for mandatory hate crime reporting to the FBI, Congress should enact the Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2019 (NO HATE Act), which would authorize incentive grants to spark improved local and State hate crime training and data collection initiatives, as well as State-based hotlines to connect victims with support services.
- The law is a blunt instrument to address violent hate and extremism—it is much better to prevent these criminal acts in the first place. Congress should shift funding away from punishment models and toward the prevention of violent extremism. It should focus on programs that build resilient communities and empower adults—including parents, teachers, caregivers, counselors, therapists, faith leaders, and coaches—to help steer young people away from dangerous ideas. These programs are better housed in the Department of Education and Department of Health and Human Services than DHS or other national security agencies.
- Reject efforts to create a new criminal domestic terrorism statute—or the creation of a listing of designated domestic terrorist organizations. A new Federal domestic terrorism statute or list would adversely impact civil liberties and could be used to expand racial profiling or be wielded to surveil and investigate communities of color and political opponents in the name of national security.

CONFRONTING FAR-RIGHT AND RACIST NARRATIVES

The incoming Biden administration faces dual challenges: Reversing the catastrophic damage to civil rights done by Trump and his allies, and doing the harder work of exposing and dismantling the engines of entrenched, systemic white supremacy that have always threatened inclusive democracy in the U.S. For example, SPLC's August 2020 poll found that 65 percent of respondents believe racism exists and is harmful, but 49 percent believe that people of color are more likely to be poor because of a lack of work ethic.

Findings were similarly disturbing around gaps in health outcomes, with only 38 percent of respondents believing that systemic racism played a role, even as COVID–19 ravages communities of color.

Despite some high-profile support for Black Lives Matter protests this summer, the poll showed that 51 percent of Americans thought that the looting which occurred in several cities was a bigger problem than police violence against Black people, and 51 percent also thought that the protests were not justified because the problem with police violence was isolated to a few "bad apples."

These racist narratives and beliefs have been reinvigorated thanks to one of the most enduring and pernicious legacies of the Trump era: the far right's success constructing a false alternative reality, bolstered by a never-ending stream of baseless conspiracy theories and disinformation. This fight over the frame of reality has polarized American society further and fundamentally ruptured trust in institutions and information. The tech sector, an opportunistic ally in the propagation of this fraud, abdicated its responsibility so long ago that it has not been able to meaningfully recover. Only after Trump incited a deadly insurrection and Democrats flipped the Senate did they suspend the President's accounts and begin to purge other extremists from their platforms. The echo chambers have formed, trust in the credibility of reputable media outlets has been disastrously diminished, and the polarization of American society has accelerated.

Some of the robber barons of social media are warming to revisions of section 230 of the Communication Decency Act—legislation that, in its current form, insulates platforms from liability for the content users post—long after its true utility ran out for their companies. The toxic networks that they nurtured are migrating to new platforms, like Parler and Telegram.

The dangers of these isolated and tainted wells of information reached their most critical point during the 2020 election, when Trump, his allies and the extremists who support him, denied the severity of COVID–19 and preemptively declared the results of the general election fraudulent. Throughout the year, armed militias became fixtures at State houses, and election officials were targeted and threatened in multiple States, including at their private homes.

Fortunately, predictions of violent attempts to disrupt voting proved largely unfounded, and the U.S. celebrated historic voter turnout. But in the weeks after Biden's victory, Trump and his compatriots spread disinformation and conspiracy theories at a breathtaking rate, and called on State and Federal elected officials, as well as judges, to overturn the will of voters in five States. By late November, only 20 percent of Republicans surveyed said they believed Joe Biden was the true winner of the election, after he won the popular vote in a free and fair election by a margin of more than 7 million and secured the electoral college by 74 votes.

While most—but not all—elected officials and judges ignored Trump, his followers succeeded in temporarily halting the certification of the 2020 election during the joint session of Congress on Jan. 6.

The election, and the violent backlash from the right, have all taken place against the backdrop of a global pandemic which has claimed the lives of more than 400,000 Americans in less than a year—disproportionately people of color, who have to contend with white supremacist systems that limit their access to high-quality healthcare and other vital resources. And skepticism toward safety measures and the vaccine—much of it fueled by rightwing conspiracy networks—remains high.

Recommendation to address far-right and racist narratives

- Hold former President Donald Trump and those who helped incite the deadly assault on the U.S. Capitol accountable. Action by the House of Representatives to impeach former President Trump was absolutely necessary to protect the future of our democracy. Now the Senate must have the courage and true patriotism to convict him and permanently disqualify him from holding public office. In addition, Congress should discipline, censure, or expel all of the 147 Senators and Representatives who supported the insurrection and baseless "Stop the Steal" lies by voting against Electoral College certification of President Biden's victory.
- Public figures involved in inciting and giving encouragement to the armed insurrectionists who stormed the U.S. Capitol on Jan. 6—destroying property, injuring dozens of officers, and leaving five people dead—should be permanently deplatformed from all social media. In addition, corporations should permanently suspend political donations to Members of Congress and other elected officials that helped incite the violent siege and request that any past political donations to their campaigns be returned.
- Provide funding for the Department of Education to develop a curriculum on structural racism and funding for States to implement their own related initiatives. Americans can only dismantle white supremacy if they understand how racism shaped (and continues to shape) housing, education, policing, health care and other policies and practices that affect our everyday lives.
- Require renaming of military bases named for Confederate leaders, and ban the display of Confederate flags or other racist symbols from all military installations, Federal parks, streets, and highways. The 2015 Charleston church massacre sparked a nationwide effort to remove Confederate symbols from public places, but hundreds remain—a sign that we have failed to fully acknowledge the injustices of slavery or affirm our commitment to a wholly inclusive, pluralistic democracy. In addition, Congress should create a Federal grant program to help municipalities remove symbols of the Confederacy.

AMERICAN ATTITUDES ABOUT RACISM

Just weeks before the COVID–19 pandemic took hold of the United States, a different tragedy gripped Brunswick, Georgia when Ahmaud Arbery was pursued by three white men (one a former police officer) while he was jogging and shot to death. Despite the incident being captured on video, law enforcement made no arrests in connection with the attack for more than 70 days.

Arbery's death was among the first extrajudicial killings of Black people in 2020 to garner national media attention. Each one is a reminder that the census of hate groups undertaken by the SPLC's Intelligence Project is only one metric for understanding the toll that white supremacy takes on Black and Indigenous Americans, along with other Americans of color.

Despite a historic, national outcry over these murders, SPLC's poll showed a limited understanding of such structural racism. Large majorities of the population sur-

veyed acknowledged the dangers posed by organized antigovernment and white power groups, but failed to connect their existence and influence to the greater culture of white supremacy. For example, the narrative of the odd "bad apple" in police departments persists, even as reports of violence and death at the hands of law enforcement proliferate across the country.

Throughout his presidency, Trump and his allies denied and minimized the reality of bigotry in this country, and legitimized white supremacy through policies like the Muslim ban and the child separation, through personnel like Stephen Miller, Julia Hahn, Jason Richwine and Darren Beattie, and through behavior like defending Confederate monuments and the extremists who marched in Charlottesville. His administration mocked and resisted public education about our country's racist legacy, attacking the *New York Times's* The 1619 Project in particular. In late September, President Trump issued an executive order banning some forms of diversity training for Federal employees and contractors.

Recommendations to change attitudes about racism

- Establish a national truth, racial healing and transformation commission to examine the history of white supremacy and structural racism in the United States. This long-overdue truth and reconciliation commission would help the United States reckon with the injustices our country has committed and help spark a movement to eliminate racial discrimination.
- Prohibit racial, ethnic and religious profiling in Federal, State and local law enforcement. Black, Latinx, Muslim and Indigenous people are subject to discriminatory policing, including increased surveillance, more harsh criminal sentences and disproportionately high rates of being killed by police.

ANTIGOVERNMENT UPRISING

On Aug. 25, a 17-year-old named Kyle Rittenhouse traveled the 20 miles between his hometown of Antioch, Illinois and Kenosha, Wisconsin. He was answering an open call, sent out over social media, for armed militia to "defend" Kenosha from the mostly peaceful protests that had sprung up in the city after a Kenosha police officer chased Jacob Blake into his car and shot him four times in the back, paralyzing him. Rittenhouse, despite being a minor, had procured a semiautomatic rifle and brought it with him to the protest. Before the night was over, he allegedly shot three men, killing two. He has been charged with multiple counts of homicide, and his attorneys are arguing he acted in self-defense. People on the right, from the mainstream to the fringe, not only defended his actions, but celebrated them.

The shootings in Kenosha were the apex of a year of feverish paramilitary vigilantism, which began in January 2020 when militias showed up in Richmond, Virginia to oppose gun measures promised by a newly Democratic-controlled State legislature. Soon, they found a new mobilizing cause: As COVID–19 began to spread across the country, antigovernment groups came out in force to oppose mask mandates and other safety measures to slow the spread of the disease. As mass protests for racial justice mobilized around the country, paramilitaries styled themselves as ad hoc deputies of law enforcement, "patrolling" the streets in opposition to the largely peaceful protests.

A similarly laudatory reaction from the right greeted Mark and Patricia McCloskey, who brandished guns at a passing group of Black Lives Matter protesters in St. Louis. They were rewarded with a speaking slot at the Republican National Convention.

In their defense of Rittenhouse and other armed militia action, the right has signaled that antigovernment participation is an acceptable form of right-wing political expression, a stance that did not even waver when members of a Michigan militia were arrested and charged with plotting to kidnap their Governor, Gretchen Witmer.

The thwarted plot came after a string of violence and arrests attributed to the Boogaloo movement, a predominantly white and heavily armed online subculture that began as a racist meme. The subculture is an illustration of the porous boundaries between the antigovernment movement and the larger hate ecosystem, and how anonymous posting forums like 4Chan continue to influence both. Its adherents advocate for a second civil war and have been involved repeatedly in acts of violence, including murder.

The antigovernment movement will be explored in detail in a subsequent installment of this report, along with SPLC's 2020 list of antigovernment groups.

Recommendations for squelching the antigovernment uprising

- End funding for police militarization and the transfer of excess military property to law enforcement agencies. Police militarization disproportionately ex-

poses communities of color to police violence and it inflames the paranoia of the extreme right, which uses State-sponsored violence as evidence of government tyranny and impending civil war.

- End funding for DHS Countering Violent Extremism/Targeted Violence and Terrorism Prevention programs that profile and target immigrants, Muslims and Black Americans and result in illegal spying and surveillance. They are not only ineffective, but harmful.
- Codify independent authority and autonomy protections for whistleblowers and inspectors general at Federal agencies—including Federal law enforcement agencies. President Trump's unprecedented purge of several Federal agency inspectors general revealed the limits of current law to protect these necessary government watchdogs, who are capable of injecting much needed accountability into the Federal Government. Whistleblower protection can help address the "Blue Wall of Silence" and encourage reporting of racist law enforcement officials.

THE PATH FORWARD

As we move into 2021, and beyond the Trump presidency, we must find ways to counter the reactionary, authoritarian populism that is mobilizing on the heels of Trump's loss. Hate groups that lose salience or public attention will not go away. Instead, they will find shelter elsewhere among the far right, particularly in the militant edge of campaigns like "Re-Open" and "Stop the Steal."

An effective opposition to this antidemocratic movement has to dismantle the symptoms of white supremacy culture that justify it and give it fuel. The SPLC has developed four Impact Statements that help define and quantify our mission, and each has a role to play in combating the extreme right.

First, dismantling white nationalism and protecting democracy. With robust anti-racist education, we can reduce the population of Americans that harbor sympathy for a white nationalist worldview.

Second, protecting voting rights and civic engagement. By dismantling voter suppression laws, we can keep the power in the hands of the American people and safe from undue influence by the small antidemocratic minority.

Third, decriminalizing and decarcerating Black and Brown people. Mass incarceration and overcriminalization saps resources and opportunities from communities of color and contributes to a culture that dehumanizes Black and Brown people and fuels the core ideology of white nationalism.

Finally, eradicating poverty. Yet again, systemic racism creates barriers to advancement, meaning Black and Brown people are overrepresented in populations experiencing poverty. The challenges poverty presents overlap with the other challenges we face in the fight against white supremacy.

