

S. Hrg. 117-576

**DOMESTIC EXTREMISM IN AMERICA:
EXAMINING WHITE SUPREMACIST VIOLENCE IN
THE WAKE OF RECENT ATTACKS**

HEARING

BEFORE THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE
ONE HUNDRED SEVENTEENTH CONGRESS

SECOND SESSION

JUNE 9, 2022

Available via the World Wide Web: <http://www.govinfo.gov>

Printed for the use of the
Committee on Homeland Security and Governmental Affairs



U.S. GOVERNMENT PUBLISHING OFFICE

50-847 PDF

WASHINGTON : 2023

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

GARY C. PETERS, Michigan, *Chairman*

THOMAS R. CARPER, Delaware	ROB PORTMAN, Ohio
MAGGIE HASSAN, New Hampshire	RON JOHNSON, Wisconsin
KYRSTEN SINEMA, Arizona	RAND PAUL, Kentucky
JACKY ROSEN, Nevada	JAMES LANKFORD, Oklahoma
ALEX PADILLA, California	MITT ROMNEY, Utah
JON OSSOFF, Georgia	RICK SCOTT, Florida
	JOSH HAWLEY, Missouri

DAVID M. WEINBERG, *Staff Director*

ZACHARY I. SCHRAM, *Chief Counsel*

CHRISTOPHER J. MULKINS, *Director of Homeland Security*

KEVIN G. MCALOON, *Senior Investigator*

MORAN BANAI, *Senior Professional Staff Member*

APRIL L. GASCON, *Fellow*

PAMELA THIESSEN, *Minority Staff Director*

SAM J. MULOPULOS, *Minority Deputy Staff Director*

CLYDE E. HICKS, JR., *Minority Director of Homeland Security*

MARGARET E. FRANKEL, *Minority Professional Staff Member*

LAURA W. KILBRIDE, *Chief Clerk*

THOMAS J. SPINO, *Hearing Clerk*

CONTENTS

Opening statements:	Page
Senator Peters	1
Senator Portman	3
Senator Padilla	15
Senator Carper	20
Senator Hawley	22
Senator Hassan	25
Senator Rosen	27
Prepared statements:	
Senator Peters	33
Senator Portman	36

WITNESSES

THURSDAY, JUNE 9, 2022

Elizabeth Yates, Ph.D., Senior Researcher on Antisemitism, Human Rights First	6
Eric K. Ward, Executive Director, Western States Center	8
Michael German, Fellow, Brennan Center for Justice, New York University School of Law	10
Hon. Nathan A. Sales, Nonresident Senior fellow, Atlantic Council, and Former Ambassador-at-Large and Coordinator for Counterterrorism (2017– 2021), U.S. Department of State	12

ALPHABETICAL LIST OF WITNESSES

German, Michael:	
Testimony	10
Prepared statement	64
Sales, Hon. Nathan A.:	
Testimony	12
Prepared statement	87
Ward, Eric K.:	
Testimony	8
Prepared statement	49
Yates, Elizabeth Ph.D.:	
Testimony	6
Prepared statement	39

APPENDIX

Senator Hawley Letter to Secretary Mayorkas	95
Statements for the Record:	
Leadership Conference	100
Sikh American Legal Defense and Education Fund	103
Sikh Coalition	107
Response to post-hearing questions submitted for the Record	
Ms. Yates	115
Mr. Ward	118
Mr. German	121

DOMESTIC EXTREMISM IN AMERICA: EXAMINING WHITE SUPREMACIST VIOLENCE IN THE WAKE OF RECENT ATTACKS

THURSDAY, JUNE 9, 2022

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 10:15 a.m., in room SD-342, Dirksen Senate Office Building, Hon. Gary Peters, Chairman of the Committee, presiding.

Present: Senators Peters, Carper, Hassan, Sinema, Rosen, Padilla, Ossoff, Portman, Scott, and Hawley.

OPENING STATEMENT OF CHAIRMAN PETERS¹

Chairman PETERS. The Committee will come to order.

Less than a month ago, an assailant entered a supermarket in Buffalo, New York, intent on slaughtering Black Americans, killing ten people and injuring two others before he was eventually stopped by police.

Tragically, since that appalling attack, our nation watched with horror as 19 children and two teachers were murdered in their classrooms in Uvalde, health care workers were killed in a Tulsa hospital, and frankly, too many Americans in communities all across the country were slain in attacks as they went about their daily lives.

These attacks, and the loss of these lives, is certainly heart-breaking, and I appreciate the work of our Senate colleagues who are currently working on proposals to address the epidemic of gun violence in our Nation. It is long past time for the Senate to take action.

Today's hearing is focused on the specific, and heinous, domestic terrorism threat that is posed by white supremacist violence.

According to the Anti-Defamation League (ADL), between 2012 and 2021, white supremacists were responsible for the majority of murders committed by any kind of extremist group in the United States. Of the 443 extremist murders during the past decade, 244 of them were committed by white supremacists. In comparison, murders committed by left-wing extremists, during the same time period, accounted for 18 of the 443 murders, or four percent of extremist killings. Even this data likely fails to capture the full extent of the threat.

¹ The prepared statement of Senator Peters appears in the Appendix on page 33.

In 2019, I authored a provision that was signed into law requiring the Federal Bureau of Investigation (FBI) and the Department of Homeland Security (DHS) to report to Congress and the public on domestic terrorism incidents, including the exact number and type. As of today, they have failed to fully comply with this requirement.

In the years after the September 11th attacks, our nation focused immense resources on combating the foreign threat from terrorism. There is no question those efforts were needed, and that they helped keep Americans safe.

But despite clear data showing the threat posed by domestic extremism, particularly white supremacist and anti-government violence, our nation's counterterrorism agencies have not been as nimble or as proactive as needed to effectively track or address this pernicious threat.

While I am grateful to the Biden administration for laying out the first national strategy to address domestic terrorism, there is more we must do as a nation to stop the spread of the hateful and insidious ideologies of white supremacy that are leading to real-world violence.

In the Buffalo attack, the perpetrator allegedly posted a manifesto online detailing his carefully calculated attack and citing abhorrent ideas tied to Great Replacement Theory, a racist and dangerous ideology that claims Jewish people, immigrants, and people of color are actively attempting to replace the white population.

This disgusting belief is at the center of some of the most horrific terrorist attacks we have seen in recent years.

At the 2017 Unite the Right Rally in Charlottesville, Virginia, neo-Nazis marched in broad daylight chanting core tenets of replacement theory at one of the largest and most violent gatherings of white supremacists in decades, before an attacker plowed his vehicle through a crowd of peaceful protestors, killing one woman and injuring 35 others.

In 2018, an anti-Semitic terrorist committed the deadliest attack on the Jewish community in our nation's history, when he massacred 11 people and wounded six others at the Tree of Life Synagogue in Pittsburgh, Pennsylvania. His motive for the attack was rooted in replacement theory, and he claimed he targeted the synagogue because they were supporting refugees who had come to the United States.

In 2019, a shooter in Christchurch, New Zealand, posted a manifesto online entitled The Great Replacement, before livestreaming his attack on two mosques on Facebook. In the 2019 shooting in El Paso, Texas, the deadliest attack on a Latino community in our nation's history, a gunman killed 22 people and left dozens wounded. The perpetrator acted out of the belief of a, "Hispanic invasion," in a manifesto he posted online that cited the Christchurch shooter.

Once relegated to the fringes of our society, these extreme and abhorrent beliefs are now a constant presence in our nation's mainstream. Cable TV hosts push them in primetime nightly programs, and public leaders amplify them to their followers, for their own profit and political gain. These are public figures who should know better, and should know the power of their words and their influence, figures who should know that the spread of those conspiracy

theories and lies can be incredibly dangerous. But between political opportunists and the power of social media platforms to spread memes, manifestos, and videos like wildfire, these repugnant ideologies are becoming normalized into our everyday discourse.

No longer do extremists need to be recruited or seek out like-minded individuals. They can simply log on to social media, or turn on the television, and be presented with the hateful discourse that drives these violent and deadly attacks, attacks that not only leave traumatic scars on the victims and survivors and their families but terrorize entire communities, who will live with this threat in the back of their minds as they go about their daily business.

The consequences reach far beyond our borders. These ideologies often spread globally by white nationalist groups that share ideologies and tactics in online communities, in chatrooms and message boards, as we saw with the Christchurch attack.

Although this Committee has spent a considerable amount of time examining how to keep our communities safe, and I have been proud to work with my colleagues to boost important security resources like the Nonprofit Security Grant Program (NSGP), we cannot solve this problem by only focusing our efforts on hardening the likely targets or by adding more security measures.

We must come together as Americans, from all walks of life, and from all ends of the political spectrum, to condemn these poisonous ideologies and the violence that they incite, if we are going to truly tackle this driving factor of our current domestic terrorist threat.

I am very grateful to our expert witnesses who are with us here today, and I encourage my colleagues to join me in having a productive conversation about what our nation can do to turn back the tide on this hateful, insidious, and violent threat.

Ranking Member Portman, you are recognized for your opening comments.

OPENING STATEMENT OF SENATOR PORTMAN¹

Senator PORTMAN. Thank you, Chairman Peters. I appreciate you holding this hearing on domestic extremism and, in particular, on white supremacist violence. All of us must condemn these hateful acts, I think you have properly said that we have a role in simply speaking up more and more forcefully. While this hearing is being held to address the threat of white supremacy in the wake of last month's horrific attack which killed ten shoppers in a grocery store in Buffalo, we also know that violent threats to Americans transcend any one ideology, and we will hear that today.

Tuesday night of this week, an armed man was arrested for the attempted murder of a Supreme Court Justice. This attempt is the latest example that threats to our country cannot be put in a single ideological box. Some threats have apparently nothing to do with race or ideology, as we saw last month when a deranged 18-year-old killed fourth-graders and their teachers in Uvalde, Texas. We also learned last month that an Islamic State operative was plotting in Columbus, Ohio, my home State, to smuggle other terrorists over our Southern Border to murder former President George W. Bush.

¹The prepared statement of Senator Portman appears in the Appendix on page 36.

In 2018, 11 Jewish Americans were murdered while practicing their faith at the Tree of Life Synagogue in Pittsburgh, Pennsylvania. Ohio, too, has certainly felt the effects of extremist violence. We suffered the loss of nine Ohioans when an assailant with far-left extremist ideologies attacked a crowd of people on a busy street in Dayton, Ohio, three years ago.

Unfortunately, this Committee does not have the data we need on this issue because the Department of Homeland Security, the Federal Bureau of Investigation, and the National Counterintelligence Security Center (NCSC), although required to do so by the 2020 National Defense Authorization Act (NDAA), have not provided domestic terrorism data annually to Congress and to this Committee. The first report was overdue by about a year, and the Committee has received no indication when we should receive the second annual report, which is already late.

Today's testimony will express concerns over the lack of data that we have on domestic terrorism. Good data is statutorily required to be delivered to Congress and to the American people, and it is unacceptable that it is being withheld.

I should also note that the most recent domestic extremism and terrorism data provided to Congress from the FBI revealed that the most lethal domestic terrorist threat in 2020 was posed by anti-government extremists, including anarchists. Just this week, DHS released a terrorist threat bulletin which assessed the No. 1 threat of mass violence in the United States comes from those motivated by a range of ideological beliefs and grievances. White supremacy is among them, but the Committee needs to be looking at all lethal terrorist threats, and we need the information. We need the data.

In addition to that data, the Committee has not yet received the requested information or other details pertaining to the implementation of the Biden administration's Domestic Terrorism Strategy that was released a year ago.

I also look forward to receiving more information from DHS and the FBI regarding reports that it took weeks to arrest a watch-listed terrorist who had crossed into the United States at the Southern Border, as well as evaluate claims made by the Islamic State operative arrested in Ohio, who told FBI informants that he smuggled members of Hezbollah into the country over the Southern Border. These terrorists seek to exploit our borders and asylum systems to gain entry to the United States and this Committee must examine Federal law enforcement's ability to stop these incidents from happening.

Last month, as the Committee knows, the Secretary of Homeland Security confirmed that 42 individuals on the terrorist watchlists were encountered at our Southern Border in the last year, and we have not yet been provided the requested information by the Department on whether these individuals pose a current threat. We all know that the border is not secure, known terrorists are entering the country, drugs are flowing across the border, and all these things pose a real threat to our country.

We know from law enforcement that domestic extremist violence makes up a large proportion of the acts of terror committed in the United States. These acts of violence are abhorrent and should be condemned to the fullest extent. These acts of hate go against our

American values and serve as a reminder that domestic violent extremism (DVE) continues to threaten and harm our communities.

My heart goes out to the victims' families, and I hope that the conversation had today will shed light on the solutions for actually preventing further violence. I will continue to reach across the aisle so we can create legislative solutions that help prevent this lethal violence.

I was pleased that my bipartisan bill, the Pray Safe Act, which establishes a centralized clearinghouse of safety and security best practices for houses of worship to harden against acts of terrorism, passed the Senate by unanimous consent (UC). It was a good sign. I urge my colleagues in the House to hold a vote on this important legislation as soon as possible.

I also remain committed in my support of the Nonprofit Security Grant Program, which we have worked to authorize and secure additional funding from appropriators. Senator Peters and I have worked hard on this over the years, and I look forward to working with my colleagues to fund the Nonprofit Security Grant Program at a level that is commensurate with this heightened threat environment. Again, we need the data to be able to back that up.

Finally, I want to thank the witnesses for testifying before us today. I am especially pleased to welcome Ambassador Nathan Sales, a fellow Ohioan, who I had the pleasure of introducing at his 2017 Senate Foreign Relations Committee (SFRC) nomination hearing to be the State Department's Coordinator for Counterterrorism. Ambassador Sales did great work to protect the United States against threats of global terrorism during his time at State, and I look forward to hearing more of his valuable insights on the terrorist threat landscape during his testimony.

Thank you, Mr. Chairman.

Chairman PETERS. Thank you, Ranking Member Portman.

It is the practice of the Homeland Security and Government Affairs Committee (HSGAC) to swear in witnesses, so if each of you will please stand and raise your right hand, including our guest on the video, please.

Do you swear that the testimony you will give before this committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Ms. YATES. I do.

Mr. WARD. I do.

Mr. GERMAN. I do.

Mr. SALES. I do.

Chairman PETERS. All the witnesses have answered in the affirmative. You may be seated.

Our first witness is Dr. Elizabeth Yates. Dr. Yates is a senior researcher on antisemitism at Human Rights First, an independent advocacy and action organization that works to ensure the U.S. Government and private companies uphold human rights and the rule of law.

Prior to joining Human Rights First, Dr. Yates spent four years as a researcher and senior researcher on the domestic radicalization team at the National Consortium for the Study of Terrorism and Responses to Terrorism at the University of Maryland. In her role, she tracked trends in domestic extremism and

hate crimes in the United States on topics including extremism in the U.S. military, the growth anti-Muslim terrorism, mass casualty hate crime attacks, and others.

Dr. Yates, welcome to the Committee. You may proceed with your opening remarks.

**TESTIMONY OF ELIZABETH YATES, Ph.D.,¹ SENIOR
RESEARCHER ON ANTISEMITISM, HUMAN RIGHTS FIRST**

Ms. YATES. Thank you. Is this on? OK. Thank you, Chairman Peters, Ranking Member Portman, esteemed Members of the Committee. Thank you for the opportunity to contribute to this critical discussion on white supremacist violence in the United States.