Lydia Bates, Eddie Bejarano, Freddy Cruz, Hannah Gais, Tracey Gale, Rachel Goldwasser, Raven Hodges, Caleb Kieffer, and other members of IP research staff contributed to this report. Policy recommendations were contributed to this report by SPLC Senior Policy Advisor Michael Lieberman and other SPLC Policy staff.

THE ROLE OF GUNS & ARMED EXTREMISM IN THE ATTACK ON THE U.S. CAPITOL

By Everytown For Gun Safety

The attack on the U.S. Capitol is the latest—not the first, nor the last—demonstration of the danger armed extremism poses to our democracy. Failure to address this threat will lead to the continued growth of extremist groups and violent incidents.

The deadly insurrection attempt at the Capitol was fueled, in part, by gun rights extremists who brought their firepower to Washington to stop the certification of the electoral college votes. At least nine people who were at or around the Capitol have already been arrested on weapons charges, including a heavily armed man in D.C. who prosecutors allege had texted his intention to "[put] a bullet" in Speaker Nancy Pelosi's head. Thousands of rounds of ammunition were recovered by authorities. Rioters displayed militia patches, waved a "Come and Take It" Confederate flag with an AR–15 image, and dawned insignia of gun groups including the NRA. A review of the digital footprint of those arrested at the Capitol reveals ties to the NRA and other forms of gun rights extremism.

Armed extremists seeking to undermine our democractic institutions are a chronic and ongoing problem. In 2020, white supremacists and anti-government extremists, including the ascendant boogaloo movement, used guns as tools of intimidation and violence in increasingly open ways, including taking advantage of weak State gun laws to brandish weapons at anti-government protests, to intimidate peaceful pro-

tests for racial justice, and in plans and actions to kill. Data collected by the Armed Conflict Location & Event Data Project (ACLED) and the Bridging Divides Initiative (BDI) at Princeton University shows at least 100 instances of armed protesters and incidents involving guns at protests in State capitals from May 2020 through mid-January 2021. These events were precursors to the attack on the U.S. Capitol and foreshadow a possible violent escalation in the future.

Former President Trump has emboldened extremists and given them and their conspiracy theories a place in the political mainstream. But far right extremism did not start with Trump, his response to Charlottesville, or his call from the debate stage for the Proud Boys to "stand back and stand by." Nor will it end now that he has left office.

In fact, for decades, the NRA and the broader gun lobby has enabled access to guns by anti-government and white supremacist extremists through their advocacy against common-sense gun laws, while simultaneously harnessing their fixation on guns and violent response to perceived government overreach. In doing so, the gun lobby has amplified radicalizing messaging to new and broader audiences. The gun lobby's rhetorical, political, and sometimes organizational overlap with the extreme right—from the militia movement of the 1990's to the Oath Keepers that stormed the Capitol—has yielded dangerous and, at times, catastrophic results. The arrest of several insurrectionists on weapons charges and the presence of gun rights absolutists at the storming of the U.S. Capitol are just the latest example of the toxic mix of guns and extremism. In fact, just days before January 6th, NRA CEO Wayne LaPierre sent a letter to members warning of "armed government agents storming your house, taking your guns, and hauling you off to prison" and that they must "STOP GUN CONFISCATION." This is the type of conspiratorial rhetoric that animates extreme right actors.

In September 2020, Everytown released a comprehensive report detailing these threats entitled "Armed and Dangerous: How the Gun Lobby Enshrines Guns as Tools of the Extreme Right." This report, which builds on the findings of our prior research, reviews (i) the presence of firearms at the Capitol insurrection, (ii) the constellation of extreme right actors present at the Capitol, (iii) these same groups' presence at armed protests throughout 2020, (iv) the gun lobby's complicity in the rise of extremism, and (v) policy solutions for disrupting how extremists use firearms to undercut democracy.

THE ARMED INSURRECTION AT THE U.S. CAPITOL

On January 6, 2021, a group of insurrectionists stormed and vandalized the U.S. Capitol building. The day started with a pro-Trump rally outside the White House calling for the results of the U.S. Presidential election to be overturned. The former President, several allies, and members of his family spoke. Some members of the

rally then marched to the Capitol where the angry mob quickly became impossible to control.

The insurrection caused the evacuation and lockdown of the U.S. Capitol. Five people died. One Capitol Hill Police officer was killed and approximately 81 members of the Capitol Police and 58 members of the D.C. Metropolitan Police Department sustained injuries—officers were trampled, struck with a bat, pinned against a statue, hit with a fire extinguisher, sprayed with bear spray, and pushed down stairs, among several other violent acts. A number of the insurrectionists were armed leading to seizures of weapons and arrests on weapons charges. In addition, police discovered pipe bombs placed near the headquarters of the RNC and DNC. Monitoring of the event picked up individuals from a number of well-known extreme right groups in the crowd.

The insurrectionists were armed.—While additional indictments may be forthcoming, at least nine individuals have been arrested on firearms charges relating to events in or around the Capitol. A review of the police reports related to the arrests show that police seized at least 3,071 rounds of ammunition during the course of these arrests—enough ammunition to shoot every member of the House and Senate five times. Hundreds of rounds of additional ammo were found during the subsequent arrests of other individuals who participated. The firearms related arrests include:

Cleveland Meredith.—Arrested in D.C. in possession of at least one handgun, an assault rifle, and 2,500 rounds of ammunition. Ahead of his trip to D.C., Meredith texted that he would be "putting a bullet" in Speaker Nancy Pelosi's head. He also bragged he was "headed to DC with a sh*t ton of 5.56 armor piercing ammo." News reports indicate that during the summer of 2020 Meredith "put several [Black Lives Matter] protesters on edge" when he counterprotested at a Black Lives Matter rally armed with a large Tavor X95 rifle.

Two of the firearms seized from Cleveland Meredith

Lonnie Coffman.—Arrested in D.C. in possession of materials to build nearly a dozen Molotov cocktails, plus three handguns, an assault rifle, and five separate types of ammunition. He faces a 17-count indictment on weapons charges. Prosecutors assert that Coffman appears to have been motivated to conduct violence against elected representatives, and notes in his possession listed Representative Andrew Carson as "one of two muslims in House of Reps."

One of the rifles seized from Lonnie Coffman's cache of weapons

Thomas Gronek.—Arrested in D.C. with two guns, along with 275 rounds of .22 cal ammunition and a drum magazine that holds 110 rounds of ammunition. Ahead of the election, Gronek posted conspiratorial content about the "mass takeover of our country."

Grant Moore.—Arrested in D.C. with a semi-automatic handgun, and approximately 36 rounds of ammunition. When he was confronted by the police, Mr. Moore allegedly pointed to a red "Make America Great Again" hat and told the officer "I'm one of these."

The arrest and seizure data likely vastly understate the presence of weapons at and near the Capitol on January 6, as social media monitoring indicates many users sharing plans to carry guns at the Capitol and law enforcement did not detain and search the majority of the insurrectionists. One officer present that day indicated he intentionally avoided drawing his gun because "I didn't want to be the guy who starts shooting, because I knew they had guns . . . And the only reason I could think of that they weren't shooting us was they were waiting for us to shoot first. And if it became a firefight between a couple hundred officers and a couple thousand demonstrators, we would have lost."

Police reports and court filings indicate the insurrectionists made explicit threats to harm several elected leaders, the preponderance of which seemed to be aimed at Speaker Nancy Pelosi, Rep. Andrew Carson, Rep. Alexandria Ocasio-Cortez, D.C. Mayor Muriel Bowser, and Senator Raphael Warnock. All of these leaders are women or Black—a fact that is consistent with the level of misogyny and racism found amongst extreme right organizations.

The constellation of far right groups that rioted in the U.S. Capitol includes numerous extremist groups and individuals.—Members of the Oath Keepers and Three Percenters, anti-government militia groups organized around conspiratorial beliefs of looming civilian disarmament, were present at the Capitol on January 6. Stewart Rhodes, the founder of the Oath Keepers, was photographed outside the Capitol on the 6th. After the November election, Rhodes told conspiracy-peddler Alex Jones that his group was ready to attack Washington in defense of Trump, saying "We'll also be on the outside of D.C., armed, prepared to go in, if the president calls us up."

Proud Boys leader Enrique Tarrio was arrested in D.C. 2 days before the riot with two illegal gun magazines emblazoned with the Proud Boys logo. There was a sig-

nificant Proud Boys presence at the Capitol, including Nick Ochs, a founder of the Hawaii chapter of the Proud Boys and co-host of the streaming show "Murder the Media," who was arrested for unlawful entry into the Capitol. Similarly, a Proud Boys organizer from Orlando, Florida, Joe Biggs, was arrested for his participation in the riot. A Proud Boy member who goes by the alias "Spazzo" was reported to have broken a window during the Capitol insurrection. He was arrested and identified as Dominic Pezzola of Rochester, New York—he is facing charges of unlawful entry and destruction of property.

Many individuals who were arrested for illegal conduct at the Capitol were not caught with weapons on their person, but are connected with extremist organizations, gun rights groups, or have espoused the intention to use firearms in pursuit of their idea of justice. Notable arrested individuals include:

Richard Barnett.—Arrested for unlawful entry of the Capitol and infamously posed for pictures sitting in Speaker Pelosi's chair. Mr. Barnett is a gun rights activist from Arkansas that self-identifies as a "white nationalist." In post arrest hearings, prosecutors revealed that Barnett had previously had several encounters with local law enforcement, including one where he matched the description of a suspect who had pointed a gun at a woman in July 2020, and another where he was parked in a school zone "in possession of an AR-style rifle around his back and a pistol on his side."

Wiliam McCall Calhoun, Jr.—Arrested for unlawful entry of the Capitol; disorderly conduct; and witness tampering. Calhoun is a gun rights activist and attorney whose since-deleted website listed "Self-defense/2d Amendment" work. Calhoun's Twitter profile picture includes him prominently wearing a NRA ballcap. He organized at least one gun rights rally after the 2020 election, the purpose of which he said was "we're not going to tolerate an election with no transparency." Calhoun's social media is filled with threats of armed violence, including that he was attempting to join a militia to "become an officially state sanctioned COMMIE KILLER." In one post, he told another user, "My AR15 set up will do head shots at 200 meters no problem. You have no clue what's coming." In another, he warned, "I'll be slinging enough hot lead to stack you commies up like cordwood." On Twitter, Calhoun quoted the well-known NRA slogan, "from my cold dead hands." In advance of the Capitol insurrection, Calhoun allegedly advised his followers, "Whether the police can enforce their gun laws depends on how many armed Patriots show up." Afterwards, he reportedly told them, "The word is we're all coming back armed for war."

Karl Dresch.—Arrested for obstruction of justice, disorderly conduct, and unlawful entry of the Capitol. Authorities found a SKS rifle with an unattached bayonet, a shotgun and a .40-caliber Glock handgun, along with ammunition, in a search of Mr. Dresch's home. Due to a previous felony conviction, Mr. Dresch cannot lawfully own guns. While Dresch was not charged with bringing a gun into the Capitol, prosecutors noted that a backpack that he had on Capitol grounds was found with ammunition in it.

Guy Wesley Reffitt.—Arrested for obstruction of justice and unlawful entry of the Capitol. Prosecutors allege that Reffitt had ties to the Texas Freedom Force, what they describe as a "militia extremist group." Reffitt's wife told authorities

he identified as a Three Percenter. The night Reffitt came home from his trip to the Capitol his son saw Reffitt take out two firearms from his car, an AR–15 rifle and a pistol, and bring them into the house. Reffitt allegedly made several threats of violence against his own family, including that "if you turn me in, you're a traitor and you know what happens to traitors . . . traitors get shot."