My name is Elizabeth Yates. I hold a Ph.D. in sociology from the University of Pittsburgh, and I am currently a Senior Researcher on anti-Semitism at Human Rights First, and I have spent my career tracking trends in violent white supremacy and other forms of domestic extremism. I am honored to appear before you today.

Data shows that extremist violence and bigotry are growing. According to the Global Terrorism Database (GTD) at the University of Maryland, there were 100 white supremacist attacks in the years between 2000 and 2019 in the United States, 80 percent of which occurred after 2009. Recently, the Anti-Defamation League reported that anti-Semitic incidents, including assault, harassment, and vandalism hit an all-time high in 2021.

White supremacy is of particular concern at Human Rights First, as we have worked for over 40 years to advance human rights, especially to secure the rights and liberties of refugees and minority communities, the primary targets of the proponents of the Great Replacement conspiracy theory.

The Great Replacement conspiracy theory is a contemporary combination of the racist, anti-Semitic, xenophobic, and misogynistic conspiracy theories that have driven bigotry and violence around the world for generations. It is the central driver of white supremacist terrorism in the United States, including the mass murder of Black Americans in Buffalo last month.

The conspiracy theory centers around the idea that there is a cabal of malevolent elites, often depicted as Jewish people, whose secret goal is to disempower or otherwise eliminate white people by, “replacing them,” through non-white immigration and/or intermarriage, with people who they believe will be more amenable to malicious demands of the powerful cabal.

The Great Replacement conspiracy theory is inherently racist. Proponents frequently draw on enduring stereotypes and disinformation to depict immigrants and non-whites as criminal and violent threats. By claiming this population will be more easily manipulated and controlled, they suggest that people of color are intellectually and morally less capable.

This conspiracy theory is particularly lethal not only because it transmits this sense of existential threat but also because it translates fluidly among distinct geographic and social contexts. That is, this conspiracy theory has animated murders targeting a multitude

¹ The prepared statement of Ms. Yates appears in the Appendix on page 39.

of distinct racial, ethnic, religious communities all over the world in what is truly a transnational movement of violence.

To name a few horrific examples, the Great Replacement conspiracy theory drove attacks on Jews in Pittsburgh, Pennsylvania, Muslims in Christchurch, New Zealand, Jews in Poway, California, and, of course, Black Americans in Buffalo, New York, among many others.

To address this threat, Human Rights First has established our Extremism in Human Rights Program, which works to expose the true nature of this threat and to support the development of a right-centered, society-wide prevention program.

Some examples. First, our coalition of U.S. military veterans and allies, Veterans for American Ideals (VFAI), tracks and exposes patterns in extremist recruitment in the military community. In other example, our Innovation Lab brings together technologists, advocates, and researchers to develop and implement tools that use artificial intelligence (AI) to investigate extremists and their networks.

But of course, government must play a critical role to ensure a right-centered approach to extremism. We recommend that Federal data on domestic extremism and hate crimes investigations should be improved and publicized, including the specific numbers of arrests, charges, prosecutions, et cetera, and with respect to specific targeted populations and perpetrators.

We also argue for a health-based, right-centered approach to extremism and violence prevention that must be expanded through congressional authorization, including enhancing existing Federal grants and programming that advanced evidence-based strategies and empower communities to address extremism.

Last, it is important to emphasize every wave of white supremacist violence in this country has been animated by racist and conspiratorial rhetoric, often mobilizing, amplifying, and distorting anxieties around fears of social change. Yet we should not accept that such as wave of terror is an inevitable outcome in this moment. Rather, we should recognize that it is driven by conspiracy theories, disinformation, and deliberate moves to divide society.

Today the most violent forms of such machinations are evident on fringe internet platforms, but they are also emergent in the rhetoric of mainstream discourse. As a country, we must reject this framing and instead choose to advocate for our common humanity. Thank you.

Chairman PETERS. Thank you, Dr. Yates.

Our next witness is Eric Ward. Mr. Ward currently serves as Executive Director of Western States Center, a public charity devoted to defending democracy, developing leaders, building movements, and shifting culture.

Mr. Ward is a nationally recognized expert on the relationship between authoritarian movements, hate violence, and preserving inclusive democracy. He has worked with community groups, government and business leaders, human rights advocates, and philanthropy as an organizer, director, program officer, consultant, and board member.

Mr. Ward is also the recipient of the 2021 Civil Courage Prize, the first American in the award's 21-year history.

Mr. Ward, welcome to the Committee. You may proceed with your opening remarks.

**TESTIMONY OF ERIC K. WARD,¹ EXECUTIVE DIRECTOR,
WESTERN STATES CENTER**

Mr. WARD. Chairman Peters, Ranking Member Portman, and the Members of the Committee, thank you for the opportunity to speak about the danger of white nationalism as a domestic terrorism threat.

I will highlight three points, starting also with the so-called Great Replacement Theory. It is the conspiracy theory at the core of white nationalist violence in the United States and poses a grave threat to our democracy. In a Buffalo grocery store, a Charleston church, a Walmart in El Paso, a synagogue in Pittsburgh, the killers drew on the Great Replacement as their excuse for murder.

The theory argues that conspiracy is orchestrating a master plan to destroy the white population, ironically by protecting the constitutional rights of racial and religious minorities, depending on the version of the conspiracy. The master plan is said to be run by global elites or an international cabal or money interests, but we know who they are really talking about—Jews.

The white nationalist movement is angered by the false perception that white people have lost control of the country. Someone must be pulling the strings, they theorize, given their belief that people of color are intellectually inferior, and for white nationalists those betraying white people are Jews.

This version of anti-Semitism is not new, but it is the principle behind white nationalism, and is drawn directly from the pages of the long-discredited anti-Semitic book, *The Protocols of the Learned Elders of Zion*, an anti-Semitic tract circulated broadly across Europe, first by Russian Secret Police in the early 1900s, and then by Nazi Europe from the 1920s through the 1940s.

Over the last several years, the modern-day version of this age-old anti-Semitism has surged into the mainstream, finding increased acceptance in media culture and even political campaigns. The examples cited in my written testimony are but a small sampling of its spread.

I want to be clear—the violent and physical harm spawned by the conspiracy is not a bug. It is a feature. For that reason this anti-Semitic belief must be denounced unequivocally by all levels of government and civil society.

My second point, except for the January 6th event in the nation's Capitol, these horrific incidences are occurring in local communities, including State capitals, often ill-equipped to handle this kind of extremist violence without additional training tools and resources. It is not only minority communities that become the targets of white nationalist violence. Law enforcement, the military, elected officials, and health care workers have all been targeted. Left unchecked, this undermines national security and undermines the core functions of our democracy.

A new report by the National League of Cities (NLC) finds harassment, threats, and violence directed at elected officials rising at

¹ The prepared statement of Mr. Ward appears in the Appendix on page 49.

an alarming rate. Eighty-seven percent of local officials surveyed observed an increase in attacks on public officials in recent years. It is my assessment that even under the best conditions no city or town in America can successfully meet the challenge posed by white nationalism and its Great Replacement Theory on its own.

Finally, in my experience, understanding and addressing white nationalism as a domestic terrorism threat is not a partisan issue. In the 1990s, I worked alongside Republican Governors, community members, law enforcement, and business leaders to establish and support over 120 organizations committed to countering white nationalist violence.

In recent years, institutions and leaders across the ideological spectrum have taken responsible action to reject the violent extremism visited upon their communities. I want to honor the broad coalitions of local elected leaders, civil servants, and community members who raise their voices and values. But increasingly, I must admit I am dismayed by the large swath of Federal elected officials who refuse to join them in the condemnation of this anti-Semitic conspiracy theory justifying violence.

We should not stand helpless in the face of this rising extremist violence. The burden of responding to political violence cannot be limited to local government. The Federal Government has its own options for action, including block grants to local governments and supporting the expansion of civil litigation.

I have dedicated my life to uniting Americans across party, race, and geography, and a shared commitment to a country where we all live, love, worship, and work free from bigotry and violence. I am proud to have sat at tables with Mohawk punk rockers, alongside Republican ranchers. We might not have agreed on everything but we understood bigoted violence has no role in solving the complex issues facing America.

It is time for our Federal leadership to do the same. It can start by condemning this anti-Semitic conspiracy and the violence that inevitably comes in its wake. Thank you.

Chairman PETERS. Thank you, Mr. Ward.

Our next witness is Michael German. Mr. German is a Fellow with the Brennan Center for Justice, Liberty, and National Security Program, a nonpartisan law and policy institute which seeks to ensure that the U.S. Government respects human rights and fundamental freedoms in conducting the fight against terrorism.

In his current role, Mr. German focuses on law enforcement and intelligence oversight and reform. Previously, Mr. German served as a special agent with the Federal Bureau of Investigation, where he worked to uncover infiltration white supremacists and militia groups, and served as a Policy Counsel for national security and privacy for the American Civil Liberties Union's (ACLU) Washington Legislative Office.

Mr. German, welcome to the Committee. You may proceed with your opening remarks.

TESTIMONY OF MICHAEL GERMAN,¹ FELLOW, BRENNAN CENTER FOR JUSTICE, NEW YORK UNIVERSITY SCHOOL OF LAW

Mr. GERMAN. Chair Peters, Ranking Member Portman, and Members of the Committee, thank you for inviting me to testify about white supremacist violence.

I have been working on this problem since 1992, when the FBI assigned me to infiltrate violent neo-Nazi skinhead cells trafficking in illegal weapons. After the Oklahoma City bombing I went undercover again, investigating militia groups manufacturing explosives and illegal firearms.

While recent attacks have raised public attention to white supremacists and far-right militant violence, it is an enduring threat in the United States and it has been since its founding. Yet the law enforcement response remains deficient, despite the deadly results.

We do not know if this violence is increasing, however, because the FBI and the Department of Homeland Security do not collect incident data regarding violence committed by domestic violent extremist groups it investigates. We do not know how many people white supremacists kill each year because no government agency is counting them.

While most counterterrorism researchers acknowledge that white supremacists and far-right militants are the most persistent and lethal terrorist threats in the United States, law enforcement has a history of prioritizing lesser threats, particular protest movements led by people of color, civil rights activists, peace activists, and environmentalists.

Failing to produce domestic terrorism incident data leaves the Justice Department (DOJ), FBI, and Department of Homeland Security free to set their priority based on these institutional biases.

My cases were successful because the FBI's rules at the time, the Attorney General's (AG) guidelines, required a criminal predicate, that is, a factual basis reasonably indicating that a crime is occurring or may occur before starting operations. This required us to focus on criminal activity rather than ideology. In a roomful of Nazis, everyone was saying things that horrified me, but the requirement that I document evidence of criminality kept the investigations properly focused.

After 9/11, however, the Attorney General guidelines changed, giving agents far greater leeway to investigate people without evidence they have done anything wrong. The counterterrorism agencies also adopted a flawed theory of terrorist radicalization, which posited that exposure to radical beliefs were a precursor to becoming a terrorist.

Though it has been disproven by empirical studies of terrorists, these agencies still embrace it, which moves their attention away from the relatively smaller number of actual crimes to chase tens of thousands of leads, from privacy-intrusive social media monitoring and see something, say something programs that mostly leads to dead ends. Instead, law enforcement should focus narrowly on violence committed by white supremacists, investigate these crimes thoroughly, and target the instrumentalities.

¹ The prepared statement of Mr. German appears in the Appendix on page 64.

It seems intuitive that effective social media monitoring and see something, say something programs might provide law enforcement with clues to prevent an attack. After all, white supremacist attacks in Buffalo, Pittsburgh, and El Paso all expressed their hateful and violent intentions over social media. If somebody had reported this activity to law enforcement it is presumed the policy could act to prevent the attack.

But threatening rhetoric is commonplace and not just on social media. In the Buffalo case, threats the shooter allegedly made in school were reported to law enforcement, resulting in a psychological evaluation but no follow-up. Perhaps it is because the broad-scale social media monitoring and see something, say something policies raise so many false alarms that it drowns out true threats, overwhelms law enforcement, and dulls their response. Law enforcement's tendency to downplay the threat of white supremacist violence may have also played a role.

Congress has given Federal law enforcement all the authority it needs: 51 Federal crimes of terrorism, five hate crime statutes, organized crime, and conspiracy statutes. The problem is that the Justice Department, FBI, and the Department of Homeland Security choose not to prioritize white supremacist violence and they obscure the data necessary to drive reform.

When Senator Durbin introduced the Domestic Terrorism Prevention Act (DTPA) in 2017, seeking data about white supremacists from far-right militant violence and the FBI's use of its domestic terrorism resources, the FBI instead shuffled its domestic terrorism categories to obscure this data. When Congress passed the domestic terrorism reporting requirement in the National Defense Authorization Act of 2020, the FBI and DHS delayed the report for almost a year, then failed to include all the data required.

The Justice Department, likewise, hides data about its domestic terrorism prosecutions, removing docket numbers from prosecutive data it provides to Congress. The Brennan Center sued the Justice Department to get these docket numbers, but the Justice Department refused to provide them all, claiming that not all defendants and prosecutions it claims as domestic terrorism statistics are actually domestic terrorists.

The true scope of the white supremacist threat must be measured in order to establish effective reforms. Congress needs better data about this violence and more transparency regarding how the Justice Department, FBI, and DHS use their terrorism resources.

I look forward to your questions. Thank you.

Chairman PETERS. Thank you, Mr. German.

Our final witness is Ambassador Nathan Sales. He is a non-resident fellow at the Atlantic Council and founder and principal of Fillmore Global Strategies LLC.

From 2017 to 2021, Ambassador Sales served at the U.S. Department of State as Under Secretary for Civilian Security, Democracy, and Human Rights in an acting capacity, where he oversaw nine bureaus and the mission of preventing and countering threats to civilian security, including terrorism, mass atrocities, and violations of human rights and the rule of law.

He concurrently served as Ambassador-at-Large and Coordinator for Counterterrorism and as the Principal Advisor to the Secretary of State on International Counterterrorism Matters.

Ambassador Sales, welcome to the Committee. You may proceed with your opening remarks.

TESTIMONY OF THE HONORABLE NATHAN A. SALES,¹ NON-RESIDENT SENIOR FELLOW, ATLANTIC COUNCIL, AND FORMER AMBASSADOR-AT-LARGE AND COORDINATOR FOR COUNTERTERRORISM (2017–2021), U.S. DEPARTMENT OF STATE

Mr. SALES. Chairman Peters, Ranking Member Portman, and Members of the Committee, it is a pleasure to be here today.

Last month, the world watched in horror as a white supremacist terrorist gunned down 10 innocent people at a grocery store in Buffalo, deliberately targeting them because they were black. His lurid, 180-page manifesto claimed that an influx of non-white is causing the extinction of the white race, and he praised the notorious 2019 attack on Muslims in Christchurch, New Zealand.

Unfortunately, Buffalo is just the tip of the iceberg. White supremacist terrorism is a global and growing threat. To fight it here at home we have to fight it abroad. From Christchurch to Buffalo, from El Paso to Oslo, and beyond, the world has seen a dramatic spike in such attacks. Perpetrators have attacked mosques and synagogues, grocery stores, refugee centers, and countless other soft targets, seeking to terrorize religious and minority communities. They have targeted Jews, Muslims, and immigrants. They are motivated by a deep hatred of those they see as threats to their identity, and they are often animated by virulent anti-Semitism.

It is clear that this threat is on the rise. From 2011 to 2017, there were 350 such attacks in North America, Europe, and Australia. In 2011, there were just nine. In 2013, the number increased slightly to 16. In 2015, there was a dramatic jump to 135, likely in reaction to migration from war zones in the Middle East to Europe. By 2017, the number had fallen somewhat to 88.

Americans know this threat all too well. In El Paso, gunman brutally killed 23 people at a Walmart, targeting Latinos in response to what he called a “Hispanic invasion.” In Poway, California, a shooter opened fire at a synagogue after claiming the Jews were carrying out, “a meticulously planned genocide of the European race.” In Pittsburgh, a gunman slaughtered 11 worshipers at the Tree of Life Synagogue during Shabbat services.

We see the same alarming trend overseas. In Christchurch, an Australian named Brenton Tarrant, gunned down 51 people in an attack on two mosques, a horror that was livestreamed on the internet for the world to see. In Hanau, Germany, nine people were killed in an attack on two hookah bars. A few months earlier, a terrorist unsuccessfully tried to attack a synagogue in the German town of Halle before shooting a guest at a Turkish cafe.

To tackle this threat we need to understand the ideologies that fuel it. White supremacist ideology often glorifies Hitler and the Nazis. The group Blood and Honor is named after a Hitler youth

¹The prepared statement of Mr. Sales appears in the Appendix on page 87.

slogan. Combat 18 takes its name from Hitler's initials being the first and eighth letters of the alphabet.

Many of these figures, including the Buffalo killer, call themselves ecofacists. They blame non-whites for environmental problems, and then want to, in Tarrant's words, "kill the invaders to save the environment."

Let us be clear. This is not merely violence nor does the term "violent extremism" seem adequate. It is terrorism, plain and simple. These attackers do not just want to kill several Hispanics, they want to terrorize all Hispanics. They use violence to advance their grotesque agenda. That is the textbook definition of terrorism.

What can be done about it? During my time at the State Department I implemented a comprehensive strategy to combat the international aspects of white supremacist terrorism. Here are some of the key tools.

First, sharing information with foreign partners to investigate suspects, disrupt plots, take down fundraising networks, and support prosecutions and courts of law.

Second, designations to deny terrorist resources to plan attacks. In April 2020, the State Department sanctioned the Russian Imperial Movement (RIM), along with three of its leaders. It was the first time the United States ever imposed terrorism sanctions on white supremacists. It is a good start, but we need more.

The Biden administration rightly has made it a priority to counter these groups but has yet to implement sanctions of its own. RIM was the first. It must not be the last.

Third, counter messaging to delegitimize white supremacist ideologies. One particularly powerful tool is testimony from formers, people who were involved in this movement, who left, and who now have unique credibility to dissuade others from taking the same misguided path.

Fourth, tech companies need to promptly take down terrorist content that violates U.S. law or their own terms of service. Under no circumstances should legitimate political discourse be subject to cancellation, but neither should graphic videos of massacres remain online for years, as is true of Christchurch to this day.

Fifth, hardening borders against white supremacist terrorist traveling to recruit, raise money, or carry out attacks. That means adding known threats to national watch lists and international law enforcement databases such as Interpol, just as is done for Islamist groups like al-Qaeda and the Islamic State of Iraq and Syria (ISIS).

Mr. Chairman, Mr. Ranking Member, and Members of the Committee, thank you again. I look forward to your questions.

Chairman PETERS. Thank you, Ambassador Sales.

The man who killed 10 people and injured two others in Buffalo, like too many others before him, allegedly cited the Great Replacement Theory, that many of our witnesses have raised here today. But he cited in the theory in his writings.

My question for you, Dr. Yates, is how does this theory fit into the history of white supremacy violence in the United States, and why do you think it has become so central to the motivation of these attackers?

Ms. YATES. The Great Replacement conspiracy theory is in some ways a convergence of many of the conspiracy theories that draw

on racism and anti-Semitism and misogyny and xenophobia that we have seen over generations. It is very evident in the last 100 years. In the 1920s, the largest Klan mobilization to date was animated by anti-immigrant animus and often included depictions of immigrants as a violent, invading threat. At that time there were images of the Pope coming to America and declaring himself emperor that could be found in newspapers and mainstream sources and those kinds of mediums. This is certainly drawing on some of those earlier forms of conspiracy theories.

I think what is particularly lethal about this, about the Great Replacement conspiracy theory, is that it does represent a combination of many of these and such that it is able to be targeted and sort of transferred into the specific ideologies and hatreds of the people that have been violent in its name.

A couple of examples that illustrate this are in the writings of the Buffalo killer. I believe it has been cited that he plagiarized some two-thirds of his writing from the Christchurch killer. But in some places he just merely swapped out the names of victims for others, and it is clear to him that he does not really care. They see this as an overwhelming threat and that this kind of violence is necessary to be perpetrated against a wide variety of communities.

Chairman PETERS. Thank you.

During a Senate Judiciary Committee hearing on Tuesday, some of my colleagues focused on the threat of violence from Antifa and other left-leaning organizations. So certainly while we must condemn all forms of violence in America, and we have to do everything we can to prevent these attacks, the FBI has stated, for multiple years, and testified before this Committee, that the threat from white supremacists is the greatest domestic terrorism threat to Americans.

Mr. German, this question is for you. As a former FBI agent and a subject matter expert, can you explain the threat from white supremacists and how it compares to left-leaning organizations?

Mr. GERMAN. Thank you for the question. There is no doubt that white supremacists are engaged in the most persist, over time, and the most lethal kinds of violence, in the most organized fashion. I think that is why it is essential to have better data. Right now, if a white supremacist murders somebody, the FBI might call that an act of domestic terrorism, and if they do that it will be a very well-resourced investigation. But they might call it a hate crime if the victim of the crime was a member of a protected community.

If they call it a hate crime, or even just a violent crime, the Justice Department policy is to defer that investigation to State and local police who often are not interested in picking up hate crime prosecutions. Only less than 15 percent of police agencies acknowledge that hate crimes occur within their jurisdictions, in Federal reporting.

It creates a huge black hole where we are not counting the impact this violence has on communities across the country. I was warned, as an FBI undercover agent, at the whole Joint Terrorism Task Force (JTTF) teams that I was working with, that there is sympathy for white supremacy in law enforcement, and we had to be very careful about who we talked with about our operation to make sure that it would not be compromised.

There are internal documents within the FBI that report this. In fact, the 2015 Counterterrorism Policy Guide warns agents working domestic terrorism cases against white supremacists and far-right militants not to put their subjects on the terrorism watch list in a manner that they could be viewed by other law enforcement agencies.

The problem is so significant that the FBI alters the tactics it uses in terrorism investigations, and yet there is no policy on how the FBI is to protect the public from these racist police officers. I think that is a huge part of the problem here that often is not included in this discussion, that this is more of a whole society problem. We have to force the FBI and the Justice Department and Homeland Security, and I appreciate the efforts with the National Defense Authorization Act of 2020, to get that data. But as you said, they did not provide it.

This data is available. They can go out and capture it. Congress passed the Hate Crimes Statistics Act of 1990, 30 years ago, and yet the Justice Department, rather than providing that data created a voluntary program for local police to report it, not acknowledging the obstacles to local police to investigating those crimes and reporting them.

We do not have a clear picture of the scope of this violence, and I believe that if we had that clear picture we would see that this is far greater a problem than law enforcement wants to acknowledge.

Chairman PETERS. Senator Padilla, you are recognized for your questions.

OPENING STATEMENT OF SENATOR PADILLA

Senator PADILLA. Thank you, Mr. Chair. I appreciate the focus of today's hearing.

Over the years we have seen a growing reliance on the internet, the digital world, not exclusively but especially on social media, to spread racist conspiracy theories and to radicalize and recruit domestic terrorists.

During a hearing on a very similar topic in Senate Judiciary Committee earlier this week, I had a chance to ask questions of Mr. German about this issue. But today I want to address similar questions to Ms. Yates.

Ms. Yates, in your written testimony you highlight that white supremacists tend to tone down their rhetoric on social media as a strategy move to try to control their public image while gaining as many followers as they can. You even note that a specific group, the Groypers, I believe, has worked to build relationships with individual serving in public office.

Can you spend a minute just expanding on this, because it seems to me common sense that if elected leaders embrace these groups, their ideologies, or their conspiracy theories, that it serves to foster the hate and division that causes tragedies like the recent shooting in Buffalo. What specific recommendations do you have for this Committee or the Senate as a body as we work to ensure that we try to disrupt violent white supremacy and domestic extremist networks?

Ms. YATES. Thank you, Senator, for that very important question. There are a lot of elements to that, but I think anyone who has been in this space for any amount of time will tell you that you can go on any social media platform and very quickly find extremist content, especially white supremacist violence content. Certainly we need to be very forthright in demanding that social media companies enforce their own terms of service in order to diminish the availability of this content.

Second, we certainly call on politicians and candidates and people in with a reach in society to condemn this bigotry and to avoid using the sort of mainstream, what I think maybe we will call “toned-down” version of this rhetoric.

We see this especially in deployment of elements of this kind of rhetoric that stripped down the most violent, the most racist, the most vile, frankly, sort of tones of this and ideologies of this rhetoric of the Great Replacement conspiracy theory, but at the same time continue to portray immigrants, and refugees, especially, as a threat. This is a language that especially is dehumanizing, that portrays them as invaders, or that, especially in this case, somehow claims that these individuals, rather than refugees coming to this country to exercise their legal right to seek asylum, are somehow pawns in some nefarious conspiracy theory.

So all of that rhetoric, I think, certainly builds to a sense of threat that the violent white supremacists we are here today to talk about have acted on.

Senator PADILLA. Trust me. I know, not as a son of refugees but as a son of immigrants, like so many others from around the world, over the course of generations that have come to the United States in pursuit of the American dream.

A question on a related dynamic here. Last year, the number of known anti-Semitic incidents rose to an all-time high, and not surprisingly many of the terrorist ideologies that we are talking about here thrive on anti-Semitic beliefs and have resulted in far too many tragedies, not just last year but over the course of time.

What is your perceived role of anti-Semitism in modern domestic terrorism, and what do recent trends in anti-Semitic violence suggest for this year’s numbers, and I guess going forward?

Ms. YATES. Yes. Absolutely. Thank you again for that question. Anti-Semitism is a pervasive form of discrimination and bigotry that permeates ideologies across the political spectrum and across issues, of course, but it does play a foundational role in white supremacism, and that is because it serves as a way for white supremacists to try to reconcile these contradictory ideas they have that white people, of course, in their view, are the superior beings, and, therefore, have a right to control and dominate society. But at the same time, they simultaneously insist that white people are facing an existential threat.

So by identifying Jewish people as somehow sort of quasi-white or maybe even fake white, they are able to claim that this population is to blame for the fact that they should be the dominant people but somehow are not.

It places very a very conspiratorial role, and that has been an element, as I mentioned before, of conspiracy theories for generation. But I think what is an especially concerning element here is

that what we see is that anti-Semitism can be a central driver in the radicalization process of these extremists because it is so conspiratorial that they tend to see it as an existential threat.

Senator PADILLA. Is it getting any better this year?

Ms. YATES. I have not seen, as everyone has said here, we do not have perfect data on this threat, for a number of reasons, but I do not think that this is improving at any time at this moment, no.

Senator PADILLA. Thank you. In my time remaining I want to ask a question of Ambassador Sales. In the past few weeks I have listened as many of my colleagues have advocated for a broader, more generalized approach to addressing violence in our country. However, I believe that this approach minimizes the specific threats posed by domestic violent extremism carried out by white supremacists.

We have to be able to walk and chew gum, right, as we address violence in America. Regardless of your political leanings, I believe we should heed the calls of law enforcement officials as well as national security officials to address the largest domestic threat to Americans, and that has been told to us specifically and repeatedly, white supremacy.

Ambassador, in your written testimony you state that addressing white supremacy is complex, but one of the early steps should be improved coordination and information sharing. Could you speak to the benefits of coordinating with foreign partners who are facing similar threats abroad?

Mr. SALES. Thanks for the question, Senator. This is a very much a global phenomenon. What happens in the United States influences what happens overseas, and what happens overseas influences attacks in the United States. These extremist networks are talking to one another. They are trying to influence one another. They are, in a sense, trying to compete with one another to see who can carry out the most horrific attacks. That is why you see things like the Buffalo shooting claiming inspiration from the Christchurch shooter, and why you see an attempted terrorist attack in Oslo, Norway, praising the El Paso gunman for trying to, as he put it, "take back his country."

In order to get a handle on this here at home there has to be an intense focus on the international aspects of this problem. Part of that is policy coordination between the United States and our European allies and our Five Eyes allies, all of whom are facing the same sort of threat that we are from rising white supremacists terrorist attacks, and activity more generally.

So coordinating policy among the transatlantic community is one step. Another more operational step is sharing information that can be used to support a variety of law enforcement and other government finishes—to support prosecutions, to support designations, to support watch listing, to keep terrorists from crossing borders and so on. These are the same sorts of tools that we have used for 20 years against Islamist threats like al-Qaeda and ISIS and various groups inspired by those organizations, and many of them are easily adaptable for the international aspects of white supremacist terrorism too.

Senator PADILLA. Thank you very much. I did not mean to ignore you, Mr. German, but I had plenty of opportunity to ask questions of you in the Judiciary Committee.

Thank you, Mr. Chairman.

Chairman PETERS. Thank you, Senator Padilla.

Ranking Member Portman, you are recognized for your questions.

Senator PORTMAN. Thank you, Mr. Chairman. There are so many questions I have but let me start with some of the testimony I heard today. Ambassador Sales, you talked about your time at the State Department when you designated the Russian Imperialist Movement as a specially designated global terrorist (SDGT) organization. You said those kinds of designations are an important tool which helps U.S. combat international terrorists, in that case white supremacist terrorism.

Would you say that it is more challenging to designate a white supremacist organization than a different international terrorist group?

Mr. SALES. Thanks for the question, Senator. I think it can be more difficult, in part because of the way that white supremacist networks are organized and how those organizational models often differ from more traditional terrorist organizations, whether you are talking about Islamists like al-Qaeda or ISIS on the one hand, radical Marxist guerilla groups such as the Revolutionary Armed Forces of Colombia (FARC) in Colombia, right-wing Jewish groups in Israel like the Kahane Chai. Those traditional groups typically have hierarchical command and control structures, where leadership of the group sets strategic priorities, issues directions to members and operatives to carry out attacks, to raise money, or to take various other steps as part of the overall enterprise.

By contrast, white supremacist networks, not just in the United States but globally, tend to follow what is called a leaderless resistant model. It is a loosely associated group of ideologically sympathetic individuals who are coming out of the same intellectual, if you can call it that, ecosystem, but do not have the same sorts of strict organizational command and control structures.

Under the State Department and Treasury Department's sanctions authority, to designate a group, the group has to exist in a cohesive, coherent form, and to designate individuals it is often necessary to show, or it is at least often helpful to show that those individuals are acting at the behest of, or pursuant to directions issued by a group. That is fairly straightforward when you are talking about, the ISIS affiliate in Nigeria. It can be a lot more difficult when you are talking about white supremacist groups that may not be groups in the same sort of sense.