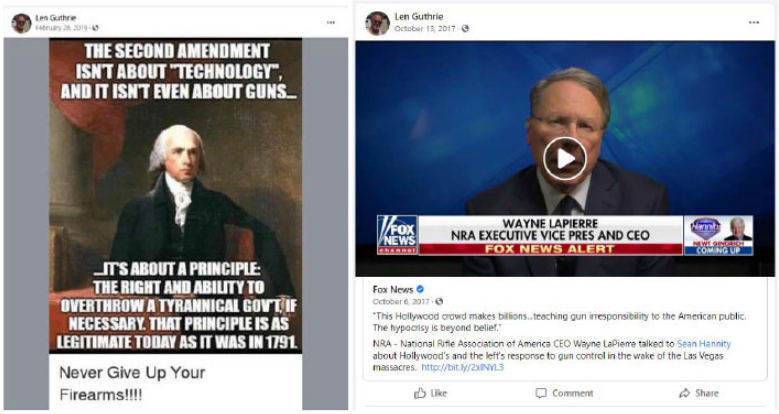
Kevin Greeson.—News reports indicate that Mr. Greeson suffered a fatal heart attack during the insurrection. Social media posts made under his account in the month ahead of the events at the Capitol include posts encouraging civil war ("let's give it to them. A war. Democrats don't have guns. We do . . . Im Bringing MY GUNS") [sic]. Over the summer Mr. Greeson appears to have been agitated by Black Lives Matter protests, posting "time for protesting is over! Put the military in the streets of every city." In November, Mr. Greeson posted on Parler: "All males over the age of 18 join a group . . . be ready to defend our country!! Spend your money on guns and ammo . . . It's time to stop this shit!!!!!" Mr. Greeson regularly posted violent content online and followed extremists like the Proud Boys and militia groups.

Kevin Greeson posted this photo on Parler with the caption: "I wish these motherfuckers would come to my hood!"

Joe Biggs.—Arrested for unlawful entry of the Capitol; disorderly conduct; and obstructing an official proceeding. Biggs is a well-known member of the Proud Boys and a former Infowars employee. He is also a reported NRA member who has been mentioned multiple times on the NRA website. In 2016, Biggs attended the NRA Annual Meeting, where he interviewed then-NRA personality Colion Noir. Biggs has frequently posted about gun rights online, at one point encouraging his followers to "Get a gun. Bu[y] ammo. [. . .] be ready because the left isn't playing anymore and neither should we." There is also at least one episode of an online show about gun ownership on a far right website hosted by Biggs.

Michael Curzio.—Arrested for unlawful entry of the Capitol. Curzio was previously convicted and served prison time for attempted murder in a 2012 shooting. On Facebook, Curzio had previously dismissed the idea of gun laws, claiming, "I'm a convicted felon but I can get my hands on almost any weapon I have the money to buy, and without the cops and legal weapons confiscated. What do you think would happen if people like me rose up and wanted to really take what we wanted and do what we really wanted?" The day after the 2020 election, he posted, "If shit really hits the fan, who's with me to do the right thing? And you know what I mean, and you know what I'm talking about." From his DC hotel room before the insurrection, he posted a video to Facebook, saying, "if anything happens—we get fucked up, arrested, or killed—just know, man, I love y'all and I did what I believed in [. . .] if I die, or if I get fucked up, or whatever, y'know, it is what it is." Even after being arrested for his role in the insurrection, Curzio posted he had "no regrets for anything."

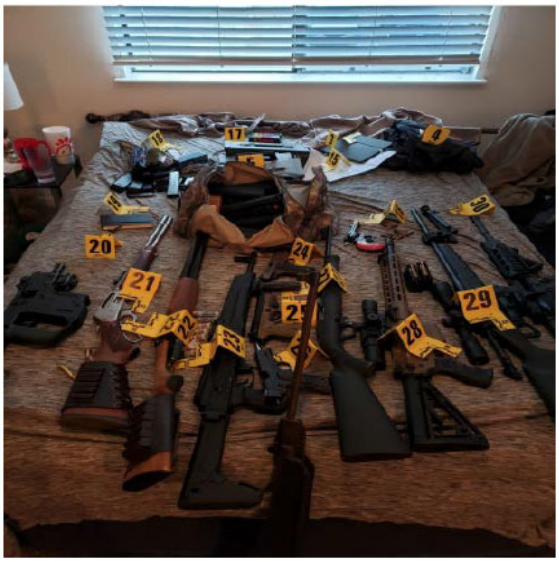
Len Guthrie.—Arrested for unlawful entry of the Capitol. Mr. Guthrie is a self-described "lifetime NRA member" who shared NRA content, including the insurrectionist theory of the Second Amendment, on his Facebook page.



Content posted by Len Guthrie to his Facebook page.

The insurrectionists were organized.—Video of the insurrection, and cached posts on social media, indicate that the storming of the Capitol was not spontaneous. Indeed, prosecutors have charged three individuals who were members of the Oath Keepers and/or the Ohio State Regular Militia (Thomas Caldwell, Jessica Watkins and Donovan Crowl) with conspiracy to obstruct the Congress' affirmation of the Electoral College, among other criminal charges, for their actions at the Capitol. Court affidavits filed by the government in the case describe the Oath Keepers as a "paramilitary organization" who "believe that the Federal Government has been coopted by a shadowy conspiracy that is trying to strip American citizens of their rights." The same affidavit describes how the defendants moved "in an organized and practiced fashion", with one sending a voice message that "We have a good group. We have about 30–40 of us. We are sticking together and sticking to the plan." One man was overheard offering words of encouragement during the riot saying "Get it, Jess Do your fucking thing. Everything we fucking trained for." Recorded messages also revealed an individual saying "You are executing a citizen's arrest. Arrest this assembly, we have probable cause for acts of treason, election fraud." Evidence presented in the case further indicates that the defendants had made extensive plans for the day, what one called "an Oathkeepers Op," in a message, including gathering supplies, meeting up with other Oath Keeper groups, and "night hunting" of Antifa.

The organization of the insurrectionists was evidenced by their supplies and mechanisms of communications. Pictures of an insurrectionist with flex cuffs, later identified by authorities as Eric Munchel, maneuvering through the gallery of the U.S. Senate quickly went viral. Flex cuffs are used by police to detain and transport suspects. Munchel was allegedly carrying a gun outside the Capitol, which he stashed before entering the building. After his arrest, prosecutors found an arsenal at Munchel's home, including "assault rifles, a sniper rifle with a tripod, shotguns" and what was described as a "drum-style magazine." Similarly, an FBI affidavit in connection with Proud Boy Joe Biggs notes the presence of earpieces among individuals associated with Proud Boys. This was not a spontaneous storming of the gates—it was a deliberate and orchestrated insurrection.



Weapons seized by authorities during a search of the home of Eric Munchel.

In the days after the riot, the FBI's Joint Terrorism Task Force arrested Proud Boy supporter Eduard Florea on weapons charges. News reports indicate Florea has allegedly threatened to kill people in the past and made several online threats to elected leaders and government agencies. Florea allegedly posted online "Guns cleaned loaded . . . got a bunch of guys all armed and ready to deploy . . . we are just waiting for the word" and "Its [sic] time to unleash some violence."

Symbols of hate were commonplace throughout the Capitol insurrection. Far right iconography, such as signs supporting QAnon (a conspiracy that places former President Trump as the heroic savior of the republic against a cult of liberal pedophiles), Crusader paraphernalia (symbols popular with far-right ethnonationist groups), and references to Pepe the Frog (a series of memes popular in racist and bigoted spaces on the internet), were present. Imagery captured at the riot indicate the presence of the neo-Nazi group NSC 131, and some insurrectionists wore anti-semetic clothing with sayings such as "Camp Auschwitz." Confederate flags were openly flown at the insurrection, with at least one with the pro-gun message "Come and Take It" emblazoned on it. A noose and gallows was erected outside the Capitol, and indeed, certain insurrectionists chanted "hang Mike Pence." Photographs captured attendees wearing various forms of firearms-related paraphernalia, including an NRA hat and a patch from the extremist gun group the Virginia Citizen Defense League.

In sum, the insurrectionists at the Capitol were armed, organized, and violent.—Apart from the physical presence of guns, the strong ties of several of the insurrectionists to gun extremism is hardly surprising—guns are a recruiting and motivating tool for the extreme right. Conspiracies about election-rigging and the "stolen" election, driven by a deep state of shadowy government actors, echoed the same imaginary threats the gun lobby has parroted for years to motivate gun rights absolutism around the supposed looming confiscation of guns by the government.

2020: THE YEAR OF DANGEROUS EXTREME RIGHT PROTESTS

The insurrection at the U.S. Capitol on January 6 was a continuation of a pattern of extreme right wing intimidation and violence that has grown unchecked during the Trump presidency. In 2020, the extreme right used guns as tools of intimidation and violence in increasingly open ways, most notably by taking advantage of weak State gun laws to brandish weapons at anti-government protests and to intimidate peaceful protests for racial justice. These incidents, which are detailed in

Everytown's September 2020 report "Armed and Dangerous: How the Gun Lobby Enshrines Guns as Tools of the Extreme Right," are summarized below.

Armed Protests in State Capitals and Cities Around the Country.—An analysis of data from the Armed Conflict Location & Event Data Project and the Bridging Divides Initiative at Princeton University shows at least 100 instances of armed protesters and incidents involving guns at protests in capital cities of 28 different States from May 2020 through mid-January 2021, including, but not limited to, the following examples:

Richmond, Virginia Gun Extremist Rally.—In January 2020, heavily armed protesters descended on Richmond, VA to decry anticipated changes to Virginia's gun laws. Event organizers issued a statement welcoming participation of militia groups at the event, writing, "We welcome our militia brothers and sisters to be part of making the day a success!" Militia groups, including the Three Percenters and Oath Keepers, and other extremists quickly organized. Ahead of the event, one far right leader publicly threatened a State legislator: "you should be pulled out of office by the hair on your head, walked down the streets of the capital, walked up to the steps of a swinging rope that's placed around your neck." Militia groups who descended on Richmond even organized and held a conference the day before, titled, "The State of the Militia," at which various militia leaders spoke, including some who had helped plan the violent Unite the Right rally in Charlottesville. The scene around Richmond on the day of the protest was militaristic and chaotic. Protesters openly carried pistols and AR–15 assault-style rifles, among other weapons, often donning military fatigues and tactical gear. Heavily armed militia groups lined up and marched throughout the area. If not for the work of the FBI in disrupting an accelerationist plot by white supremacists who were building untraceable ghost guns to launch an attack at the event, the Richmond rally could have been a mass-casualty event.

Lansing, Michigan.—For three consecutive weeks in Michigan in spring 2020, armed protesters, openly brandishing semi-automatic assault-style rifles, led rallies in and around the Michigan State Capitol to protest the Governor's extension of the State's COVID–19 stay-at-home order. The extremist Michigan Liberty Militia and Michigan Proud Boys participated in these armed events at the capitol. At one of the protests, a large Confederate flag with an AR–15 rifle and the phrase "Come and Take It" was displayed in the crowd. At another, armed protesters stormed the capitol building to brandish their weapons and intimidate lawmakers during their legislative session. Michigan Governor Gretchen Whitmer noted the overlap of hate symbols and firearms at these protests, saying, "There were swastikas and Confederate flags and nooses and people with assault rifles." The FBI later arrested and charged extremists who were plotting to kidnap Michigan Governor Gretchen Whitmer. The arrests in-

cluded individuals who had reportedly attended the armed protests and were members of the militia group Wolverine Watchman.

Frankfort, Kentucky.—The Bluegrass State has been the home of several armed protests, including one during which participants hung an effigy of the Governor from a tree. Participants included individuals with insignia from the Three Percenter militia group. At another event, gun rights extremists marched through the State capitol rotunda brandishing assault-style weapons. More recently, after the riot at the U.S. Capitol, approximately 100 individuals took to the State capitol in Frankfort, once again armed.

BLM Counterprotests.—Armed extreme right appeared at a number of Black Lives Matter and racial equality protests after the killing of George Floyd, with the overwhelming majority of these counterprotesters being white. Their appearance followed conspiratorial rhetoric around the threat of left-wing violence pushed by a constant barrage of statements and tweets from President Trump and his allies, including an allusion to gun violence by Trump, who tweeted, "When the looting starts, the shooting starts." The theme of false equivalence had been pushed by the NRA for years. After a neo-Nazi murdered a peaceful protester at the Unite the Right rally in Charlottesville, then-NRA spokesperson Dana Loesch lectured, "Don't think for 1 second that Antifa and Black Lives Matter are somehow more virtuous than the alt-right. It's all the same stuff." The Southern Poverty Law Center chronicled at least 55 incidents of militias attending racial equality protests between the spring and fall of last year.