Senator PORTMAN. Let me ask you this. We have not seen additional designations of international white supremacist groups really since you left the State Department, I do not think. Is the reason for that what you just stated, that it is much more difficult to designate them, and if so—and give me a quick answer, what can we do about that?

Mr. SALES. The quick answer is yes, I think that is right. It is certainly a priority for this Administration to continue the designations work. We have not seen that translate into actual designa-

tions yet, and I think that is, in part, because of some of the organizational and structure differences with these groups.

Senator PORTMAN. Federal law enforcement and terrorism experts argue the government should take an ideological, agnostic approach to investigating and prosecuting terrorists. Mr. German, your testimony alleges that the Department of Justice and FBI are not prioritizing investigations and prosecutions of white supremacists and far-right violence. Should the FBI prioritize investigations based on ideology or the risk of violence?

Mr. GERMAN. They should prioritize investigations by the level of violence. That is why it was so important to get the data that is requested in the National Defense Authorization Act of 2020, because if you know that one group is responsible for 90 percent of State's fatalities and 98 percent of the violence, and there are actual murders or very serious violent attacks that are not being investigated by the Federal Government, where there is another group that might engage in some nonviolent civil disobedience or property crimes, and they are disproportionately devoting resources to those investigations, that is where the flaw is, if your goal is to stop the violence.

You need the data about the violence, and if you do that you will see that you need to turn those resources toward the most dangerous threats and investigate those crimes thoroughly.

Senator PORTMAN. That is a very important point to make, is that we have not received the data that was required in the NDAA on a timely basis. We did get one report. It was late, over a year late, as I recall, and we still have not gotten the second report. We are sort of flying blind in the sense that we do not have the data that we need to be able to respond, in terms of our oversight role and even our legislative role.

I hope that is one thing that comes out of this hearing is that we light a fire under the Administration to provide better data for all of us, including for researchers, including for those of you who are experts who are trying to figure out how you do this.

DHS told us last week that the primary threat of mass casualty violence in the United States comes from lone offenders and small groups motivated by a range of ideological beliefs and personal grievance. That is what we have so far, but we want a more comprehensive look at this, because it is complicated.

There is a report from the Center for Strategic and International Studies (CSIS), in 2021 there was an increase in attacks and plots from anarchists and Antifa, and the terrorist threats from the violent far left are now contributing a greater percent of all terrorist threats.

This is complicated. There are a lot of groups out there, and the anti-government stuff is probably the top concern, at least of some of the terrorist experts in government. Do you have any comments on that, Mr. German, or anybody else?

Mr. GERMAN. Sure. I think this is part of the problem with the way the FBI says their investigations are driven by criminality rather than ideology, but their domestic terrorism categories are established by ideology. If you create an ideological category, that is going to compel FBI agents and their supervisors to want to open investigations of people of that ideology who may not actually

be committing the kinds of violence that fits the definition of domestic terrorism.

It can be a distraction away from that, and I think Portland, Oregon, is a good example, where the Federal Government charged almost 100 people during the civil unrest following the murder of George Floyd. But groups from outside of Oregon were traveling in far-right militant groups. Like the Proud Boys were coming into Oregon and instigating violence, and committing violence on the street with very little law enforcement interference. I am not aware of any Federal prosecutions that resulted from that violence.

That lack of law enforcement attention to that active violence allowed them to build networks and to promote the people who were most violent so that by the time January 6, 2021, came around, they had the mechanisms and the networks and the logistics to get people across the country to be here, to organize what the government alleges was the assault on the Capitol.

Senator PORTMAN. So your point, broadly, is that the focus ought to be on criminality, ought to be on violence, it ought not to be pigeon-holed on any one ideological area but rather an objective look at who is creating the most violence and criminality.

Mr. GERMAN. Right. To be clear, I think even the poor data we have right now would suggest that white supremacist violence is far more a persistent lethal threat than any other. I think that would naturally require more of an investigation of white supremacist criminal acts.

Senator PORTMAN. My time has expired. I have so many other questions, and I will follow up with some written questions, if that is all right, for the record. Thank you all for being here.

Chairman PETERS. Thank you, Ranking Member Portman. Senator Carper, you are recognized.

OPENING STATEMENT OF SENATOR CARPER

Senator CARPER. Mr. Chairman, thanks. Thanks so much for recognizing me. Thanks so much for pulling us all together for an important hearing. I had a chance to welcome briefly our witnesses today. Thank you again for taking the time to come here today and share your thoughts and respond to our questions.

I had the privilege of serving on this Committee for over two decades, and throughout that time I sought to focus, more often than not, on not just addressing the symptoms of problems but to also address the root causes of those problems and the challenges that we face. Addressing the root causes of this toxic and appalling white supremacist violence is critical in order to keep our citizens, and I think in order to keep our nation safe.

Mr. Chairman, before I delve into my prepared questions for our witnesses I would be remiss if I did not mention another root cause and that is our nation's gun laws.

As we prepared to hold this hearing following the racist murder of Black Americans in a Buffalo grocery store, another massacre occurred, and as we all know it was a fourth grade in Uvalde, Texas, where 19 children and two adults were left dead. It should not take the murder of children in a school, Black Americans in a grocery store, Jewish, Muslim, or Sikh Americans in a house of worship for

us to realize that we need to reinforce our addressing the epidemic of gun violence in this country.

I say that as a gun owner, as a son, grandson of gun owners, hunters, for many years. The only thing that the Carper family was noted for in West Virginia, believe it or now, was the Carper rifle. I am someone who actually believes in the Second Amendment, and I also believe, as my father would say, in common sense.

My hope is that coming out of this hearing, Mr. Chairman, we might be able to provide some recommendations to our colleagues on the Senate Judiciary Committee or perhaps the bipartisan group of Senators currently discussing gun reform.

So have said that let me turn to a couple of questions. The first, Dr. Yates, this would be for you. Thanks again for coming. In today's testimony, most of you mentioned that social media has changed the way and the speed at which extremist ideology spreads and causes people to radicalize. White supremacists use social media as a tool to mainstream, really to normalize their ideology and spread their beliefs to a wider audience, and do so at a faster rate.

This is evident, I believe, in your testimony, Dr. Yates. You state that the average time it takes for an individual to adopt an extremist ideology has decreased by more than 50 percent, from 15 months to seven months. That seems to suggest that the window for law enforcement to catch individuals before they commit acts of violence has also shortened dramatically.

Dr. Yates, how can law enforcement and social media companies work together? How can they work together in order to address the fact that individuals are radicalizing faster through the use of social media?

Ms. YATES. Yes. Thank you for your question. It certainly is the case that the abundance of extremist content on social media means that this is just a lot more rapid, and certainly there are fewer opportunities for interdiction in that amount of time.

Before speaking to this specific law enforcement question I would like to suggest that because of that reality that everyone, pretty much, who interacts with social media will be exposed to this extremist content at some point, that we argue for a right-centered, society-wide extremist violence prevention approach that integrate civic education and community engagement so that we can work upstream from this effort from the violence. That is just increasingly apparent as a necessary tool in this moment.

At the same time, however, we do need to increase the information sharing, not just among law enforcement and tech companies but also among tech companies themselves, and I think that the recent livestreaming incidents in these shootings has demonstrated how critical it is that tech companies work together to identify videos and content, and remove them before they cross platforms.

We know that extremists work very hard to counter the policies that tech companies and law enforcement provide to prevent this kind of interaction, and they are adept at overcoming them by merely blurring an image or cropping an image, and thus being able to overcome the boundaries.

I think we need much more information sharing in terms of between tech companies and law enforcement in terms of the algo-

rithms that drive content sharing and how those algorithms interact with these extremist pieces of content.

Senator CARPER. All right. Thanks for that response. I have other hearings going on that I am trying to participate in—but I understand that we have another witness that is not here physically but has joined us virtually, and that is Mr. Ward. Mr. Ward, are you out there?

Mr. WARD. I am, Senator. Thank you so much.

Senator CARPER. Hi, Mr. Ward. I am going to ask you, if you do not mind, to respond to this same question I just asked Dr. Yates, and that is how can law enforcement and social media companies work together to address the fact that individuals are radicalizing faster through the use of social media? Would you take a shot at that as well, please?

Mr. WARD. Absolutely. One of the things that social media is able to do is to monitor in real time, but it needs to place more resources into monitoring in real time. That is what leads to prevention versus having to manage the aftermath of violence. More live personnel who are responding to reports from civil society and volunteers on the internet would allow us to assess dangerous situations in real time and to pass that information on to law enforcement.

Often the steps placed by social media platforms to report threats or concerns is much too complicated for individuals, and often people are left frustrated rather than passing on critical information to social media companies. Law enforcement is stuck until social media is able to do a much better job of policing its own platforms, Senator.

Senator CARPER. Thank you, sir. A real quick question, Mr. German. What do you believe is the most important tactic for law enforcement to employ in order to stop radicalized individuals before they turn to violence, given that some of these individuals are harder to track? Just a short answer, if you would, Mr. German.

Mr. GERMAN. It is understanding how the criminal element within this movement works by investigating those cases thoroughly to understand how the network works and to understand the instrumentalities. My cases started as focused on illegal weapons transactions and manufacturing, and that is often a precursor to the violence. There is often a lot of criminality before the attack that can be investigated and properly help prevent the attack.

Senator CARPER. All right. Thanks so much. My time has expired. Our thanks to all of you again for joining us today and for your responses.

Chairman PETERS. Thank you, Senator Carper. Senator Hawley, you are recognized for your questions.

OPENING STATEMENT OF SENATOR HAWLEY

Senator HAWLEY. Thank you very much, Mr. Chairman. Thanks for holding this hearing. I would hope that as we discuss violent extremism that one thing that we could all agree on is that it is wrong and dangerous for any political actor, and any executive administration, to try to leverage the threat of violent extremism, to mislead Congress, to go after political opponents, or to threaten the speech and First Amendment rights of law-abiding citizens.

But unfortunately that is exactly what the Biden administration has done, and we have new insight into that today because of the actions of a patriotic whistleblower who contacted my office, along with Senator Grassley, a short time ago and provided to us documents from the Department of Homeland Security relating to that agency's Disinformation Board, that Secretary Alejandro Mayorkas testified about, sitting right there, just a few weeks ago. But according to the documents that I have in my hand here that Senator Grassley and I have now made public, the testimony that Secretary Mayorkas gave to this Committee—under oath, I might add—was, in many respects, deeply misleading. Deeply misleading. The information we have now learned about the Administration's efforts to track and censor American speech is deeply shocking, and I would like to take a moment to go through with this whistleblower, who I thank, for that person's patriotism, to go through what these documents disclose.

Secretary Mayorkas said that the efforts of the Department with the Disinformation Board were new. In response to my questions about whether there were documents, meetings, meeting minutes, other documents related to the Disinformation Board, he suggested that there were not any because the board had not met.

In fact, we now know that the Department of Homeland Security began working on standing up this board as early as last year. In a memorandum dated September 13, 2021, the Under Secretary of DHS writes to the Secretary, to Mayorkas, about the need for the Disinformation Board, and here is the interesting thing. They explicitly cite domestic violent extremism as a reason to stand up this censorship board, but it quickly goes far beyond that.

In the same paragraph they talk about the need for this Disinformation Board to monitor and to counter so-called disinformation about the Coronavirus Disease 2019 (COVID-19) vaccine, about people who are raising questions about the efficacy of masks, about people who are raising questions about the origins of COVID.

In other words, the Department of Homeland Security is contemplating a Disinformation Board that will track the speech of Americans and classify it as disinformation if you raise a question about the COVID vaccine, about the origins of COVID, about the efficacy of masks, which, by the way, this Administration has reversed itself on numerous times.

The documents go on. The Disinformation Board is necessary, this memorandum says, because of those who question election integrity, because of those who have questions about January 6th.

Now we get to the nub of it. We see that, in fact, this Disinformation Board, from the beginning, was meant to track and go after political speech that this Administration did not favor. For an Executive department to do that, and frankly, to mislead this Committee about it, is deeply disturbing, and it is wrong. I mean, it is just plain wrong.

As we look through the documents you see that what the Secretary told the Committee about the Disinformation Board's operation is just not true. He repeatedly told this Committee that the Disinformation Board would be a working group. That is not what the documents say.

There is a charter, a proposed charter, that the Secretary himself signed, personally, on February 24, 2022, that describe the disinformation board as having the authority to set up guidelines. It has governance authority over how the Department will classify what is disinformation over what the response to disinformation should be, over how is doing what in terms of countering disinformation, which, remember, includes questions about COVID or questions about election integrity or questions about masks.

The idea that this is just a working group is, frankly, completely contradicted by the documents at the whistleblower turned over to us and that the Secretary himself signed.

Can I just say again, for the Secretary to sit in that chair and tell me that he was not really aware of any documents related to the Disinformation Board, when he has personally signed charters, when he has personally reviewed memoranda dating back months, is misleading, at best.

There is also information in these documents about attempted coordination, planned coordination by the Disinformation Board, with the Big Tech monopolies. There are meeting notes here, proposed plans of actions for members of the Disinformation Board, members of the Administration, to meet with Big Tech executives to discuss sharing information about disinformation and tracking analytics of American citizens who are using the Big Tech companies' platforms and engaging in so-called misinformation. This is a Big Tech-Administration alliance to track speech. It is here in the documents.

Now I asked Secretary Mayorkas if there had been any contact with the Big Tech companies. He said he was not aware of any. I sent a letter following his testimony to Secretary Mayorkas, putting this question to him directly, and interestingly, the Department's draft response to my letter are also in these documents.

I will say for the record, the Department has not yet officially responded, but their draft responses are here in the whistleblower documents, and they continue the misleading, half-truths. They continue, in those documents, to characterize this as a working group. False. I say, "Has the DHS conferred with any private social media company in the operation of this board?" They repeat the idea that the board is merely an internal working group. Then they say the creation of the board was not discussed with any external entities. That is because we now know that they were discussing the operation of the board with Big Tech companies. They were seeking to partner and get analytics on law-abiding Americans.

Mr. Chairman, my time has nearly expired. I would ask unanimous consent that my letter with Senator Grassley, along with the attachments, be entered into the record.¹

Chairman PETERS. Without objection. We have not reviewed any of those documents, but without objection.

Senator HAWLEY. This is startling information. This Committee needs to hold a hearing to follow up on the testimony that the Secretary gave on the inconsistencies that we now find in these documents, and frankly, on this Administration's concerted efforts to mislead the American public about its own attempts to track and censor and, frankly, punish American speech, which is deeply anti-

¹ The letter referenced by Senator Hawley appears in the Appendix on page 95.

thetical to the First Amendment, deeply antithetical to our constitutional principles, and deeply wrong.

Thank you, Mr. Chairman.

Chairman PETERS. Senator Hassan, you are recognized for your questions.

OPENING STATEMENT OF SENATOR HASSAN

Senator HASSAN. Thank you, Mr. Chairman. I want to thank you and the Ranking Member for holding this hearing. My heart goes out, as the hearts of Granite Staters and Americans everywhere, to the families and friends who lost loved ones during the heinous domestic terrorist attack in Buffalo, and I want to thank the witnesses for being here to discuss that topic.