Kenosha, Wisconsin.—After an online call for "Armed Citizens," right-wing extremists carrying assault rifles and handguns were visible throughout protests seeking justice for the police shooting of Jacob Blake. This included a 17-year-old white Trump supporter who drove across State lines to "protect" the city from racial justice protesters. He patrolled the streets brandishing a long gun and ultimately shot three protesters, two fatally. The shooter is a self-described militia member and was later photographed flashing a white power sign while posing with members of the Proud Boys. The violence in Kenosha could have been even worse had the FBI not arrested two heavily armed individuals who had driven from Missouri to Kenosha allegedly "with the intention of possibly using the firearms on people." The two had attended a Trump rally in Kenosha and planned to go to Portland, Oregon. Both were members of the Missouri-based 417 Second Amendment Militia, and one reportedly said he was willing to "take action" if police were defunded.

Rise of the Boogaloo Movement.—The emergent boogaloo movement rose to national prominence in 2020 as a new and dangerous subset of the extreme right. The movement's focus on a supposedly imminent second civil war is rooted in a sense that American political institutions and norms are hopelessly corrupt and beyond peaceful reform. This belief set involves the fetishization of a civil war, ranging from obsessive preparation for it to action to hasten its arrival. Public displays of weaponry, particularly at political protests, are central to this movement's adherents. Among these groups, firearm training is a common part of preparation for the anticipated civil war. There were several instances of boogaloo violence in 2020, including in Santa Cruz, California, where prosecutors linked a man charged with the shooting and murder of two Federal law enforcement officers to the boogaloo movement. This is still an emergent movement, but its ideological core centers around guns and distrust of authority, whether that be the government, police, or political institutions.

Threats to the Administration of Elections.—The rise in armed protest resulted in serious concern for the safety and security of the 2020 election. Two incidents underscored the dangers of mixing guns and democracy. First, in Phoenix Arizona, supporters of President Trump—some armed—rallied outside of the vote counting at the board of elections the day after the election. Second, two men were arrested en route to Philadelphia's vote-counting center in the days following the election. Police indicate the men drove with pistols, an AR–15 rifle, and roughly 160 rounds off ammunition. These same individuals, 2 months later, allegedly attended the U.S. Capitol insurrection, with one of them reportedly giving a speech as rioters stormed the building.

Extremists are able to mount these armed intimidation campaigns because in most States it is legal to open carry loaded firearms at or around State capitol buildings or at demonstrations. This is largely due to the absence of State laws prohibiting the open carry of firearms in public, commonly known as the "Open Carry Loophole." Few State legislatures have addressed the legality of the "open carry loophole" because responsible gun owners have not traditionally openly carried firearms in public. In fact, in 41 States, civilians can open carry loaded, semi-automatic rifles without a permit. More information about the Open Carry Loophole can be

found in Everytown's June 2020 report "Armed COVID–19 Protests Exploit Open Carry Loophole."

THE GUN LOBBY AND EXTREME RIGHT POLITICS

For decades, the gun lobby has sought to capture and wield the political fervor of right-wing extremists, spreading radicalizing far right conspiracy theories about mass civilian disarmament and looming authoritarianism to everyday Americans in a craven attempt to stop the reforms that would keep guns out of the hands of those very extremists. Guns and gun fanaticism are central organizing principles of this kind of extremism in America, including that of the groups and individuals that supported the storming of the U.S. Capitol.

In the early 1990's, the NRA used over-the-top rhetoric to denigrate efforts to pass the Brady Bill and the Federal assault weapons ban. The organization leveraged the deadly law enforcement raids at Ruby Ridge, Idaho in 1992 and Waco, Texas in 1993 to villainize Federal law enforcement, repeatedly comparing them to Nazis in books and full-page newspaper ads, and suggesting the gun reforms were authoritarian measures to target gun owners. At the same time, armed extremists—animated by the same conspiracy theories around gun laws, Ruby Ridge, and Waco—were coalescing into the nascent anti-government militia movement. One such extremist, who devoted himself to conspiracy theories about mass disarmament, visited the Waco siege, and read about Ruby Ridge in an NRA publication, was Timothy McVeigh.

In a fundraising letter dated April 13, 1995, LaPierre referred to Federal agents as "jack-booted government thugs," saying it was no longer "unthinkable for Federal agents wearing nazi bucket helmets and black storm trooper uniforms to attack law-abiding citizens," all while specifically referencing "Randy Weaver at Ruby Ridge . . . Waco and the Branch Davidians." Six days later, McVeigh bombed the Alfred P. Murrah Federal Building in Oklahoma City, a target he chose because it housed an ATF office, killing 168 people. The NRA falsely denied connections to the militia movement in the aftermath, instead blaming the ATF for "creating the climate" that led to the bombing.

Those kinds of conspiracy theories form the backbone of the far right worldview of grievance and siege, namely the belief that the U.S. political system is compromised by a shadowy cabal of enemies enacting a grand conspiracy. The combination of a deep skepticism toward democratic institutions and paranoia over fictional threats from shadowy actors leads some extremists to conclude that there are few, if any, legitimate democratic solutions to these threats, and as a result, mass violence is inevitable or even justified. For these groups and radicalized individuals, guns are essential tools for that tactic of violence. Beyond simply purchasing or using guns individually, far right extremists, especially those in anti-government circles, organize politically to advocate against any limit to gun rights.

The gun lobby has sought to leverage that political activism to its own ends, warning its members that the only thing standing between them and a grand authoritarian conspiracy or even their fellow Americans was their easy access to any and all firearms. To paint this picture, the gun lobby draws on many of the same conspiracy theories that the far right depends on, particularly those which hinge on the protection of lax gun laws: Either the imagined conspiracy has yet to happen because Americans have easy access to firearms, or the conspiracy itself is an attempt to disarm Americans (so that the first category of conspiracies can be executed).

One extreme viewpoint at the forefront of the NRA's messaging for decades is the insurrectionist theory of the Second Amendment. In 1994, NRA CEO Wayne LaPierre summed up the theory when he wrote that the Second Amendment "state[s] in plain language that the people have the right, must have the right, to take whatever measures necessary, including force, to abolish oppressive government." LaPierre put it more plainly years later, in 2009: "Our Founding Fathers understood that the guys with the guns make the rules." More recently, days after the Capitol insurrection, NRA Board President Carolyn Meadows regurgitated the view writing in a column entitled "Why They Fear Us," that "gun-control advocates want control, but are often stopped because the Second Amendment fundamentally undermines their attempt to turn people into submissive subjects of a controlling state."

The nebulous idea that the Second Amendment provides the right for armed groups to attack the government when they decide it has become tyrannical is particularly dangerous when the same people making that claim are also the ones baselessly accusing political adversaries of having an authoritarian agenda. In short, the NRA has relentlessly insisted to its members that their guns give them the right to violently overthrow a tyrannical government, while at the same time

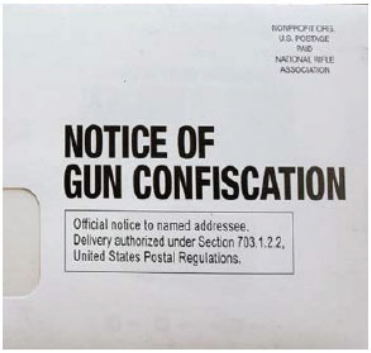
sounding the alarm that anyone who wants to implement even the most modest regulation of gun ownership is a tyrant-in-waiting. It's a recipe for the exact kind of disaster seen at the U.S. Capitol on January 6th: Americans fraudulently convinced the democratic process had been hijacked and left feeling that armed insurrection is a justifiable remedy.

For far right ideologies, defense of lax gun laws is paramount, which makes the gun lobby the hero standing in the gap to stop any and all efforts to regulate guns and, by extension, supposedly looming rampant criminality and authoritarianism. And in portraying itself as the hero, the gun lobby can activate its most ardent followers and raise more money from its members. As the NRA's former No. 2 recently put it in a tell-all book, LaPierre knew that when the NRA needed to raise money, it could depend on fear-mongering messaging, which LaPierre purportedly referred to as pouring "gasoline on the fire."

Deploying this kind of rhetoric, the gun lobby exposes a wide audience to these radicalizing messages, pushing those in the mainstream toward extremism and those already radicalized further toward violence.

The insurrectionists at the Capitol, many deceived by lies and conspiracy theories, believed that not only was the 2020 election a fraud, but it was a fraud in furtherance of installing an administration they wrongly view as an oppressive threat. As a result, in invading the Capitol, they believed they were exercising the nebulous right the NRA claims is granted to them by the Second Amendment "to abolish oppressive government." This worldview is largely responsible for the resurgence of the anti-government movement, particularly the boogaloo movement, in the past year.

NRA communications to its members continue to "pour gasoline on the fire" of right-wing extremism. In a recently uncovered fundraising letter to members, Wayne LaPierre warns of "armed government agents storming your house, taking your guns, and hauling you off to prison" in language that worryingly echoes his words in the letter the NRA sent to members mere days before the Oklahoma City bombing. In the recent letter, LaPierre boasts that "only the NRA has the strength to win knock-down brawls on Capitol Hill." The letter's accompanying envelope read "NOTICE OF GUN CONFISCATION"—an overt invocation of civilian disarmament conspiracy theories. Similarly, even after the events at the Capitol, the NRA promoted a branded meme on social media with an AR–15 and the phrase "Come and Take It." This was the same phrase and symbolism that flew on a Confederate flag during protests of the Governor of Michigan last spring and that was flown at the Capitol on the 6th.



POLICY RECOMMENDATIONS

The January 6, 2021 insurrection at the U.S. Capitol demonstrated the urgent need for policymakers to confront armed extremism. While there are many reasons for the rise in armed extremism, we know that strong gun policy is critical to address violent extremists' access to firearms and establish clear and strong legal standards on what conduct is not acceptable in our democracy. To fully address the threat, we'll need to address easy access to firearms in the United States, including through common sense measures that stop prohibited individuals from obtaining guns—like comprehensive background checks and regulations on ghost guns. In the meantime, the following three steps can disrupt how extremists use firearms to undermine democracy and promote insurrection.

First, the law should prohibit the carrying of firearms at and around sensitive government facilities. The carrying of firearms by members of the public intimidates citizens, emboldens extremists, and is ultimately the means by which a protest can morph into an insurrection or escalate into a gunfight. Federal law already prohibits firearms at the Capitol and on Capitol Grounds. Federal and State law should extend the prohibition on gun carrying to all State capitals and their grounds, and

the other buildings essential to the functioning of government and the electoral process, including polling locations and vote counting facilities.

Second, guns should be prohibited at demonstrations on public property. Peaceful protest is an essential form of expression and a pillar of American democracy; however, the dangers inherent to the carry of firearms in demonstrations are very real, and a recent Department of Homeland Security memo warned that "militia extremists" are prepared to take advantage of public demonstrations to incite violence. The presence of armed protesters is in and of itself a show of intimidation. The armed extreme right's targets of intimidation are often members of already marginalized communities, as evidenced by their presence throughout the year at protests for racial equality.

Third, armed extremists must be held accountable under existing laws for their criminal conduct. Federal and State officials must enforce laws against unlawful carrying and armed intimidation with a focus on the armed extremists and white supremacists who have abridged civil rights or sought to intimidate democratic institutions. Laws on firearm brandishment should be enforced to capture the tactics we have seen deployed by extremists and white supremacists, including those armed extremists who go to the homes of elected officials and government workers. All 50 States prohibit unauthorized, so-called "private militias," from engaging in activities reserved for the State, including law enforcement activities, but those laws are being underutilized to address the unlawful conduct by armed extremists.

Chairman THOMPSON. I would also like to indicate that there is an FBI report on extremist activities in the United States that is 7 months overdue. I don't know what we will have to do to get the FBI to produce that information on extremist activities in the United States, but it would be advantageous to the committee and the public at large if that report was made available. I assure you, we will push the necessary buttons again to ask for that report, as mandated by Congress.

Additionally, I ask unanimous consent to submit a letter from The Leadership Conference and signed by 135 civil rights organizations, as well as a letter from the Center for Democracy and Technology and signed by 24 additional civil rights organizations, for the record.