I want to start with a question to you, Ms. Yates. Terrorist actors, including violent white supremacists have used the internet to livestream their attacks. These videos are then shared online, glorifying the attacks, and potentially inspiring copycat attacks.

Can you discuss trends in how these videos are shared online, how creators may get around restrictions, and how these videos may inspire future attacks?

Ms. YATES. Yes. Thank you, Senator Hassan. The livestreaming of white supremacist terrorist attacks is certainly an increasing tactic among this movement. It is popular, I think, not only because it is a way for them to emphasize their message but also because it is a tool for them to gain notoriety for themselves. They are in this ecosystem. They are talking to each other. They are trying to become sainted in this community, as they see it. It is really a very self-focused tactic here.

It has been facilitated by their ability to overcome the bans and the various elements of technology that are used to challenge them. I mentioned this previously in my last question but I will just speak in a little bit more detail.

Right now the primary mechanism for preventing the spread of video in this way is through the Global Internet Forum to Counter Terrorism (GIFCT), where tech companies basically share identification information that identifies these specific images, and, of course, they are easily able to change that by modifying it barely. These especially are often Gen Z or younger individuals who the medium of video is their primary medium of interaction, and so this is entirely consistent with the youth subculture in which they operate.

But in terms of improving our ability to track that and to remove it and to counter that specific tactic, I think that we need to encourage tech companies to move beyond sharing of these identification (ID) numbers and hashes but also to share the technology that are developing independently. Because, of course, this is proprietary and they are in competition, but we know that they are investing enormous resources in the algorithms and the AI to drive content consumption. The more that they share with each other, the better they are able to coordinate so that these images are not able to cross platforms and spread.

Senator HASSAN. They have more work that they could do in order to prevent these workarounds and to prevent this kind of livestreaming?

Ms. YATES. Absolutely. We would like to see much more. Thank you.

Senator HASSAN. All right. We would love to follow up with you on that.

I want to get to another topic, again a question to you, Ms. Yates. White supremacist ideology is often linked to Nazis and neo-Nazis. In recent years, we have seen a related rise in anti-Semitic incidents. The attacks on the Tree of Life Synagogue in Pittsburgh and Congregation Beth Israel in Colleyville, Texas, elevated national attention on the issue. The Anti-Defamation League reported more than 2,700 anti-Semitic incidents in 2021, which is a 34 percent increase over the previous year.

How would you describe the role of anti-Semitism in modern domestic terrorism, and what do the latest trends in anti-Semitic violence suggest we can expect in the coming years?

Ms. YATES. Yes, absolutely. So anti-Semitism is an absolutely critical component of white supremacism. There is really important research findings in this area that suggest that white supremacists, when they first sort of enter into this ecosystem, when they are first recruited, they may have sort of a lot of racism. They may have a lot of bigotry, misogyny, and those kinds of ideas, but they have to learn the specific anti-Semitic conspiracy theories that drive, I think, the most violent actions.

It becomes this sort of final element of radicalization, in some cases, where they see this conspiracy as posing this ultimate threat. It has a really radicalizing dimension in that context.

Senator HASSAN. Thank you, and thank you for your work.

I want to turn to you, Mr. German. Last week the Department of Homeland Security began collecting information across its component agencies as part of an urgent review of the Department's efforts to counter targeted violence and domestic violent extremism. You have discussed the importance of counterterrorism data transparency at the Department of Justice and FBI.

The Department of Homeland Security also needs to be transparent with Congress and the American people about which resources the Department is dedicating to combating both international and domestic terrorism. In your opinion, what information should DHS provide to Congress and the American public to ensure that it is adequately allocating resources to the current terrorism threats?

Mr. GERMAN. Thank you for the question. There is a lot DHS can do. Obviously, the FBI has the investigative jurisdiction so they have the most direct access to actual criminal investigations. But part of the problem that we have seen with the intelligence products put out by the Department of Homeland Security through Office of Intelligence and Analysis (I&A) is that they overtly politicized, on the one hand, but also spread disinformation.

We see that repeatedly, where disinformation, often taken directly out of the right-wing social media, is put on an official law enforcement intelligence document and put out. There needs to be much more transparency and oversight of the intelligence products, and particularly because it becomes an echo chamber. DHS sends it out. It goes to the fusion centers. They repackage it and send it

out, and all of a sudden some piece of disinformation becomes a large thing that resources have to be devoted to.

I remember the anti-fascist setting fires during the wildfires in the West. That kind of disinformation is harmful to security because it misdirects law enforcement resources.

Senator HASSAN. OK. Thank you.

One last quick question to Mr. Ward. Mr. Ward, parents, family members, and mentors play an important role in combating misinformation that their loved ones may be consuming online. What third-party tools are available for parents to learn how to talk to their children and loved ones about malicious conspiracy theories and extremist propaganda?

Mr. WARD. Thank you. Western States center has developed a Confronting White Nationalism in Schools toolkit. It was released in 2019, and so far more than 60,000 educators have accessed this toolkit through trainings and through accessing it on the website. It is but one of many resources out there to help support educators and parents, understanding how their children are being targeted by conspiracies.

Of course, I think much stronger coordination with the Department of Education, with public schools at the local and State level, will be quite helpful. We should understand that children and educators' days are already hard, and the threat of violence and the infiltration and the targeting of students makes their days harder.

There are sufficient resources out there that challenges providing access to educators and teachers and parents, and that is the role of the Department of Education right now, we believe.

Senator HASSAN. OK. Thank you very much, and thank you, Mr. Chair, and I apologize for going over.

Chairman PETERS. Thank you, Senator Hassan.

Senator Rosen, you are recognized for your questions.

OPENING STATEMENT OF SENATOR ROSEN

Senator ROSEN. Thank you, Chair Peters, and thank you to all of our witnesses here today.

I want to build a little bit on what Senator Hassan was talking about, on anti-Semitism, but I want to move over to the Great Replacement Theory and how that plays into it.

We know we have to combat white supremacists. Extremism has reared its ugly head in communities across our Nation. I do not have to tell anybody here about that. But we have to fully understand the so-called Great Replacement conspiracy theory we are discussing today. It was once relegated to the margins of the internet, and according to the Associated Press (AP), 1 in 3—I want to repeat that—1 in 3 Americans now subscribe to this hateful theory.

I want to focus my question on the anti-Semitic roots and manifestations of this racist ideology, which believes that there is an intentional effort, led by Jews, to promote policies that lead to the extinction of the white race. Slogans like “Jews will not replace us,” were chanted in Charlottesville, mass murders in Poway and Pittsburgh, motivated by the Great Replacement Theory, and in Buffalo the terrorist wrote, in his screed that “for our self-presentation”—I am quoting here—“the Jews must be removed from our Western civilizations in any way possible.”

Dr. Yates, can you speak a little bit about Great Replacement Theory and how it is helping—now we are seeing it ravaging our communities across the United States?

Ms. YATES. Certainly. Thank you for your question. Yes, anti-Semitism is an integral opponent. You do see it more strongly and more obvious, in some cases, but even where you do not see it explicitly referenced or repeatedly referenced over and over again, like you did in some of the writing, for example, in Poway, it is certainly there and it is an element that these white supremacists emphasize to one another.

This kind of anti-Semitism is often something that, in their attempts to mainstream and to portray a more palatable view to public audiences, that white supremacist groups will try to avoid. So it is not always evident in the public-facing materials of a lot of these white supremacist groups, but they will use coded language to reference Jews and the threats that they see. That is an ongoing trend that we are continuing to be concerned about.

As I said, this conspiracy theory, the Great Replacement conspiracy theory, builds on a lot of existing conspiracy theories that have circulated in the United States for a long time and actually in Europe also. Unfortunately, they draw on the same stereotypes and the same bigotry that animated the Klan and anti-Semitic and violent attacks in multiple generations, and I think we really have to recognize that this is another wave of the same kind of terrorist violence.

Senator ROSEN. Thank you. That is going to lead into my next question. Before I mention that, though, Mr. German, you talked about the spread of disinformation, even on our law enforcement, different agencies, how it gets spread. That is on us, and we have to be sure that our agencies are doing a better job of verifying information before they put that back up.

We have to have the accurate information going up because of the spread of that, and that leads me to transnational connections, because the violent white extremists, they are increasingly interconnected, increasingly international. They transcend the boundaries. They exploit the same technologies that ISIS used to create a decentralized, global network of terror. The Russian Imperial Movement, which was designated by the State Department in 2020, as a terrorist group is motivated by neo-Nazi beliefs, and it trains foreign fighters from around the world.

Ambassador Sales, what more could the U.S. Government be doing to gather intelligence and share information with international partners on the global nature of the white supremacist terrorist threat, as we have been hearing here, as well?

Mr. SALES. Thanks for the question, Senator Rosen. I think you are exactly right. There is no question that this is a global phenomenon. Terrorist in the United States are motivated by terrorists who commit atrocities overseas, whether it is in Germany or Norway or in New Zealand.

One of the key aspects of our campaign to counter this threat has to involve coordinating with foreign partners and sharing information with foreign partners. Partly that means making sure that our policies in place are aligned so that the United States and the Europeans and the Canadians and the Australians and so many oth-

ers have the same tools in the toolkit that can be used to counter the international aspects of this threat. But it also is important to coordinate at a more tactical and operational level, to allow for the sharing of information.

The more information we can share with each other, the greater the chances are that we will be able to, for example, support additional designations and sanctions of individuals and groups, to harden our borders against people who might be trying to come here.

Senator, you mentioned RIM. After the Charlottesville rally, several leaders of RIM came to the United States. There is actually a photograph of one of them posing in front of the White House with a Russian Imperial flag. It is a nauseating photo. That can never be allowed to happen again. We can never allow, whether it is ISIS, AQ, RIM, or other leaders of these groups, access to our homeland. The more information we can share, the easier it will be for us to harden our borders against that kind of travel.

Senator ROSEN. Thank you, and you have really led right into my third question, because information-sharing is key for us as countries in order to battle and fight against this, but it also is how things are really spreading on the other side. The online threats. At every hearing, all we hear about is how the internet facilitates domestic terrorists' ability to radicalize globally—globally, as you have alluded to. Hateful words. They morph into deadly actions. It is just a vicious cycle.

I have just a few seconds left, but Dr. Yates, the internet allows individuals to disseminate hate messaging to the American public with the algorithms on social media. What would you suggest platforms should do to combat this kind of spreading the hateful content? How can they best use their algorithms?

Ms. YATES. Thank you. I would first echo Mr. Ward's comment that they need to invest in increased resources in this effort, to track this content on their platforms. That is their responsibility, and certainly we would like to see more in that.

But at the same time, we need a lot more information about what these algorithms are and what they are doing, so transparency in these algorithms so that we can understand and have a better idea of what kinds of content is still in existence there, to what extent they are removing content when it is flagged, and what populations of people or communities are more or less likely to have discriminatory information about them banned.

Those are all questions that we receive bits and pieces of information about, for example, when reports are made public, but we do not have a really good idea of how exactly that works. Without that kind of transparency from tech companies it is going to be very difficult to continue to address this.

Senator ROSEN. We need to foster some partnerships, because we know that extremists are using technologies to radicalize, to recruit, and to fundraise. We have to have those tools in our toolbox to combat that.

Thank you so much. Thank you, Mr. Chairman.

Chairman PETERS. Thank you, Senator Rosen.

On June 15th of last year, the Biden administration laid out the first national strategy to address the threat of domestic terrorism.

This is the first time that any administration has acknowledged the threat from domestic terrorism, and it actually articulated a whole-of-government plan to protect Americans from it. This week, the Department of Homeland Security began its own internal review of what more it can do to address domestic terrorism and targeted violence.

Mr. Ward, this question is for you. Part of the national strategy, pillar four, is about confronting the long-term contributors to domestic terrorism. My question for you, Mr. Ward, is what do you think the Federal Government should be doing to support pillar four?

Mr. WARD. In support of pillar four we should understand, and the Federal Government should understand, local governments are on the front lines of the growing attack on our republic and its practice of democracy. It is probably one of the most important places to counter this bigoted political violence, and I believe it is vital for the Federal Government and civil society to come to the aid of these local governments and the communities they serve.

One example is Western States Center has made available our guide, "Strengthening Local Government Against Bigoted and Anti-Democratic Movements," and this resource is designed to provide a starting point for local government officials.

I believe your question is deserving of a much fuller response, and I look forward to following up with the Committee, and particularly staff, to highlight recommendations in our guide in more detail.

But I would be bereft if I do not say one more thing. We should not accept the false notion that federally elected representatives are powerless in this moment. There is always one step that can and must be taken, and I believe it is a step that can be taken without new rules, laws, or regulations, and it has proven its effectiveness each time it has been deployed.

The step is simple: publicly denounce white nationalist violence and the anti-Semitic conspiracy that drives it. The Brookings Institute documents and a range of research suggests that incendiary rhetoric of political leaders can make political violence more likely.

But the opposite is true as well. When elected officials join and publicly condemn violent bigotry, the potential for violence ebbs. We need to move with pillar four, but we also need the moral voice of our Federal leadership in this moment.

Chairman PETERS. Thank you. Thank you, Mr. Ward.

In closing here I want to say I am very grateful for all of our witnesses for contributing to this very serious and urgent discussion. I want to thank Ranking Member Portman for holding this hearing with me.

I look forward to building on what we have learned from today's testimony. I think this has given this Committee some critical information and further insights to combat our nation's most pressing domestic terrorism threat, and these white supremacist ideologies and the violence they incite remain shocking. They are outrageous and unthinkable in the hearts and minds of Americans. But every tragic attack that is rooted in these ideologies is a sobering reminder that domestic violent extremism continues to threaten communities all across our country.

I appreciate the approach that the Biden administration has taken to address these evolving threats, and I look forward to working with them as they implement their national strategy for combating domestic terrorism, including pillar four, which Mr. Ward just discussed, which confronts long-term contributing factors to domestic violence.

However, I am frustrated that despite passing a reporting requirement into law, both DHS and the FBI are still failing to provide essential information on domestic terrorism. We cannot effectively tackle this problem if our law enforcement and counterterrorism agencies are not effectively tracking these crimes. I have asked the FBI and DHS to explain their failure to fully comply with the reporting now required by law, and I hope my colleagues will join me as we continue to press for answers.

We also have to address the ways in which white supremacist ideologies are spread and allowed to creep into the mainstream. I will continue to investigate the role that social media platforms play in amplifying these abhorrent and extremist ideologies, and will be holding additional hearings on this topic in the coming months.

There are concrete steps that we can take to address the threat of white supremacist violence, first and foremost by continuing to call out and to condemn the hateful conspiracy theories that lie and unpin these threats.

I appreciate my colleagues for engaging in today's very important conversation. I look forward to continuing working together with all of them to address the grave national security threat that domestic terrorism poses to our Nation.

The record for this hearing will remain open for 15 days, until 5 p.m. on June 24, 2022, for the submission of statements for the record.

This hearing is now adjourned.

[Whereupon, at 11:54 a.m., the Committee was adjourned.]

A P P E N D I X

**Chairman Peters Opening Statement As Prepared for Delivery
Full Committee Hearing: Domestic Extremism in America: Examining White Supremacist
Violence in the Wake of Recent Attacks
June 9, 2022**

Less than a month ago, an assailant entered a supermarket in Buffalo, New York, intent on slaughtering Black Americans, killing ten people and injuring two others before he was stopped by police.