[The information follows:]

LETTER FROM THE LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS

January 19, 2021.

Dear Member of Congress: On behalf of The Leadership Conference on Civil and Human Rights (The Leadership Conference), a coalition charged by its diverse membership of more than 220 national organizations to promote and protect civil and human rights in the United States, and the undersigned 134 organizations, we write to express our deep concern regarding proposed expansion of terrorism-related legal authority. We must meet the challenge of addressing white nationalist and far-right militia violence without causing further harm to communities already disproportionately impacted by the criminal-legal system. The Justice Department (DOJ), including the Federal Bureau of Investigation (FBI), has over 50 terrorism-related statutes it can use to investigate and prosecute criminal conduct, including white supremacist violence, as well as dozens of other Federal statutes relating to hate crimes, organized crime, and violent crimes. The failure to confront and hold accountable white nationalist violence is not a question of not having appropriate tools to employ, but a failure to use those on hand. To date, DOJ has simply decided as a matter of policy and practice not to prioritize white nationalist crimes.[1] Congress should use its oversight and appropriations authorities to ensure that law enforcement appropriately focuses investigative and prosecutorial resources on white nationalist crimes.

We urge you to oppose any new domestic terrorism charge, the creation of a list of designated domestic terrorist organizations, or other expansion of existing terrorism-related authorities. We are concerned that a new Federal domestic terrorism

[1] Michael German and Sara Robinson, *Wrong Priorities on Fighting Terrorism,* The Brennan Center (Oct 31, 2018), *https://www.brennancenter.org/our-work/research-reports/wrong-priorities-fighting-terrorism*.

statute or list would adversely impact civil rights and—as our nation's long and disturbing history of targeting Black Activists, Muslims, Arabs, and movements for social and racial justice has shown—this new authority could be used to expand racial profiling or be wielded to surveil and investigate communities of color and political opponents in the name of national security.

As the Acting US Attorney for the District of Columbia stated on January 12, 2021 regarding the January 6 insurrection attack on the Capitol, Federal prosecutors have many existing laws at their disposal to hold violent white supremacists accountable.[2]

The magnitude of last week's attack demands that Congress focus on ensuring that our government addresses white nationalist violence as effectively as possible. Members of Congress should not reinforce counterterrorism policies, programs, and frameworks that are rooted in bias, discrimination, and denial or diminution of fundamental rights like due process. Rather, as highlighted below, Congress should focus on its oversight and appropriations authority to ensure that the Federal Government redirect resources toward the ever-growing white nationalist violence plaguing our country, and hold law enforcement accountable in doing so.

LAW ENFORCEMENT HAS THE TOOLS TO HOLD WHITE NATIONALIST INSURRECTIONISTS ACCOUNTABLE

White supremacist violence goes back to our nation's founding, and has never been appropriately addressed—and it manifested last week in an unprecedented way. On January 6, 2021, thousands of pro-Trump supporters, many of them radical, right-wing, white supremacists, unlawfully and violently broke into the nation's Capitol. The rioters, some with "Camp Auschwitz" shirts, others carrying confederate flags, and some who hung a noose on the Capitol grounds, were intent on blocking the ratification of President-elect Biden's electoral win. Some carried weapons and zip ties, reportedly to kidnap or kill Members of Congress and the Vice President. Because of the violent mayhem that ensued, at least five people lost their lives and countless others were wounded. As this historic event on the nation's legislative branch by violent white nationalist insurrectionists is being investigated thoroughly, we know that our Federal law enforcement officials have more than enough tools at their disposal to address the attack on the Capitol.

According to the Federal Government's own research and reports, white nationalist violence has been on the rise for years with the FBI reporting that more murders motivated by hate were recorded in 2019 than any year before.[3] This 2019 data included the El Paso massacre, when a white supremacist targeted the Latino community and shot and killed 23 people after publishing a manifesto in which he embraced white nationalist and anti-immigrant hatred.[4] The Department of Homeland Security (DHS) and the FBI have repeatedly testified before Congress, stating that the greatest threat to US national security emanates from white supremacist violence.[5]

Yet, despite overwhelming evidence making clear the source of the threat,[6] the Federal response has failed to prioritize an effective policy to combat white nationalist violence. Instead, the Federal Government has disproportionately targeted and surveilled Black and Brown people, including increasingly targeting Arabs and Muslims since 9/11, treating them as threats to US national and homeland security. This has led to the over-policing of these communities, including intrusions into

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[2] Department of Justice, *Acting U.S. Attorney Michael Sherwin for The District of Columbia and FBI Washington Field Office ADIC Steven D'Antuono Provide Update on Criminal Charges Related to Events at the Capitol on January 6* (Jan 12, 2021) *https://www.justice.gov/opa/video/acting-us-attorney-michael-sherwin-district-columbia-and-fbi-washington-field-office-adic.*

[3] FBI National Press Office, *FBI Releases 2019 NIBRS Crime Data* (Dec 9 2020), *FBI Releases 2019 NIBRS Crime Data—FBI;* see also Tim Arango, *Hate Crimes in U.S. Rose to Highest Level in More Than a Decade in 2019* (Nov. 16, 2020), *https://www.nytimes.com/2020/11/16/us/hate-crime-rate.html.*

[4] Peter Baker and Michael D. Shear, *El Paso Shooting Suspect's Manifesto Echoes Trump's Language* (Aug. 4, 2019), *https://www.nytimes.com/2019/08/04/us/politics/trump-mass-shootings.html.*

[5] The Leadership Conference on Civil and Human Rights, *Letter from Civil Rights Organizations Calling for Investigation and Hearings Into DHS Coverup of White Supremacist Intelligence* (Sep 24, 2020), *House__Homeland__on__White__Supremacist__Cover__Up__092420.pdf* (civilrightsdocs.info).

[6] The Leadership Conference on Civil and Human Rights, *Letter from Civil Rights Organizations Calling for Investigation and Hearings Into DHS Coverup of White Supremacist Intelligence* (Sep 24, 2020), *House__Homeland__on__White__Supremacist__Cover__Up__092420.pdf* (civilrightsdocs.info).

community centers, mosques, and almost every aspect of their lives.[7] US counterterrorism policy has devastated communities of color and religious minorities, and by failing to rein in white nationalist violence in a serious way, those same communities suffer twice over: First by being over-criminalized and securitized and second, by having the State not respond to white nationalists who target them.

WHAT SHOULD CONGRESS DO?

Congress should not enact any laws creating a new crime of domestic terrorism, including the Confronting the Threats of Domestic Terrorism Act (H.R. 4192 in the 116th Congress) or any other new charges or sentencing enhancements expected to be introduced in the 117th Congress "to penalize acts of domestic terrorism." These bills and others with similar provisions are the wrong approach because, as we have seen, they will continue to be used as vehicles to target Black and Brown communities as they have done since their inception.[8] The Federal Government has no shortage of counterterrorism powers, and these powers have been and will be again used to unjustly target Black and Brown communities, including Muslim, Arab, Middle Eastern, and South Asian communities, as well as those engaged in First Amendment-protected activities.[9] The creation of a new Federal domestic terrorism crime ignores this reality and would not address the scourge of white nationalism in this country.

Instead, Congress should use its oversight and appropriations powers to demand that Federal agencies make public how they have and are now using resources to fight white supremacist violence. Moreover, Congress should support other efforts to address the white supremacy at the core of these violent attacks. At the outset, Congress should identify ways to address the white supremacist infiltration of law enforcement that was documented by the FBI. This, a clear and present danger, which was highlighted at an Oversight Committee hearing last year, puts lives at risk and undermines the criminal legal system.[10] Hate crimes data should be mandated and made publicly available so Federal leaders, as well as those at the State and local level, can address the threat in a manner best suited to their community. Finally, the Leadership Conference encourages Congress to regularly, hold hearings featuring communities that are experiencing white nationalist violence in an effort to encourage accountability and transparency. This would allow Congress to provide communities impacted by white supremacist violence support to develop and lead their own programs to meet the needs that they identify.

Please contact Becky Monroe at monroe@civilrights.org and Iman Boukadoum at boukadoum@civilrights.org to further discuss this matter or if there are questions or concerns.

Sincerely,

The Leadership Conference on Civil and Human Rights
Access Now
Act To Change
Advancement Project, National
Alabama State Association of Cooperatives
American Civil Liberties Union
American Friends Service Committee
American-Arab Anti-Discrimination Committee (ADC)
Americans for Democratic Action (ADA)
Amnesty International USA
Andrew Goodman Foundation
ANYAHS Inc.
Appleseed Foundation
Arab American Institute
Asian American Legal Defense and Education Fund (AALDEF)
Asian Americans Advancing Justice/AAJC
Augustus F. Hawkins Foundation
Autistic Self Advocacy Network
Bend the Arc Jewish Action
Black Alliance for Just Immigration (BAJI)
Brennan Center for Justice
Bridges Faith Initiative
Brooklyn Defender Services
Center for Constitutional Rights
Center for Democracy & Technology
Center for Disability Rights
Center for International Policy

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[7] Michael German and Emmanuel Mauleón, *Fighting Far-Right Violence and Hate Crimes* (July 1, 2019), at 7, *Report_Far_Right_Violence.pdf* (brennancenter.org).

[8] Brennan Center, *Countering Violent Extremism in the Trump Era* (Jun. 2018), *https://www.brennancenter.org/analysis/countering-violent-extremism-trump-era*.

[9] Patrick G. Eddington, *MLK and the FBI: 50 years on, secrets and surveillance still* (Apr. 2019), *https://thehill.com/opinion/civil-rights/436437-mlk-and-the-fbi-50-years-on-secrets-and-surveillance-still*.

[10] Press Release Rep. Jamie Raskin, *Experts Warn Oversight Subcommittee that White Supremacist Infiltration of Law Enforcement Poses a Threat to Cops, Communities* (Sep. 29, 2020) *https://raskin.house.gov/media/press-releases/experts-warn-oversight-subcommittee-white-supremacist-infiltration-law*.

Center for Law and Social Policy (CLASP)
Center for Popular Democracy/Action
Center for Security, Race and Rights
Center for Victims of Torture
Center on Conscience & War
Charity & Security Network
CLEAR project (Creating Law Enforcement Accountability & Responsibility)
CODEPINK
Color Of Change
Common Cause
Common Defense
Council on American-Islamic Relations (CAIR)
Council on American-Islamic Relations (CAIR), Washington Chapter
Defending Rights & Dissent
Demand Progress Demos
Detention Watch Network (DWN)
Drug Policy Alliance
Durham Youth Climate Justice Initiative
Emgage Action
End Citizens United/Let America Vote Action Fund
Equal Justice Society
Equality California
Federal Public and Community Defenders
Fight for the Future
Free Press Action
Freedom Network USA
Friends Committee on National Legislation
Government Information Watch
Greenpeace US
Human Rights Campaign
Human Rights First
Human Rights Watch
Immigrant Defense Network
Immigrant Justice Network
Immigrant Defense Project (IDP)
In Our Own Voice: National Black Women's Reproductive Justice Agenda
Interfaith Alliance
Japanese American Citizens League
Justice for Muslims Collective
Kansas Black Farmers Association/ Nicodemus Educational Camps
KinderUSA
Labor Council for Latin American Advancement
Lawyers' Committee for Civil Rights Under Law
Legal Aid Society of Metropolitan Family Services
Louisiana Advocates for Immigrants in Detention
Matthew Shepard Foundation
Montgomery County (MD) Civil Rights Coalition
MPower Change
Muslim Advocates
Muslim Justice League
Muslim Public Affairs Council (MPAC)
NAACP
NAACP LEGAL DEFENSE AND EDUCATIONAL FUND, INC. (LDF)
National Alliance for Partnerships in Equity (NAPE)
National Association of Social Workers (NASW)
National Council of Jewish Women
National Education Association
National Employment Law Project (NELP)
National Equality Action Team (NEAT)
National Immigration Law Center (NILC)
National Immigration Project of the National Lawyers Guild (NIPNLG)
National LGBTQ Task Force Action Fund
National Network for Immigrant & Refugee Rights
National Organization for Women (NOW)
National Partnership for Women & Families
National Women's Law Center
NETWORK Lobby
New America's Open Technology Institute
North Carolina Association of Black Lawyers Land Loss Prevention Project
Open MIC (Open Media & Information Companies Initiative)
Open The Government
Oxfam America
Palestine Legal
Partnership for Civil Justice Fund
People's Parity Project
Presbyterian Church (USA)
Progressive Turnout Project
Project Blueprint
Project On Government Oversight
Public Advocacy for Kids (PAK)
Public Citizen
Public Justice
Quixote Center
Radiant International
Restore The Fourth
Rethinking Foreign Policy
Rural Coalition
S.T.O.P.—The Surveillance Technology Oversight Project
Sisters of Mercy of the Americas Justice Team
South Asian Americans Leading Together (SAALT)
Southeast Asia Resource Action Center (SEARAC)
SPLC Action Fund
TASH: equity, opportunity and inclusion for people with disabilities
Texas Progressive Action Network
The Human Trafficking Legal Center
The Sentencing Project
The Sikh Coalition
Transformations CDC
True North Research
Tuskegee University
UnidosUS

Union for Reform Judaism
United Church of Christ, OC Inc.
US Human Rights Network
Veterans for American Ideals
Voices for Progress
Win Without War
Wind of the Spirit Immigrant Resource Center
Workplace Fairness

LETTER FROM GREG NOJEIM, CENTER FOR DEMOCRACY & TECHNOLOGY

January 22, 2021.