Tragically, since that appalling attack, our nation watched with horror as 19 children and two teachers were murdered in their classrooms in Uvalde, health care workers were killed in a Tulsa hospital, and frankly, too many Americans in communities across the country were slain in attacks as they went about their daily lives.

These attacks, and the loss of these lives, is heartbreaking, and I appreciate the work of our Senate colleagues who are currently working through proposals to address the epidemic of gun violence in our nation. It's long past time for the Senate to take this action.

Today's hearing is focused on the specific, and heinous domestic terrorism threat that is posed by white supremacist violence.

According to the Anti-Defamation League, between 2012 and 2021, white supremacists were responsible for the majority of murders committed by any kind of extremist group in the United States. Of the 443 extremist murders during the past decade, 244 of them were committed by white supremacists. In comparison, murders committed by left-wing extremists, during the same time period, accounted for 18 of the 443 murders, or 4% of extremist killings.

And even this data likely fails to capture the full extent of the threat. In 2019, I authored a provision that was signed into law requiring the FBI and DHS to report to Congress and the public on domestic terrorism incidents, including the exact number and type of attack. As of today, they have failed to fully comply with this requirement.

In the years after the September 11th attacks, our nation focused immense resources on combatting the foreign terrorist threat to our nation. There is no question those efforts were needed, and that they helped keep Americans safe.

But despite clear data showing the threat posed by domestic extremism, particularly white supremacist and anti-government violence, our nation's counterterrorism agencies have not been as nimble or as proactive as needed to effectively track or address this pernicious threat.

While I am grateful to the Biden Administration for laying out the first national strategy to address domestic terrorism, there is more we must do as a nation to stop the spread of the hateful and insidious ideologies of white supremacy that are leading to real-world violence.

In the Buffalo attack, the perpetrator allegedly posted a manifesto online detailing his carefully calculated attack and citing abhorrent ideas tied to Great Replacement Theory, a racist and dangerous ideology that claims Jewish people, immigrants and people of color are actively attempting to replace white populations.

This disgusting belief is at the center of some of the most horrific terrorist attacks we have seen in recent years.

At the 2017 Unite the Right Rally in Charlottesville, Virginia, neo Nazis marched in broad daylight chanting core tenets of replacement theory at one of the largest and most violent gatherings of white supremacists in decades, before an attacker plowed his vehicle through a crowd of peaceful protestors, killing one woman and injuring 35 others.

In 2018, an anti-Semitic terrorist committed the deadliest attack on the Jewish community in our nation's history, when he massacred 11 people and wounded 6 others at the Tree of Life Synagogue in Pittsburgh, Pennsylvania.

His motive for the attack was rooted in replacement theory, and he claimed he targeted the synagogue because they were supporting refugees who came to the United States.

In 2019, a shooter in Christchurch, New Zealand posted a manifesto online entitled the Great Replacement before livestreaming his attack on two mosques on Facebook.

And in the 2019 shooting in El Paso, Texas, the deadliest attack on the Latino community in our nation's history, a gunman killed 22 people and left dozens wounded. The perpetrator acted out of the belief of a "Hispanic invasion" in a manifesto he posted online that cited the Christchurch shooter.

Once relegated to the fringes of our society, these extreme and abhorrent beliefs are now a constant presence in our nation's mainstream. Cable TV hosts push them in primetime nightly, and public leaders amplify them to their followers, for their own profit and political gain.

These are public figures who should know the power of their words and their influence, figures who should know better than to spread these conspiracy theories and lies. But between political opportunists, and the power of social media platforms to spread memes, manifestos, and videos like wildfire, these repugnant ideologies are becoming normalized into our everyday discourse.

No longer do extremists need to be recruited or seek out like-minded individuals. They can simply log on to social media, or turn on the TV, and be presented with the hateful discourse that drives these violent and deadly attacks.

Attacks that not only leave traumatic scars on the victims and survivors and their families but terrorize entire communities, who will live with this threat in the back of their minds as they go about their daily lives.

And the consequences reach far beyond our borders, these ideologies often spread globally by white nationalist groups that share ideologies and tactics in online communities in chatrooms and message boards, as we saw with the Christchurch attack.

Although this Committee has spent a considerable amount of time examining how to keep our communities safe, and I have been proud to work with my colleagues to boost important security resources like the Nonprofit Security Grant Program, we cannot solve this problem by only focusing our efforts on hardening the likely targets or adding more security measures.

We must come together as Americans from all walks of life, and from all ends of the political spectrum, to condemn these poisonous ideologies and the violence they incite, if we are going to truly tackle this driving factor of our current domestic terrorist threat.

I'm grateful to our expert witnesses for joining us today, and I encourage my colleagues to join me in having a productive conversation about what our nation can do to turn back the tide on this hateful, insidious, and violent threat.

Opening Statement
Ranking Member Rob Portman

COMMITTEE ON HOMELAND SECURITY & GOVERNMENTAL AFFAIRS

*“DOMESTIC EXTREMISM IN AMERICA: EXAMINING WHITE SUPREMACIST VIOLENCE IN
THE WAKE OF RECENT ATTACKS.”*

JUNE 9, 2022

AS PREPARED

Thank you, Chairman Peters, for holding this hearing on domestic extremism and white supremacist violence. All of us must condemn these hateful attacks. While this hearing is being held to address the threat of white supremacy in the wake of last month’s horrific attack which killed ten shoppers in a grocery store in Buffalo, we also know that violent threats to Americans transcend any one ideology.

Tuesday night, an armed man was arrested for the attempted murder of Justice Kavanaugh. This attempt by a violent far-left extremist is the latest example that threats to our country cannot be put in a single ideological box. Some threats have apparently nothing to do with race or ideology, as we saw last month when a deranged eighteen-year-old killed fourth-graders and their teachers in Uvalde, Texas. And we also learned last month that an Islamic State operative was plotting in Columbus, Ohio and the greater Detroit, Michigan area to smuggle other terrorists over our southern border to murder former President George W. Bush. In 2018, 11 Jewish Americans were murdered while practicing their faith at the Tree of Life Synagogue in Pittsburgh, Pennsylvania. And Ohio too has certainly felt the effects of extremist violence. We suffered the loss of nine Ohioans when an assailant with far-left extremist ideologies attacked a crowd of people on a busy street in Dayton three years ago.

This Committee does not have the data we need on this issue because the Department of Homeland Security, the Federal Bureau of Investigation, and the National Counterterrorism Center, although required to do so by the 2020 National Defense Authorization Act, have not provided domestic terrorism data annually to Congress. The first report was overdue by about a year, and the Committee has received no indication when we should expect to receive the second annual report, that is already late. Some of today’s testimony will express concerns over the lack of data on domestic terrorism. This data is statutorily required to be delivered to

Congress and the American people. It is unacceptable that the Administration so delayed in getting us this necessary information.

I should also note that the most recent domestic terrorism data provided to Congress from the FBI revealed that the most lethal domestic terrorist threat in 2020 was posed by anti-government extremists, including anarchists. Just this week, DHS released a terrorist threat bulletin which assessed the number one threat of mass violence in the United States comes from those motivated by a *range* of ideological beliefs and grievances. White supremacy is certainly among those, but this Committee should be looking at all lethal terrorist threats.

In addition to data, this Committee has not yet received the requested information or other details pertaining to the implementation of the Biden Administration's Domestic Terrorism Strategy that was released one year ago.

I also look forward to receiving more information from DHS and the FBI regarding reports that it took weeks to arrest a watch-listed terrorist who had crossed into the United States at the Southern Border, as well as evaluate claims made by the Islamic State operative arrested in Ohio, who told FBI informants he smuggled members of Hezbollah into the country. These terrorists seek to exploit our borders and asylum systems to gain entry to the United States and this Committee must examine federal law enforcement's ability to stop these incidents from happening. Last month, the Secretary of Homeland Security confirmed that 42 individuals on the terrorist watchlists were encountered at our southern border in the last year – and we have still not been provided the requested information by the Department on whether these individuals pose a current threat. We all know that the border is not secure, known terrorists are entering the country, drugs are flowing across the border, and all these things pose a real threat to Americans.

We know from law enforcement that domestic extremist violence makes up a large proportion of the acts of terror committed in the United States. These acts of violence are abhorrent and should be condemned to the fullest extent. These acts of hate go against our American values and serves as a reminder that domestic violent extremism continues to threaten and harm our communities. My heart goes out to the victims' families, and I hope that the conversation had today will shed light on solutions for preventing future violence.

I will continue to reach across the aisle so we can create legislative solutions that prevent this lethal violence. I was pleased that my bipartisan bill, the Pray Safe Act – which establishes a centralized clearinghouse of safety and security best practices for houses of worship to harden against acts of terrorism – passed the Senate by unanimous consent. I urge my colleagues in the House to hold a vote on this important legislation as soon as possible.

I also remain committed in my support of the Nonprofit Security Grant Program, or NSGP, which I have worked to authorize and secure additional funding from appropriators. I look forward to working with my colleagues to fund the NSGP at a level that is commensurate with the heightened threat environment.

Finally, I want to thank the witnesses for testifying before us today. I am especially pleased to welcome Ambassador Nathan Sales – a fellow Ohioan – whom I had the pleasure of introducing at his 2017 Senate Foreign Relations Committee nomination hearing to be the State Department's Coordinator for Counterterrorism. Ambassador Sales did great work to protect the United States against threats of global terrorism during his time at State and I look forward to hearing more of his valuable insights on the terrorist threat landscape during his testimony.

Thank you again, Chairman Peters.



Written Testimony of
Elizabeth Yates, Ph.D.
Senior Researcher, Antisemitism
Human Rights First

Before the Congress of the United States
Senate Committee on Homeland Security and Governmental Affairs

“Domestic Extremism in America:
Examining White Supremacist Violence in the Wake of Recent Attacks”
June 9, 2022

Chairman Peters, Ranking Member Portman, and esteemed members of the committee, thank you for the opportunity to contribute to this critical discussion on examining white supremacist violence in the United States. My name is Elizabeth Yates. I hold a Ph.D. in Sociology from University of Pittsburgh and I am a Senior Researcher on Antisemitism at Human Rights First, and I have spent my career analyzing trends in violent white supremacy, among other forms of extremism.

Prior to joining Human Rights First, I served as a Senior Researcher at the [National Consortium for the Study of Terrorism and Responses to Terrorism](#) (START) at the University of Maryland, contributing to the expansion of their work on domestic extremism and hate crimes. I co-authored numerous reports and articles on topics including extremism in the U.S. military, the growth of anti-Muslim terrorism, mass casualty hate crimes, and extremist disengagement. My analysis and commentary have regularly been featured on local and national news, including the topic of how conspiracy theories have accelerated white supremacist violence. I am honored to appear before you today.

My testimony draws on this experience to outline the ideological and organizational constructs of the Great Replacement conspiracy theory, and to explain how it underpins and drives white supremacist terrorism in the United States, including the devastating attack on Black Americans in Buffalo last month. Ultimately, I hope that this conversation will advance a rights-centered approach to proactively and effectively addressing domestic extremism; that is, one that directly confronts the hate and violence of white supremacy, while protecting the rights and freedoms that racially motivated extremists themselves seek to diminish.

This issue is of particular concern to us at Human Rights First, where we have fought for over forty years to advance human rights, with extensive experience working to secure the rights and liberties of refugees and minority communities – those who are often the primary targets of proponents of the Great Replacement theory and associated hateful and misleading conspiracies.

This issue is also of particular concern to our robust cadre of veteran volunteers through our Veterans for American Ideals (VFAI) program. These are veterans who have worked alongside and relied on many of the targeted populations for their safety abroad as well as the advancement of U.S. national security objectives. It is of concern to our veterans who themselves comprise many of the targeted groups, and it is of concern to our veterans and their families who have paid the ultimate sacrifice abroad to protect our democracy and who must now witness domestic extremists attack those hard-fought freedoms here at home.

At Human Rights First, we believe that domestic extremism, and specifically white supremacy, is the greatest existential threat to our democracy and to our work to advance human rights. Misinformation and disinformation depicting refugees, other immigrants, and minorities as a threat to our country is both a human rights issue and a national security issue. That is why we have invested in our Extremism and Human Rights Program to promote efforts to expose the true nature of this threat and help support the development of society-wide extremism

prevention programs. Leveraging our unique experience, expertise, innovation work, and veteran volunteers, we will work to mitigate and ultimately counter this threat.

The Foundations of the Great Replacement Conspiracy Theory

If we are to examine white supremacist terrorism in the United States and the drivers behind the recent attacks, with an eye toward prevention, we must first examine the Great Replacement conspiracy theory. This conspiracy has been manifested in the ideologies of recent white supremacist terrorists, and is a contemporary combination of the racist, antisemitic, xenophobic, and misogynistic conspiracy theories that have driven bigotry and violence around the world for generations.

The conspiracy as we know it today first originated in 2011 and centers around the idea that there is a cabal of malevolent elites – often depicted as Jewish people – whose secret goal is to eliminate, enslave, or otherwise disempower white people by “replacing” this white population through non-white immigration and/or intermarriage. This non-white population, adherents suggest, will be more amenable to the malicious demands of the powerful cabal.

Elements of this racist ideology have animated white supremacist movements across American history. Notably, *The Protocols of the Elders of Zion* reached the United States in the 1920s, and has served as the basis for viciously antisemitic claims that Jewish people are secretly working to control all forms of political, cultural, and economic power around the world. The Ku Klux Klan of the 1920s – the largest mobilization of the KKK to date – was frequently driven by anti-immigrant sentiment, and was saturated with propaganda warning of a national “take over” by Catholic immigrants.¹

In the decades following the Civil Rights Movement, white supremacists organized into paramilitary militias and skinhead gangs would rally against supposed efforts to “exterminate the white Aryan race,”² eventually describing themselves as facing a “white genocide.” Here again, they claimed to be facing an existential threat, orchestrated by a Jewish cabal via violent manipulations of people of color, immigrants, feminists, and other purported enemies. These same conspiracy theories circulated across the Atlantic, alongside distinctly European versions. Using the term “Eurabia,” nativists in France and soon much of the West began to suggest that the growing Muslim population in Europe would result in the Islamist take-over of Europe.³

The Great Replacement conspiracy theory, like the other conspiracy theories from which it draws, is inherently racist. White supremacists frequently draw on enduring stereotypes and select pieces of misinformation and disinformation to depict immigrants and/or non-whites as criminal and violent threats. Furthermore, by claiming that immigrant and/or non-white

¹ Gordon, L. 2017. *The second coming of the KKK: The Ku Klux Klan of the 1920s and the American political tradition*. Liveright Publishing Corporation.

² Southern Poverty Law Center, (SPLC). (Undated). David Lane. <https://www.splcenter.org/fighting-hate/extremist-files/individual/david-lane>

³ Fekete, L. (2012). The Muslim conspiracy theory and the Oslo massacre. *Race & Class*, 53(3), 30-47

populations will be more easily manipulated and controlled, they suggest that people of color are intellectually and/or morally less capable than whites. Such rhetoric is deployed repeatedly to depict whites as threatened with extinction.