Chairman RICHARD DURBIN,
Ranking Member CHUCK GRASSLEY,
Senate Judiciary Committee.

Chairman JERROLD NADLER,
Ranking Member JIM JORDAN,
House Judiciary Committee.

Re: Law Enforcement Authorities in the Wake of the January 6 Capitol Assault.

DEAR CHAIRMEN DURBIN AND NADLER AND RANKING MEMBERS GRASSLEY AND JORDAN: We are writing to urge that as you consider appropriate responses to the January 6 assault on the Capitol, and that you refrain from advancing legislation that would expand law enforcement surveillance authorities or create a new crime of "domestic terrorism." As the perpetrators of the attack on the Capitol are brought to justice, the security failures that permitted that attack should not become the basis for expanded police surveillance authority or for expansion of prosecutorial authority.

On January 6, an angry mob, inspired by President Trump and encouraged by others, ascended Capitol Hill during the ceremonial counting of the votes of the electoral college. They overran the thinly staffed Capitol police who were on patrol, broke into the building, ransacked members' offices, and called for the hanging of Vice President Pence. They organized their attack in plain sight, on social media platforms accessible to each other and to the public. In the days prior to the attack, news outlets had reported on the violent plans unfolding online, and the Virginia Field Office of the FBI warned of an impending "war." Despite this information, the police presence was minimal and proved insufficient to stop or repel the attack.

Crime of Domestic Terrorism.—Some are arguing that Congress should create a new crime of "domestic terrorism" because the violence at the Capitol was directed at civilians and was politically motivated. We urge you to resist those calls as creating such a crime would threaten civil liberties and civil rights, and because the FBI already has sufficient legal authority to charge the insurrectionists who stormed the Capitol. A new crime of "domestic terrorism" would give license to authorities to investigate based on political motivation, and we have no doubt that it would be turned against marginalized communities and those who protest government abuse, stifling free expression and leading to punitive policing of communities who had no role in the January 6 attack. As the Leadership Conference on Civil and Human Rights Stated in a Sept. 6, 2019 letter to Congress, when similar legislation was contemplated as a response to gun and hate violence:

"The Federal Government has no shortage of counterterrorism powers, and these powers have been used to unjustly target American Muslim, Arab American, South Asian American, African American communities and those who fight for racial and social justice. The creation of a new Federal domestic terrorism crime ignores this reality and does nothing to address the problem of gun violence and hate violence incidents in this country."

Instead of creating a new crime of domestic terrorism, Congress should work to ensure that law enforcement response to a protest turns on evidence of criminality and violence, as opposed to the political motivation of the protesters. Any documented disparities in police response based on race, religion, political motivation or other protected characteristics must be addressed.

Moreover, a new crime of domestic terrorism is unnecessary. The government already has ample authority under existing law to prosecute those who stormed the Capitol. The FBI has charged more than 140 people with crimes, is investigating more than 330 people, and has indicated that it may level sedition charges that carry a 20-year prison sentence. There is no reported instance in which the FBI has identified someone who participated in the attack but has been unable to bring charges for lack of statutory authority.

Surveillance Authorities.—After major national tragedies, Congress has frequently considered legislation that would add to the surveillance authorities and capabilities that law enforcement officials already have. However, new surveillance authority is not needed to prevent an assault like the one that occurred on January 6. The attack on the Capitol was planned and executed in plain sight, and was splashed all over social media as the insurrectionists published pictures and video clips of themselves and each other breaking into the Capitol, invading members' offices, and parading through corridors with the Confederate battle flag. Within a few days of the event, the FBI said it had received over 130,000 videos and photos associated with the attack. The Bureau has commenced one of the largest investigations in U.S. history, and it is being inundated with information, not starved of it.

The information in the public domain and on publicly available social media was more than sufficient to alert law enforcement officials to the danger at hand. Given the ready availability of this information, rather than granting additional surveillance powers, Congress should be asking authorities why they were so unprepared for such a predictable tragedy. Congress should further inquire into what other law enforcement and intelligence agency priorities distracted officials from preparing the Capitol for a literal insurrection. Finally, it should be asking what investigative techniques are being deployed, whether unreliable and invasive technologies such as facial recognition are being used to investigate these crimes (and generate unreliable leads), and whether unconstitutional techniques, such as geo-fence warrants, are being used as well. As with domestic terrorism efforts, expanding surveillance capabilities will inevitably harm marginalized communities while adding little marginal value to law enforcement efforts.

In short, we urge you to ensure that the January 6 assault on the Capitol is not used as an excuse to expand surveillance authority or to create a dangerous new crime of domestic terrorism.

Please direct your response to this letter to Greg Nojeim at the Center for Democracy & Technology, gnojeim@cdt.org.

Sincerely,

Access Now
Brennan Center for Justice
Center for Democracy & Technology
Defending Rights & Dissent
Demand Progress
Downsize DC
Due Process Institute
Fight for the Future
FracTracker Alliance
Free Press Action
Government Information Watch
Human Rights First
Institute for Policy Studies New Internationalism Project
National Association of Criminal Defense Lawyers
National Coalition Against Censorship
New America's Open Technology Institute
Open the Government
Open MIC (Open Media & Information Companies Initiative)
Palestine Legal
Partnership for Civil Justice Fund
Project Blueprint
Project on Government Oversight
Restore the Fourth
ReThinking Foreign Policy
Security Policy Reform Institute

Chairman THOMPSON. Without objection, the committee record shall be kept open for 10 days.

Hearing no further business, the committee stands adjourned.

[Whereupon, at 1:44 p.m., the committee was adjourned.]

APPENDIX

QUESTION FROM CHAIRMAN BENNIE G. THOMPSON FOR CHRISTOPHER RODRIGUEZ

Question. I understand that Washington, DC's fusion center receives information from DHS and other law enforcement and public safety partners and share it with local partners in the District of Columbia. As a consumer of DHS intelligence at the local fusion center, do you feel the Department produces products that meet the needs of your office? What could the Department do differently to help with threat awareness and preparedness efforts?

Answer. The support the District's Fusion Center receives from the U.S. Department of Homeland Security (DHS) is fantastic. DHS is proactive in sharing information it believes to be valuable to the District and is consistently clear and concise in its requests for information.

We believe DHS's Office of Intelligence and Analysis can improve by providing more products that are timely, relevant, and actionable for District senior leadership. DHS could also better support the Nation's fusion centers by producing additional derivative or tear-line products from Classified material that fusion center analysts could leverage to inform understanding of the local threat environment.

QUESTIONS FROM RANKING MEMBER JOHN KATKO FOR CHRISTOPHER RODRIGUEZ

Question 1. In your testimony you stated that "we know that our foreign adversaries—Russia, in particular—are employing a decades-old tool of covert action to fan the flames of cultural conflict here in the United States". Could you elaborate on the impact of these false narratives being perpetuated by foreign adversaries? What effects are you seeing from the local government level?

Answer. It has been well-reported in the media, and confirmed by the U.S. intelligence community, that foreign adversaries take a vested interest in sowing mis- and disinformation oriented around U.S. issues to undermine the efficacy of U.S. Government officials—both policy makers and law enforcement. Russia, not unlike other foreign governments, identify and work to enflame social tensions in the United States by antagonizing radicalized groups on social media and other on-line forums. The results of these on-line campaigns have the potential to influence U.S.-based organizations and individuals who champion radical causes and demonstrate those beliefs violently.

Question 2. During the hearing you stated that the D.C. government had been in contact with the National Guard, Capitol Police, and Federal agencies (including DHS and DOJ). Could you provide a time line of when discussions with these Federal partners occurred and what they consisted of?

Answer. See attached time line.

Question 3. At what point on January 6 did the D.C. government contact other States to ask for assistance? Was this assistance immediately provided? Did any Federal Government entity assist with this request?

Answer. The District's Emergency Operations Center (EOC) and Joint Information Center (JIC) were activated on January 4 to provide common operating picture, resource support, operational coordination, situational awareness, and public information. The EOC, upon receiving the request for additional law enforcement support from United States Capitol Police, initiated a request to Maryland, New Jersey, and Virginia for State police response through the Emergency Management Assistance Compact (EMAC). There were no Federal entities involved in this process. Through the EOC, I began coordinating directly with executive command at United States Capitol Police Command Center to coordinate the DC National Guard response. Additionally, at 2:55 p.m. and 8 p.m., EOC staff participated in calls hosted by FEMA Region III with the State emergency management directors of Maryland, Virginia, West Virginia, Delaware, and Pennsylvania. These calls were to provide

updates on the situation at the Capitol, confirm the receipt of the EMAC requests, and evaluate options for additional support.

Question 4. Do you believe that there's anything which can be done to assist with more seamless communication and coordination between Federal, State, and local partners going forward? Legislatively or non-legislatively.

Answer.

- *Increased investment in National Capital Region's (NCR) Urban Areas Security Initiative (UASI) program*.—FEMA's UASI program provides financial assistance to address the unique multi-discipline planning, organization, equipment, training, and exercise needs of high-threat, high-density Urban Areas, and to assist these areas in building and sustaining capabilities to prevent, protect against, mitigate, respond to, and recover from threats or acts of terrorism using the Whole Community approach. The NCR, comprised of the District of Columbia, along with 23 jurisdictions in northern Virginia and southern Maryland, received an UASI allocation for fiscal year 2021 of $51.75 million. Future NCR funding levels should reflect the increased attention and actions by domestic terrorists to disrupt political acts held in Washington, DC, as the home of the Nation's capital. The fiscal year 2021 UASI allocation for the Chicago and Los Angeles/Long Beach areas is $68 million each.
- *Leverage our National intelligence network better*.—Funded by DHS, these intelligence hubs need to do better at sharing information across the network because the domestic terrorist threat is fundamentally one that originates locally and then spreads across State borders. The nearly 80 fusion centers across the Nation have more than 2,000 intelligence analysts funded by Federal dollars, but their intelligence should be more widely disseminated to those who need it.
- *Increased Federal presence in District's 24/7 operation center*.—The District of Columbia's Joint All-Hazards Operations Center (JAHOC) is the 24/7, 365 hub of coordination for city-wide response operations. The JAHOC looks across all jurisdictions within the District as well as the region to coordinate alerting, warning, notification, and operational support. Currently, FEMA's Office of National Capitol Region Coordination is the only Federal agency that positions staff in the JAHOC, but several other agencies will assign staff to the JAHOC for special events on or near their jurisdiction, including the Pentagon Force Protection Agency, Department of Homeland Security, and others. This is valuable but not consistent. HSEMA is expanding the space within the JAHOC beginning in 2022 and welcomes additional Federal liaisons to operate from the JAHOC to enhance information sharing and a common understanding of what is happening in the District.
- *Engage communities and workforces better*.—People in our communities might know nefarious activities are taking place, either in plain sight, in dark corners of the internet, or in casual conversation. We need to prioritize insider-threat programs in the U.S. military and law enforcement to ensure these specific skill sets, which are developed to defend a nation, a State, or a community, are not then turned on the very people they are sworn to protect.