The Lethal Impact of “the Great Replacement” and White Supremacist Violence

Experts in political violence and extremism have long argued that the perception of an imminent, existential threat is a critical component to violent radicalization.⁴ The Great Replacement conspiracy is particularly lethal not only because it transmits this sense of dangerous urgency, but also because it translates fluidly among distinct geographic and social contexts. That is, the conspiracy has animated and underpinned the justification for mass murderers targeting a multitude of distinct racial, religious, and ethnic communities of people in countries all over the world.

In Pittsburgh, Pennsylvania, the killer who attacked worshippers in a synagogue wrote that he believed Western Civilization was facing “extinction” and that refugees were “invaders”;⁵

The Christchurch, New Zealand killer titled his writings “The Great Replacement” and targeted Muslims in a country he was initially only visiting;⁶

The shooter in El Paso, Texas targeted Latinx people in the United States but wrote that he “supported” the racist screed from Christchurch;⁷

In Poway, California, the shooter first targeted a mosque and then a month later opened fire in a synagogue, claiming that Jews were orchestrating a “planned genocide of the European race”;⁸

And most recently, the killer in Buffalo, New York, spent weeks identifying a locale in which to murder Black Americans. His own screed was largely a plagiarism of the Christchurch shooter’s

⁴ Berger, J. M. (2018). *Extremism*. MIT Press.

⁵ Beckett, L. (2019, October 22). “Pittsburgh shooting: suspect railed against Jews and Muslims on site used by ‘alt-right.’” *The Guardian*. <https://www.theguardian.com/us-news/2018/oct/27/pittsburgh-shooting-suspect-antisemitism>

⁶ Polakow-Suransky, S. and Wildman, Sarah. (2019, March 16). The Inspiration for Terrorism in New Zealand Came From France. *Foreign Policy*. <https://foreignpolicy.com/2019/03/16/the-inspiration-for-terrorism-in-new-zealand-came-from-france-christchurch-brenton-tarrant-renaud-camus-jean-raspail-identitarians-white-nationalism/>

⁷ Arango, T., Bogel-Burroughs, N., and Benner, K. (2019, August 3). Minutes before El Paso killing, hate-filled manifesto appears online. *The New York Times*. <https://www.nytimes.com/2019/08/03/us/patrick-crusius-el-paso-shooter-manifesto.html>

⁸ Beauchamp, Z. (2019, May 1). Poway and Pittsburgh: The rise in murderous anti-Semitism, explained. *Vox*. <https://www.vox.com/policy-and-politics/2019/5/1/18524103/poway-synagogue-shooting-anti-semitism>

“Great Replacement” text, but was so sloppy that at times he merely swapped out terms for one victimized community for another.⁹

This heartbreaking trail of violence illustrates how fluidly the Great Replacement conspiracy theory travels across borders and populations.

Unfortunately, these mass casualty attacks are only one element in the larger phenomenon of violent white supremacy and domestic extremism.

Over the last decade in available data, white supremacist terrorism in the United States has increased many times over. Of the 100 white supremacist attacks between 2000 and 2019, 80 of them occurred after 2009, according to the Global Terrorism Database (GTD).¹⁰ And while these terrorist attacks have increased, they have also become more lethal. Mass casualty attacks perpetrated by white supremacist terrorists like the horrific attack in Buffalo, used to be a rare occurrence. Now, they are frequent tragedies.

An Accelerated Threat in the Context of Social Media

It is not only the ideological and rhetorical tenets of the Great Replacement conspiracy theory that make it so lethal, it is also its propagation in a society continuously transformed by the Internet and, particularly, social media. In the context of white supremacist violence, I see this transformation primarily as an increase across five dimensions of the movement: 1) Decentralization and accessibility; 2) Ideological fluidity; 3) Transnationality; 4) Speed in radicalization; 5) Mainstreaming. To understand the role of the Great Replacement conspiracy theory in white supremacy, we have to account for this context. Below, I address each of these components.

Decentralized and Accessible: White supremacy today, like other forms of contemporary social organization, is a “networked”¹¹ field: decentralized, largely without gatekeepers, and with diverse sources of influence and funding. This networked organization makes the movement especially difficult to counter. In recent years, many of the most violent white supremacists are individuals who became immersed in white supremacist content exclusively online. But while these terrorists might have been operationally independent, they must be understood as members of deep and complex extremist online eco-system. At the same time, organized groups still operate within the movement, typically recruiting individuals from mainstream platforms and engaging them with increasingly extreme content in private online spaces, before, in some cases, in-person. This networked organization makes the movement especially difficult to counter.

⁹ Confessore, N. and Yourish, K. (2022, May 16). Replacement Theory, a fringe belief fueled online, is refashioned by G.O.P. *New York Times*. <https://www.nytimes.com/2022/05/15/us/replacement-theory-shooting-tucker-carlson.html>

¹⁰ National Consortium for the Study of Terrorism and Responses to Terrorism (START). (2021). Global Terrorism Database [Data file]. <https://www.start.umd.edu/gtd>

¹¹ Castells, M. (2012). *Networks of outrage and hope: social movements in the internet age*. Polity.

Furthermore, white supremacists have been able to operate in virtual spaces with relative impunity. When content may violate a platform's terms of service, extremists use a range of strategies to overcome moderation, including disguising extremist content with innocuous titles, creating false accounts, or developing more toned-down rhetoric to introduce extremist ideas while avoiding content that would get them removed. The result is that anyone could be exposed to such content, and further, than anyone to whom it appeals can easily access more of this content.

Ideological Fluidity:

This organizational decentralization is also reflected by an ideological fluidity among white supremacists and other domestic extremists. Without traditional leaders or gatekeepers, individual extremists may "pick and choose" among elements of different movements they encounter online.¹² Influencers and leaders in the movement use this fluidity to their advantage. For example, after the 2020 election, white supremacists aggressively recruited new adherents among followers of the conspiracy known as QAnon, mobilizing especially around shared antisemitic tropes.¹³ In other cases, parallels in the anti-immigrant rhetoric of the militia movement and white supremacists reflect the increasing presence of the Great Replacement conspiracy theory across ideologies.

Transnationality: Transnational connections between and among white supremacists have existed for decades, but the Internet and social media have quantitatively and qualitatively transformed such relationships and the spread of extremist conspiracies. Today, the most violent online spaces among white supremacists are global, providing opportunities for white supremacists and fascists from the United States, Canada, Europe, and elsewhere, to interact and network. These interactions have directly facilitated the global spread, potency and lethality of Great Replacement conspiracy theory. Although some U.S. white supremacists have traveled abroad and built direct in-person relationships with international white supremacist groups, this network should be understood more as one of influence than of operational organizing. That is, the transnational connections are a result of the networked character of the movement, again, making it even more difficult to counter.

Rapid Radicalization: The quantity and accessibility of online extremist content has resulted in an acceleration of the radicalization process for many white supremacists and other domestic extremists. Data from the START at the University of Maryland showed that in the last decade and a half of available data, the average radicalization time for criminal extremists in the United

¹² Blee, K. (2018, December 8). In Chow, K. (Host). What the ebbs and flows of the kkk can tell us about white supremacy today. [Audio Podcast Interview, December 8]. *CODE SWITCH*. NPR. <https://www.npr.org/sections/codeswitch/2018/12/08/671999530/what-the-ebbs-and-flows-of-the-kkk-can-tell-us-about-white-supremacy-today>

¹³ Miller, C. (2021, April 21). "Neo-Nazis and White Supremacists Are Coding Their Language On Telegram To Recruit More People." *Buzzfeed News*. <https://www.buzzfeednews.com/article/christopherm51/neo-nazis-white-supremacists-telegram-recruit>

States decreased by more than 50 percent, from 15 to 7 months.¹⁴ Given the increasingly online social world since the start of the pandemic, this process has likely only increased.

Mainstreaming: Finally, social media has played an important role in the growth and mainstreaming of white supremacist ideas throughout common culture and institutions, including explicit and implicit references to the Great Replacement conspiracy theory. For example, this theory has been central to the ideology of the Identitarian movement, a xenophobic wing of white supremacy whose adherents have propagated the conspiracy on mainstream social media sites for much of the last seven years, although many such groups were eventually removed.¹⁵

White supremacists' use of social media to mainstream their goals, often toning down particular vile rhetoric, has been part of their strategy to gain more followers. For example, the Patriot Front, a leading white supremacist group in the U.S., tightly controls their public image, ensuring that public-facing content excludes explicit racism, relying instead on calls to Patriotism, European identity, and civic nationalism. Other white supremacist groups, such as the so-called Groyper, work directly to build relationships with political representatives.¹⁶ These groups have used these tactics to successfully infiltrate and navigate spaces of public discourse often furthering components of the same narratives and principles that violent extremists use to justify acts of terrorism.

Human Rights First is Confronting the Threat

Human Rights First has established critical areas of action in challenging the threat of violent white supremacy.

This is why we launched our Extremism and Human Rights Program to promote a strategy that challenges white supremacy and allows us to support related prevention efforts in a number of ways. This program will leverage several unique tools, including our extensive litigation capabilities, to counter this threat.

For example, through our coalition of U.S. military veterans and allies, Veterans for American Ideals (VFAI), we have worked to track and expose patterns in extremist recruitment of members of the military community. In recent testimony to the House Veterans Affairs

¹⁴ Stanton, Z. (2021, February 11). The problem isn't just one insurrection. It's mass radicalization. *Politico*. <https://www.politico.com/news/magazine/2021/02/11/mass-radicalization-trump-insurrection-468746?>

¹⁵ Davey, J. and Ebner, J. (2019). "The Great Replacement": The violent consequences of mainstreamed extremism. Institute for Strategic Dialogue. <https://www.isdglobal.org/wp-content/uploads/2019/07/The-Great-Replacement-The-Violent-Consequences-of-Mainstreamed-Extremism-by-ISD.pdf>

¹⁶ Macdonald-Evoy, J. (2022, February 22). The "Groyper army" is looking to make white nationalism mainstream. It has key allies in Arizona politics. *AZMirror*. <https://www.azmirror.com/2022/02/22/the-groyper-army-is-looking-to-make-white-nationalism-mainstream-it-has-key-allies-in-arizona-politics/>

Committee,¹⁷ my colleague Chris Purdy outlined such extremist strategies and built the case for pursuing restorative solutions to online veteran radicalization, including increased veteran engagement by civil society and government alike. VFAI members seek to continue their service to America by upholding, defending, and advocating for human rights at home and abroad. Many veterans of our 10,000 member coalition have spoken out and are concerned about white supremacy and domestic extremism. Through their voices and actions they've demonstrated a desire to engage in substantive efforts to counter it. VFAI is dedicated to empowering our veteran community to be active voices in this field.

Also, our groundbreaking Innovation Lab brings together technologists, advocates, and researchers to develop investigative tools to advance the cause of human rights, including efforts to counter white supremacy and other forms of domestic extremism.¹⁸ For example, we recently launched "Raditude," a search tool that tracks users and narratives across Youtube. Using Raditude, researchers identified 16 channels that were posting banned content from the white supremacist group Patriot Front, demonstrating and exposing how extremist groups continue to evade social media bans in order to mainstream their content.

At the same time, researchers used SurvAI, another Innovation Lab tool which uses computer algorithms to detect violent footage in video, to review 800 leaked videos from Patriot Front's internal files. Our analysis showed that the seemingly defensive shields members carried at events were truly meant to be used for violence against perceived enemies at public rallies, as evidenced by their training practices. As these examples show, innovative technology will be a critical tool in challenging white supremacists' organizing, on and offline.

Recommendations for Civil Society and Government

Reject the Cycle of White Supremacist Violence: As a society we must refuse to allow fear-mongering extremists to transform contemporary anxieties into violence and oppression as they have done throughout our nation's history. Civil society must invest in rights-centered extremism and violence prevention programs at every level. Every wave of white supremacist violence in this country has been animated by conspiratorial and racist rhetoric, in response to large-scale social changes.

For instance, after a wave of largely Catholic immigration in the 1920s, the KKK warned that the Pope would soon enter the United States and declare himself emperor.¹⁹ Later, in the years following the Civil Rights Movement, white-power militias whose adherents were concerned

¹⁷ Purdy, C. (2022, March 31). Testimony to the House Committee on Veterans' Affairs, "Helping Veterans Thrive: The Importance of Peer Support in Preventing Domestic Violent Extremism."

<http://docs.house.gov/meetings/VR/VR00/20220331/114556/HHRG-117-VR00-Wstate-PurdyC-20220331-U1.pdf>

¹⁸ Innovation Lab, (2022). Human Rights First. <https://www.humanrightsfirst.org/campaigns/innovation-lab-tech-for-human-rights>

¹⁹ Blee, K. (1991). *The women of the Klan: Racism and gender in the 1920s*. University of California Press.

with advancements in human rights, claimed to be fighting a “Zionist Occupied Government.”²⁰ Today, white supremacists, concerned with demographic shifts, argue that cabals of elites are intentionally replacing people of European descent with immigrants and refugees from around the world to consolidate power.

By examining earlier iterations of such conspiracies in historical context, we can clearly see the deliberate machinations of those who advance the Great Replacement conspiracy theory. We know that propagating these narratives is deliberate tactic used by extremists, their sympathizers, and foreign adversaries to sew societal division and discontent – and they are succeeding. According to one recent study, one-third of Americans say they are concerned that immigrants are being brought to the country by a group of people for political gain.²¹ The same study showed that one in five younger Americans has heard of plans to implant microchips in people to make them easier to control. Since the beginning of the coronavirus crisis, the number of Americans who believe in conspiracy theories—which are often rooted in racist tropes—has soared, as has distrust of the media.²² This means that even more Americans are potentially turning to extremist content to shape their views about our society and our democracy and we must not cede our national and local narratives to conspiracy and red herrings about our history and present circumstances. As a society, we must reject this urge to scapegoat and point fingers and instead emphasize our common humanity.

Hold Perpetrators of White Supremacist Violence Accountable: At Human Rights First we believe that justice is a cornerstone of our democracy, and we must therefore pursue accountability for those who abuse human and civil rights and violate the law, no matter their affiliation. Persons or entities who facilitate or engage in white supremacist motivated hate crimes and terrorism must be held accountable and federal, state, and local government efforts to pursue justice must match the level of the growing threat. The FBI reported that the number of hate crimes in the United States rose in 2020 to the highest level in 12 years – propelled by increasing assaults on Black and Asian-Americans²³ and yet most of these crimes are never prosecuted.

Provide Sustained and Coordinated Support to Survivors: The impact of trauma caused by white supremacy can be long-lasting and generational. Trauma inflicted on individuals and communities can leave them, and their children, and grandchildren, crippled with despair and

²⁰ Belew, K. (2018). *Bring the war home: The white power movement and paramilitary America*. Harvard University Press.

²¹ AP-NORC Center for Public Affairs Research. (2022). Immigration Attitudes and Conspiratorial Thinkers: A Study Issued on the 10th Anniversary of The Associated Press-NORC Center for Public Affairs Research. apnorc.org/projects/immigration-attitudes-and-conspiratorial-thinkers

²² Zitelmann, R. (2020, June 29). How many Americans believe in conspiracy theories? <https://www.forbes.com/sites/rainerzitelmann/2020/06/29/how-many-americans-believe-in-conspiracy-theories/?sh=89691b85e94c>

²³ Nakamura, D. (2021, August 3). Hate crimes rise to highest level in 12 years amid increasing attacks on Black and Asian people, FBI says. *The Washington Post*. https://www.washingtonpost.com/national-security/hate-crimes-fbi-2020-asian-black/2021/08/30/28bede00-09a7-11ec-9781-07796ffb56fe_story.html

grief that can impact their ability to flourish and function in society. Federal and state governments must do more to provide sustained and coordinated support to survivors who are often left without the resources and networks to rebuild and address this trauma.