ATTACHMENT

February 23, 2021

This memorandum is intended to memorialize the time line of preparations for, and the response to, the large-scale demonstrations in Washington, DC on January 5–6, 2021. This information was collected from various District agencies.

Monday, December 14, 2020

- *12 P.M.*—MPD holds Law Enforcement Briefing with Metro Transit Police, USSS, FBI, USPP, HSEMA/NTIC, U.S. Postal Inspectors.

Sunday, December 19, 2020

- *President Trump tweets about election results and mentions*.—"Big protest in D.C. on January 6th. Be there, will be wild!"

Monday, December 28, 2020

- *12 P.M.*—MPD holds bi-monthly Law Enforcement Partners Briefing with USSS, FBI, USPP, HSEMA/NTIC, and U.S. Postal Inspectors.

Tuesday, December 29, 2020

- *10 A.M.*—MPD holds a First Amendment Coordination Call with Partners (FBI, USCP, Supreme Court Police, United States Park Police, Metro Transit Police, HSEMA, USSS, DCFEMS).

Thursday, December 31, 2020

- Mayor Bowser convenes public safety and senior staff for a briefing on pending applications before the National Park Service for "Public Gathering Permits."
- Mayor Bowser sends letter to DC National Guard (DCNG) Major General requesting DCNG support for Metropolitan Police Department (MPD) and DC Fire and Emergency Medical Services (FEMS) for downtown DC. The letter cites concern about the potential for violence, given previous large-scale demonstrations in the District of Columbia after the Presidential Election.
- MPD issues press release on street closures and parking restrictions (traffic box) for January 5–7, 2021, in downtown DC during potential First Amendment activities. The press release highlights that no one shall bring illegal weapons into the District because it violates District law. MPD hangs signs across the District asserting that no one illegal firearms are allowed in the city. Media is invited to watch MPD hang the signs.
- *8:30 A.M.*—HSEMA convenes the Chief Operations Officers/Senior Emergency Managers Group from all District agencies to plan and prepare for the demonstrations.
- *9 A.M.*—MPD participates in the National Park Service call on Freedom Plaza demonstration.
- *11 A.M.*—MPD participates in the National Park Service call on Ellipse demonstration.
- *12 P.M.*—DC fusion center sets up a call with U.S. Capitol Police (USCP) and provides a threat brief indicating the potential for violence in the city during January 5–6.

Friday, January 1, 2021

- NPS grants a "Public Gathering Permit" on the Ellipse to Women For America First on Wednesday, January 6, 2021, with 5,000 as an anticipated number of participants. Permit allows move-in beginning on January 2, 2021, and for the event date, gates opening at 7 o'clock a.m. and the program occurring between 9 o'clock a.m. to 3:30 p.m. Since June 2020, the NPS has granted "Public Gathering Permits" despite D.C. restrictions on gatherings due to the COVID–19 pandemic.

Saturday, January 2, 2021

- *8:10 P.M.*—Chief Contee speaks with USCP Chief Sund.

Sunday, January 3, 2021

- Mayor Bowser issues press release urging "Washingtonians and those who live in the region to stay out of the downtown area on Tuesday and Wednesday and not to engage with demonstrators who come to our city seeking confrontation."
- *12 P.M.*—MPD holds internal CDU Briefing in preparation for First Amendment Demonstrations.

Monday, January 4, 2021

- Mayor Bowser provides situational update to the public and members of the media and reiterates request for residents to avoid the area.
- HSEMA stands up the District's Emergency Operations Center (EOC).
- *8 A.M.*—MPD participates in the National Park Service call on Rally to Revival demonstration.
- *9 A.M.*—MPD participates in the National Park Service call on Freedom Plaza demonstration.
- *9 A.M.*—Director Rodriguez and Chief Contee brief the Council of the District of Columbia in closed session on D.C. government preparations for the January 5–6 protests.
- *10:40 A.M.*—Chief Contee receives verbal confirmation from SecArmy via a conference call that DCNG members will be provided for traffic posts and crowd management. Also on the call: DC National Guard Commanding General and the Chief of Staff of the Army. SecArmy stated that the DCNG members may only be re-tasked or moved with his permission and under his authority. He also stated that NG members could not be posted east of 9th Street.
- *11 A.M.*—MPD participates in the National Park Service call on Ellipse demonstration.
- *11:30 A.M.*—D.C. fusion center meets with MPD to discuss threat assessment and operational posture for the 5th and 6th.
- *12:30 P.M.*—D.C. fusion center provides threat briefing to the U.S. Department of Health and Human Services, which requested information on the protests on the 5th and 6th.

- *1 P.M.*—D.C. fusion center conducts meeting with regional and State fusion centers in Virginia and Maryland to discuss the District's readiness and outreach to the National Network of Fusion Centers.
- *1:30 P.M.*—D.C. fusion center convenes the National Network of Fusion Centers for an emergency call to discuss the potential for violence in Washington, DC on the 5th and 6th. D.C. fusion center requests enhanced intelligence sharing and possibly mutual aid.
- *2:30 P.M.*—D.C. fusion center conducts coordinating call with the U.S. Department of Homeland Security's Intelligence and Analysis liaison.
- *3 P.M.*—MPD holds a First Amendment Coordination Call with Partners (FBI, USCP, Supreme Court Police, United States Park Police, Metro Transit Police, HSEMA, USSS, DCFEMS).
- *3 P.M.*—D.C. City Administrator Donahue briefs regional counterparts on mutual assistance need and potential Emergency Management Assistance Compact (EMAC) requests from the District of Columbia. This puts State and local law enforcement in the region on alert to support MPD.
- *3:30 P.M.*—Chief Contee participates in a coordination call led by the United States Attorney for the District of Columbia; included heads of the Washington Field Offices of the FBI and ATF.
- *3:30 P.M.*—D.C. fusion center provides threat briefing, on behalf of D.C. Health, to the D.C. Healthcare Coalition and discusses potential impacts from violence to the District's health care system.
- *4 P.M.*—D.C. fusion center conducts a coordination call with USCP.
- *5 P.M.*—HSEMA convenes the Consequence Management Team (CMT)—a group of all District department Directors—to discuss and move toward finalizing planning and preparation for the demonstrations.
- National Park Service grants a "Public Gathering Permit" on Freedom Plaza to Rally for Revival on Tuesday, January 5, 2021, with 5,000 as an anticipated number of participants. Permit is for 5 o'clock A.M. to 11:59 P.M. with program occurring between 1 o'clock P.M. and 8:30 P.M.
- Evening of January 4, through media inquiries, Mayor's Chief of Staff Falcicchio learns that Federal law enforcement from CBP and Bureau of Prisons have been activated for the demonstrations without notification to District Government. It is not clear what mission they will serve or where they will be deployed.
- National Park Service increases permit from 5,000 participants to 30,000 participants for January 6 Women For America First event on the Ellipse.

Tuesday, January 5, 2021

- Mayor Bowser is cc'd on a letter from Senator Murphy (D–CT) to Acting AG Rosen, SecArmy McCarthy, A/SecDef Miller that "calls on officials to adhere to new law requiring all Armed Forces and Federal law enforcement officers to visibly identify". This is based on a new law authored by Murphy and Senate Minority Leader Schumer and passed as the National Defense Authorization Act.
- Mayor Bowser sends letter to AG, A/SecDef, and ArmySec asserting that Federal law enforcement deployments on city-owned streets—without notification or coordination—can cause confusion and threaten National security, and per new Federal law, must be identifiable when responding to civil disturbance.
- *12 P.M.*—Chief Contee participates in a law enforcement partners' inauguration briefing hosted by U.S. Capitol Police Chief Steven Sund. The demonstrations were discussed as well.
- *4:30 P.M.*—D.C. fusion center initiates intelligence coordination calls with law enforcement partners.

Wednesday, January 6, 2021

- *9 A.M.*—D.C. fusion center leads intelligence coordinating call with fusion centers in Maryland and Virginia; MPD; U.S. Park Police; USCP; and the U.S. Department of Homeland Security.
- *12:58 P.M.*—USCP requests MPD assistance at the U.S. Capitol. MPD immediately authorizes deployment of 2 platoons to the west front of the U.S. Capitol and puts third platoon on standby at Third Street S.W. and Maryland Avenue S.W.
- *1:01 P.M.*—USCP requests FEMS assistance at the U.S. Capitol.
- *1:03 P.M.*—MPD advises USCP they have arrived on the scene.
- *1:16 P.M.*—Contee calls Mayor Bowser to provide situational update.
- *1:18 P.M.*—FEMS arrives at U.S. Capitol.

- *1:29 P.M.*—Contee calls Donahue to provide situational update from U.S. Capitol.
- *1:30 P.M.*—FEMS Engine 18 establishes Incident Command at U.S. Capitol.
- *1:35 P.M.*—Mayor Bowser joins call with Contee and Donahue and approves city-wide curfew.
- *1:49 P.M.*—MPD declares a riot at the U.S. Capitol. Following this declaration, Mayor Bowser speaks with SecArmy.
- *1:56 P.M.*—Media reports large crowds aggressively probing barricade lines on east side of U.S. Capitol.
- *1:59 P.M.*—FEMS representative arrives at U.S. Capitol Police Headquarters.
- *2:03 P.M.*—Media reports barricade has been breached.
- *2:10 P.M.*—Director Rodriguez calls USCP Chief Sund asking what support is needed immediately; Sund replies he needs anything that can be provided. With MPD and FEMS already at the Capitol under the Mayor's authority, Rodriguez offers to set up a call with DCNG and MPD to outline USCP's specific needs for DCNG support. This can only be approved by SecArmy and A/SecDef, and DCNG includes staff of SecArmy on the call.
- *2:22 P.M.*—Rodriguez convenes a call for USCP with MPD, FEMS, DCNG, and staff of SecArmy to ensure coordination; other D.C. government officials listen in, including Mayor Bowser. On the call, USCP requests immediate DCNG support from General Walker and staff of SecArmy. Contee directly asks Sund if he is requesting DCNG at the U.S. Capitol. Sund says yes. In response, staff of SecArmy says they are not comfortable sending DCNG to the Capitol to confront peaceful protestors without a comprehensive plan. MPD has already been on scene at the U.S. Capitol for over an hour.
- *2:25 P.M.*—On behalf of USCP, the District EOC issues EMAC requests to Virginia and Maryland for 200 State Troopers from each State (400 total).
- *2:28 P.M.*—Curfew announced effective 6 P.M. to 6 A.M. city-wide.
- *2:31 P.M.*—Mayor's Office contacts the White House Executive Office of the President and staff-level conversations commence.
- *2:39 P.M.*—Falcicchio calls counterparts in Maryland and Virginia to confirm formal requests have been made, and both confirm Governors are approving resources to the District of Columbia.
- *2:40 P.M.*—Mayor Bowser declares a State of Emergency.
- *2:53 P.M.*—EOC convenes a call with Virginia, Maryland, Pennsylvania, Delaware, and West Virginia emergency management officials, as well as FEMA Region III, to discuss resource needs for USCP.
- *2:54 P.M.*—HSEMA issues city-wide Wireless Emergency Alert declaring a city-wide curfew will be in effect from 6 P.M. to 7 A.M. the next day.
- *2:54 P.M.*—Dozens of House Members and staff are escorted from the floor.
- *2:56 P.M.*—Mayor Bowser speaks with Mark Meadows, Chief of Staff to President Trump.
- *2:59 P.M.*—HSEMA confirms Virginia State Police is in contact with USCP.
- *3:05 P.M.*—New Jersey counterpart contacts Falcicchio offering resources.
- *3:10 P.M.*—EOC releases additional EMAC request to New Jersey for 75 State Troopers.
- *3:26 P.M.*—Mayor Bowser speaks with Secretary of the Army, who confirms USCP request for DCNG support has been approved.
- *3:30 P.M.*—Mayor Bowser calls Speaker Pelosi and House leaders.
- *3:30 P.M.*—HSEMA convenes the Chief Operations Officers/Senior Emergency Managers from all District agencies to discuss consequence management.
- *3:35 P.M.*—Mayor Bowser and Chief Contee brief the Council.
- *4:30 P.M.*—HSEMA convenes the CMT.
- *4:31 P.M.*—Meadows calls to confirm National Guard approval.
- *4:45 P.M.*—Mayor Bowser holds news conference with Contee, McCarthy, Rodriguez, and Donnelly.
- *6 P.M.*—USCP begin fully searching each room inside of the Capitol and sweeping with K–9s.
- *6:29 P.M.*—MPD was notified that the U.S. Capitol has been secured with no rioters visible inside.
- *7:15 P.M.*—MPD begins arresting individuals breaking the Mayor's curfew order.
- *10:49 P.M.*—Mayor Bowser holds news conference with Contee, Rodriguez, and Donnelly.

Thursday, January 7, 2021

- Mayor Bowser provides situational update with Contee, McCarthy, Mitchell, Rodriguez, and Donnelly.

Friday, January 8, 2021

- On behalf of Mayor Bowser, Director Rodriguez requests an extension of DCNG support for MPD and FEMS through January 25, 2021.

QUESTIONS FROM CHAIRMAN BENNIE G. THOMPSON FOR ELIZABETH NEUMANN

Question 1. On January 27 DHS put out a Terrorism Advisory bulletin to warn the public about the on-going domestic terrorism threat that manifested itself as an attack on our democracy on January 6. The bulletin states that "some ideologically-motivated violent extremists with objections to the exercise of governmental authority and the Presidential transition, as well as other perceived grievances fueled by false narratives, could continue to mobilize to incite or commit violence." Were there any warnings the bulletin left unsaid that you would pass on the American public? What changes, if any, do you recommend to the National Terrorism Advisory System?

Answer. Response was not received at the time of publication.

Question 2. In April 2020 the State Department designated the Russian Imperial Movement (RIM) as a Specially-Designated Global terrorist, putting them in the same league as al-Qaeda, Hizballah, and others. This is the first time a White Supremacist group such as RIM has been given this label. Given the transnational nature of the threat, do other groups need this label? From your time at DHS, can you describe what input DHS had with the State Department toward a designation like this?

Answer. Response was not received at the time of publication.

QUESTION FROM HONORABLE DONALD M. PAYNE, JR. FOR ELIZABETH NEUMANN

Question. In your testimony on February 4, you stated: "the longer that this lie is allowed to stay out there, so it's really important for credible voices within the community to come out very clearly and explain the election was not stolen, that there was not enough fraud to overturn the results of the election, and it helped us retreat that pool of vulnerable individuals." (sic)

Later you said: "We need more credible voices to be speaking out calling for calm, telling the truth, that reduces our vulnerability."

Can you please share with the committee:

- Who are these "credible voices"?
- What messages are they currently saying?
- What language could they use that would help to reduce our vulnerability to further attacks?
- Can you share some examples of political leaders or other "credible voices" disavowing rumors, lies, and extremism to help reduce tensions and further a peace process?

Answer. Response was not received at the time of publication.

QUESTIONS FROM HONORABLE JAMES LANGEVIN FOR ELIZABETH NEUMANN

Question 1a. What measurement tools and metrics about the information environment would you have found useful in your role at DHS, had they been available?

What offices or resources are available in the Department today to develop and operationalize these metrics?

Question 1b. What outside resources could be utilized or used in partnership with DHS to monitor the information environment?

Question 1c. What guidelines on boundaries and constraints would be necessary before implementing monitoring tools, such that freedom of thought and expression would be threatened neither in fact nor in the public's perception?

Answer. Response was not received at the time of publication.

Question 2a. You stated that the Department of Homeland Security would be an appropriate agency to take the lead on counter-messaging and information resilience, in strong partnership with other agencies. Which office or agency within DHS should take the lead, or do you recommend creating a new office?

Which other State, local, or Federal agencies should be in partnership?

Answer. Response was not received at the time of publication.

Question 2b. What kinds of counter-messaging programs would be appropriate? Would you support:

i. Public service announcements and information awareness education on broadcast media?

ii. Public service announcements and information awareness education on internet media (YouTube, Facebook, Twitter)?

iii. Peer-to-peer outreach such as the college program you mentioned (more information about this would be welcome)?
iv. Faith-based programs?
v. Mental health programs?
vi. School education programs?

Answer. Response was not received at the time of publication.

Question 3a. You recommended that Congress codify DHS's Office of Targeted Violence and Terrorism Prevention.

What would be an appropriate size, structure, and budget for the office?

Question 3b. What proportion of the office's attention should be directed to threats of foreign origin such as ISIS, versus home-grown extremism?

Question 3c. What additional programs would you recommend for this office above and beyond its current activities?

Answer. Response was not received at the time of publication.

QUESTIONS FROM RANKING MEMBER JOHN KATKO FOR ELIZABETH NEUMANN

Question 1. You were invited as a witness at the hearing titled "Examining the Domestic Terrorism Threat in the Wake of the Attack on the U.S. Capitol". It is our understanding that your area of expertise at the Department of Homeland Security (DHS) focused on threat prevention and more specifically traveler vetting and terrorism prevention.

What function do the offices of Intelligence and Analysis (I&A) and the Office of Operations (OPS) play in real-time response and coordination regarding civil unrest and domestic attacks? Is it correct that you did not work in either of these offices during your time at DHS?

What role would you have played in the DHS response had you been in your previous position of Assistant Secretary for Counterterrorism and Threat Prevention on January 6?

Answer. Response was not received at the time of publication.

Question 2. During your time at DHS you were responsible for pushing initiatives regarding terrorism prevention and domestic terrorism at DHS.

The DHS Strategic Framework for Countering Terrorism and Targeted Violence—how long did that strategy take to produce? What level of outside contract help was involved in the final production of the framework?

The Implementation Plan for that strategy was due in January 2020. Yet, when you left in April 2020, that plan was not completed. What led to the delay in completion? Recently, DHS issued an NTAS Bulletin regarding domestic threats. Do you agree with that Bulletin? If so, how many times did you personally advocate for such a Bulletin during your time at the Department?

How many times did you speak with the Secretary regarding your concerns that DHS was not doing enough in the domestic terrorism space?

What domestic terrorism initiatives did you push forward to DHS leadership that they declined to act on?

Answer. Response was not received at the time of publication.

Question 3. During the hearing on February 4 you advocated for the codification of a Domestic Terrorism criminal statute because it would pose a "deterrent effect". Do you believe that actors like Timothy McVeigh or the perpetrator responsible for planting pipe bombs at the Democratic and Republican National Committee Headquarters' on January 6 did so because they did not believe they would suffer serious criminal consequences for their actions?

What legal or legislative education and experience do you have which leads you to this conclusion?

Answer. Response was not received at the time of publication.

Question 4. You have been outspoken about former President Trump. Yet, you worked for him for almost 3 years. During that time E.O. 13769, titled Protecting the Nation from Foreign Terrorist Entry into the United States, politically labeled as a Muslim Ban, was implemented (understanding that your office was responsible for putting together the Department's travel vetting and restrictions). During your time at DHS, did you advocate for or against the travel restrictions—either at the Department, with the interagency, or before Congress?

Answer. Response was not received at the time of publication.

QUESTIONS FROM RANKING MEMBER JOHN KATKO FOR JONATHAN GREENBLATT

Question 1. During the hearing you spoke about the impact of social media on the domestic terrorism landscape. What do you see as the ideal way to address this issue legislatively? Does this involve section 230 and/or other possible legislative measures?

Answer. Social media has had a profound impact on the domestic terrorism landscape. Extremists use social media to spread disinformation, amplify conspiracy theories, gain political aims, recruit followers, and provoke violence. They find ways to engage on mainstream social media platforms like Twitter, Facebook, Youtube, as well as emerging platforms like Parler, and the Dark Web (e.g., Gab, DLive, america.win). Today, there is a profound distrust of Government and institutions and the mainstreaming and normalization of these beliefs (including virulently antisemitic and racist conspiracy theories) is unprecedented—millions of Americans believe in QAnon conspiracies and other extremist ideologies. The ability for extremists to spread their message as far and wide as possible is because of social media and the complicity of the tech companies running platforms. This has led to dangerous activity on-line and on the ground, including the insurrection at the Capitol. To adequately address this legislatively, Congress must consider the many areas that impact social media's complicity to domestic terrorism because there is no single fix to this multifaceted issue.

First, Congress must increase platform accountability—including by reforming Section 230 of the Communications Decency Act. Tech companies must be held accountable for their roles in facilitating genocide, extremist violence, and egregious civil rights abuses. Relief, however, must prioritize both civil rights and civil liberties concerns and not result in an overbroad suppression of free speech. While many lawmakers and policy experts have focused on reforming CDA 230, it is important to acknowledge that this is a single step in a much larger process. This is especially important because Section 230 reform is unlikely to affect much of the "lawful but awful" hate that is devastatingly common on the internet because that speech is protected by the First Amendment. In light of this, the Government must also pass laws that require regular reporting, increased transparency, and independent audits regarding content moderation, algorithms, and engagement features.

Second, Congress must ensure platforms put people over profit. Tech company algorithms are designed to optimize for user engagement because keeping people on the platform for as long as possible, to see as many ads as possible, generates revenue. Government must focus on how consumers and advertisers are impacted by a business model that optimizes for engagement and consider how algorithmic amplification and monopolistic power can fuel hate. They should ensure algorithms are ethical and fair, so that groups associated with hate, misinformation, or conspiracies are not recommended to users—even if it results in less engagement from users.

Third, interrupting disinformation and finding off-ramps and effective mitigation strategies to mitigate recruitment and radicalization to extremist violence is a critical issue that requires a whole-of-Government and society approach. Many individuals have been radicalized on social media to the point of storming the Capitol or committing other acts of domestic terrorism. Disinformation has had, and continues to have, profound risks for our democracy. It is a threat to National security. Government must find civil rights-protecting ways to undermine disinformation and provide resources to civil society organizations working to counter it, such as by supporting the grant program run by the DHS Office for Targeted Violence and Terrorism Prevention (TVTP). Congress must investigate the impact of platforms' product designs that allow hatemongers and extremists to exploit digital social platforms and spread anti-democratic and hate-based disinformation.

Question 2. In your experience, what impact do foreign governments have on what you describe as the "growing threat of on-line hate"? Do you see any way, legislatively or otherwise, to combat this foreign government influence?

Answer. All governments have a basic responsibility to combat hatred and the violence that it fuels. But the anonymity of the internet has increased the ability and the temptation for irresponsible foreign government actors to use the web for fueling hatred for political gain, especially given the relatively low costs. Whether the online hate that they fuel is primarily directed at vulnerable groups at home or abroad, the harm that it causes often knows no national borders.

The U.S. Government has identified state-linked actors responsible for trying to intervene in American elections through the promotion of cyber hate to exacerbate American polarization and societal tensions. While ADL certainly does not have access to the underlying intelligence in these assessments, we are alarmed that this may be the case.

Domestically, Congress and the Biden-Harris administration must prioritize countering the threat posed by any foreign malign influence that manifests as on-line hate that impacts Americans. Once on-line hate has impacted Americans, the tools to counter it are those that we may use whether the hate is fueled by foreign governments or our own citizens—a comprehensive approach to expose, prevent, investigate, and prosecute that hate, when applicable depending on the context. U.S. actions to expose, deter, and punish foreign government perpetrators are important,

and should be considered, but they are only part of the solution. Globally, a U.S. foreign policy approach that proactively encourages pluralism and offsetting such hateful narratives are also an important part of addressing this challenge. Here at home, we must engage on countering on-line hate wherever we see it, including by establishing an independent clearinghouse for on-line extremism that can serve—independently from the U.S. Government—as a mechanism to refer on-line extremism that may indicate criminal behavior to law enforcement, therefore stemming the tide of on-line extremism while protecting civil liberties.

While many of our allies are already taking pro-active steps to combat the evolving threat of extremism, both on-line and off-line, much remains to be done. We must take steps to support multilateral cooperation and promote global best practices, while at the same time committing adequate resources to improving our domestic responses to on-line hate.