Ensure Transparency and a Rights-Centered Approach to Prevention: The federal government must proactively and transparently work to disrupt violent domestic extremist networks while ensuring civil rights and civil liberties are protected. A public health-based and rights-centered approach to extremism and violence prevention must be expanded through authorization; including enhancing existing federal grants and programming that advance evidence-based strategies and empower communities to address extremism. Federal data should be regularly publicized regarding domestic extremism and hate crimes investigations, arrests, charges, prosecutions, etc. Similarly, Congress should mandate transparency regarding resource distribution to specific types of domestic extremism investigations and ensure compliance with oversight requests.



CONGRESSIONAL TESTIMONY

U.S. Senate Committee on Homeland Security and Governmental Affairs

Hearing on “Domestic Extremism in America: Examining White Supremacist
Violence in the Wake of Recent Attacks”

Written Testimony Submitted for the Record by
Eric K. Ward, Executive Director at Western States Center

June 9, 2022

Introduction

Chairman Peters, Ranking Member Portman and Members of the Committee, thank you for the opportunity to speak with you about the danger of white nationalism as a domestic terrorism threat. I commend you for using this bipartisan forum to address this urgent problem.

While the number of distinct hate groups in America peaked in 2018, the FBI's annual Hate Crimes Report documented that 2020 saw a six percent increase in reported hate crimes from the previous year and represented the highest total in 12 years. Even more alarmingly, we are seeing an erroneous and dangerous belief voiced again and again by many of the shooters in our most horrific recent massacres. In a Buffalo grocery store, a Charleston church, an El Paso Walmart, the Tree of Life synagogue in Pittsburgh, and too many other locales – the shooters justified their actions with the “great replacement” theory. This conspiracy theory is at the core of the white nationalist movement and poses a grave threat to our democracy.

In my experience, understanding white nationalism as a domestic terrorism threat is not a partisan issue. For eight years in the 1990s, when the predominantly white, rural Pacific Northwest and intermountain region was designated an “Aryan homeland” by white nationalists, I worked with Republican governors, local elected officials, law enforcement, business and civic leaders to establish over 120 multi-disciplinary anti-hate task forces across six states.

Earlier, working with a faith-based coalition, I founded and directed a community project to expose and counter hate groups. Through this work I had the opportunity to be in direct dialogue with a number of white nationalist and white supremacist organizers and persuaded several violent neo-Nazi leaders to renounce racism and violence.

On a more personal level, my life experience has proved that common values can bring us together, regardless of differences in how we might vote. Having grown up in poverty in Long Beach, California, facing racist harassment and violence as a young Black man, I expected better when I moved to the reputedly liberal haven of Eugene, Oregon. Instead, I found that despite my long resume of work experience, no one would hire me. Finally, someone decided to take a chance on me. He happened to be a conservative white Republican. I was the first Black person he'd ever met. We spent eight to twelve hours a day together, five days a week, installing insulation in crawl spaces under houses. What I learned, while working the jobsites with him and sharing our life stories, was that our lives and our values were not as different as they seemed. We both believed in hard work, fair work, and taking care of your neighbors.

Because of these experiences, I have dedicated my life's work to uniting Americans across party, race, class, occupation, and geography in shared commitment to a country where all of us can live, love, worship and work free from bigotry and violence.

The Impact of White Nationalist Violence on State & Local Governance

You will have ample data from federal offices and other witnesses about the extremist groups who comprise the white nationalist movement, and the many acts of violence that are being driven by this hateful ideology. I will focus on the impact this violence is having on state and municipal governance, before discussing the dangerous mainstreaming of these extremist beliefs.

Let's look at the big picture for a moment. In 2021, domestic extremists killed at least 29 people in the United States, in 19 separate incidents; 26 of these 29 were killed by right-wing extremists.¹ Over the past 10 years, white supremacists have committed 244 murders in the United States.² In addition, the number of reports of assaults, vandalism and harassment targeting Jewish communities and individuals in the United States was the highest on record in 2021, a 34% increase from the prior year.³

In another measure of the rise of extremism, in 2021, 72 active Proud Boys chapters were documented across the country, a near doubling from 43 the year before.⁴

The Armed Conflict Location & Event Data Project found that of all named groups identified at armed demonstrations since 2020, the vast majority (81.9%) are right-wing actors. Overall, the top three named actors present at armed demonstrations since 2020 are the Boogaloo Boys and their affiliates, the Three Percenters and their associated groups, and the Proud Boys.⁵ Armed demonstrations are nearly six times as likely to turn violent or destructive compared to unarmed demonstrations.⁶

The point I want to underscore is this: with the exception of any events in the nation's capital, these incidents occur in local communities, including state capitals, that are often ill-equipped to handle this kind of extremist violence without additional training, tools, and resources.

Western States Center and other respected organizations have been monitoring closely how white nationalist and other anti-democracy groups have been interacting with local government and local officials, often using threats, intimidation, and even sometimes violence. From planned violent rallies that undermine the capacity of cities and counties to keep people safe, to a wave of resignations of local officials – several of whom have explicitly cited threats and harassment as their reason for leaving public office – the impact is significant.

As the examples I'm about to share will illustrate, it's not only minority communities that are the targets of extremist violence. Law enforcement, the military, elected officials, health care workers, and election officials have all been targeted. Left unchecked, this puts national security at risk.

The impact of anti-democracy and white nationalist extremism is reaching into every sector. To share a few examples:

Violence & Threats of Violence Against Police Officers

Since the beginning of 2020, far-right extremists have shot and injured police officers in 10 different incidents, four of which resulted in the murder of a police officer. There have been several additional shoot-outs between bigoted extremists and law enforcement in which law enforcement was not injured.⁷

Additionally, both law enforcement and our military face the threat of rising extremism within their ranks, as documented by the Brennan Center report, "Hidden in Plain Sight: Racism, White Supremacy, and Far-Right Militancy in Law Enforcement."

One member of the U.S. Army, a self-proclaimed neo-Nazi currently on trial for plotting to murder other soldiers, wrote on an encrypted app "that he had joined up solely to gain knowledge of military weaponry and tactics," according to reporting on the case.⁸

Elected Officials Facing Threats of Extremist Violence

The paramilitary plot to abduct Michigan Gov. Whitmer is the highest profile plan for violence against elected officials aside from the January 6 insurrection in recent years, and there have been few legal consequences for those charged. Acquittal of two men accused of attempting to abduct Gov. Whitmer sends a troubling signal to bigoted extremists.⁹ A new report from the National League of Cities finds that harassment, threats, and violence directed at local elected officials is rising at an alarming rate: 87% of local officials surveyed observed an increase in attacks on public officials in recent years, while 81% reported having experienced harassment, threats and violence themselves.¹⁰

Election Officials Facing Violent Threats & Resigning or Not Running Again

A new survey found that almost a fifth of election administrators say they've been threatened because of their jobs, and one in five local election officials say they are likely to quit before 2024.¹¹ The reporting consortiums Spotlight PA and Votebeat found, "In 14 southwestern Ohio counties, one in four directors or deputy auditors of elections has left. One in four election

officials in Kansas either quit or lost re-election in November. Twenty-one directors or deputies have left or will leave election posts in Pennsylvania's 67 counties."¹²

"In interviews, some election officials said they also worried that a flood of departures in the next two years could drain elections of nonpartisan expertise at a hinge moment for American democracy — or worse, encourage partisans to fill the vacuum, according to the *New York Times*. One said of the impact of the threats of violence, "We may lose a generation of professionalism and expertise in election administration. It's hard to measure the impact."¹³

"Great Replacement" Theory, a Core Tenet of White Nationalism

Much of the violence and violent intimidation I have been describing is perpetrated by those who have been influenced by the "great replacement" conspiracy theory.

As we think of the victims in the recent Buffalo massacre, we think also of the murders of Black Bible study students in Charleston, Latino Walmart customers and workers in El Paso, Jewish worshippers at the Tree of Life synagogue in Pittsburgh, and Muslim worshipers in Christchurch. The "great replacement" theory is a disturbing thread connecting all of these events.

- In **Buffalo** the shooter, who drove hundreds of miles to target Black grocery shoppers in a planned attack, left a lengthy manifesto containing dozens of racist memes and repeated references to the "great replacement" theory. In response to the question of why he was going to attack he wrote, "To show to the replacers that as long as the White man lives, our land will never be theirs and they will never be safe from us."¹⁴
 - "The real war I'm advocating for is the gentiles vs the Jews. We outnumber them 100x, and they are not strong by themselves."¹⁵
 - "By their Jewish ways, they turn us against each other. When you realize this you will know that the Jews are the biggest problem the Western world has ever had. They must be called out and killed."¹⁶
 - "The Jews are responsible for many problems that we in the western world face today," he wrote, elaborating that Jews mainly use control of the media to spread propaganda. "For our self-preservation, the Jews must be removed from our Western civilizations, in any way possible."¹⁷
 - In response to a question about if he hates Black people, he wrote, "A black man or woman choosing to invade our lands, live on our soil, live on government support and attack and replace our people? Yes, I dislike them."¹⁸
- In **Charleston**, the shooter's manifesto included this analysis: "As an American we are taught to accept living in the melting pot, and black and other minorities have just as much right to be here as we do, since we are all immigrants," it said. But in Europe—

“the homeland of White people”—he said “I saw that the same things were happening in England and France, and in all the other Western European countries. ... [I]n many ways the situation is even worse there.”¹⁹

- The **El Paso** shooter’s manifesto read, “In general, I support the Christchurch shooter and his manifesto. This attack is a response to the Hispanic invasion of Texas.” Citing the “great replacement” theory, he echoed the slogan that was chanted during a white supremacist rally in Charlottesville, Virginia, in 2017: “Jews will not replace us.” The writer of the manifesto also suggested that Democrats in the United States have a strategy to gain a permanent majority by embracing the growing Hispanic population, according to the *New York Times*.²⁰
- The **Tree of Life** shooter wrote on Gab that white Americans and “Western Civilization” were “headed towards certain extinction,” and argued that Jewish and Muslim people were to blame.²¹ The Robert Bowers account reposted another user who wrote: “Open you[r] Eyes! It’s the filthy EVIL jews Bringing the Filthy EVIL Muslims into the Country!”²²

In all of these mass shootings (and more), the killers drew on the so-called “great replacement” theory, the belief that a global conspiracy is orchestrating a master plan to undermine white political power by increasing the number of Black and brown people. Depending on the version of the conspiracy theory one runs across, that conspiracy might be run by “global elites” or “an international cabal” or “monied interests.” But we all know they’re really talking about Jews.

Antisemitism is the loom on which other hatreds are woven, so essential that it’s easy to ignore. If we seek to counter domestic extremism, we must recognize that antisemitism remains the energizing principle behind white nationalism. White supremacists and the white nationalist movement are angered by their perception that white people have lost so much control of the country since the upheavals of the 1960s. Someone must be pulling the strings, they theorize, given their belief in the intellectual inferiority of people of color. Someone must be betraying white people. Someone must be brainwashing white people, making them unaware of their racial identity and the dangers they face. That someone, of course, is Jews.

That antisemitism has survived until 2022 shouldn’t surprise anyone. It’s survived for thousands of years in Europe, adapting itself to the fears and challenges of the day, always assuring believers that whatever the current threat might look like, the face behind the mask was always a Jewish one. More recently, “The Protocols of the Learned Elders of Zion”—a forgery that purports to represent the minutes of a meeting of the international Jewish conspiracy—was first circulated by Czarist secret police in Russia in 1903 and introduced to the United States by Henry Ford in 1920, establishing antisemitic ideology in its modern form.

The modern-day antisemitic conspiracist belief in the “great replacement” theory must be unequivocally denounced by all levels of government and civil society. Instead, it is finding increased acceptance in mainstream media and culture.

The Mainstreaming of White Nationalist Ideology

One of the primary promoters of the “great replacement” theory is Fox News personality Tucker Carlson. According to a recent *New York Times* study²³, Carlson has promoted the conspiracy that Democrats want to push demographic change through immigration in more than 400 episodes of his show, using language such as:

- “I know that the left and all the little gatekeepers on Twitter become literally hysterical if you use the term ‘replacement’ if you suggest that the Democratic Party is trying to replace the current electorate—the voters now casting ballots—with new people, more obedient voters from the Third World. But they become hysterical because that’s what’s happening actually. Let’s just say it. That’s true.”²⁴
- He asserted that President Biden wanted to “reduce the political power of people whose ancestors lived here and dramatically increase the proportion of Americans newly arrived from the Third World,” before proceeding to use the term “great replacement.”²⁵

Some elected officials have defended Carlson’s repeated promotion of this racist and antisemitic conspiracy theory. Rep. Matt Gaetz tweeted²⁶ last September: “Tucker Carlson is CORRECT about Replacement Theory as he explains what is happening to America.” Rep. Scott Perry used similar language in a committee hearing, claiming that many Americans were concerned that “we’re replacing national-born Americans, native-born Americans to permanently transform the landscape of this very nation.”²⁷

Others have tapped into demographic anxiety and promoted the idea of a conspiracy to disadvantage white people without explicitly using the term “great replacement.” For example:

- An ad run last year by Rep. Elise Stefanik read, “Radical Democrats are planning their most aggressive move yet: a PERMANENT ELECTION INSURRECTION,” The text accompanied an image of numerous migrants reflected in the aviator sunglasses worn by President Joe Biden.²⁸
- Senate candidate JD Vance of Ohio said in a campaign event last month, “You’re talking about a shift in the democratic makeup of this country that would mean we never win, meaning Republicans would never win a national election in this country ever again.”²⁹ One of his campaign ads read, “Are you a racist? Do you hate Mexicans?” The media calls us racist for wanting to build Trump’s wall. They censor us, but it doesn’t change

the truth. Joe Biden's open border is killing Ohioans, with more illegal drugs and more Democrat voters pouring into this country."³⁰

Statements by political and cultural leaders are having an impact on the larger populace:

- A month before the Buffalo massacre, in which a white gunman killed 10 people and injured three, most of them Black, a poll found that 7 out of 10 Republicans said they believe in the ideas that constitute the "great replacement" theory.³¹
- A poll in April found that 42% of young male Democrat and 45% of young Republican men said they approve of violence to achieve political change.³²
- Sixty-seven percent of Republicans told the same pollster they "believe the country's demographic changes are being orchestrated by 'liberal leaders actively trying to leverage political power by replacing more conservative white voters.'" The poll found that some Democrats also believe the changes are orchestrated: 35% of self-identified Democrats said they agree the change is driven by politicians. (Unlike Republicans, most Democratic respondents saw the demographic changes as positive.)
- In May 2022 55% of GOP Primary voters in Idaho agreed either strongly (26%) or somewhat (28%), with the statement "There is a conscious effort being made to replace white Americans with people of different racial and ethnic backgrounds."³³

Some of these disturbing trends are the result of a long-standing goal of the white nationalist movement to infiltrate and take over the Republican party. The executive director of Identity Evropa, which has rebranded as the American Identity Movement, told NBC News in 2018 that their mission was "to take over the GOP as much as possible."³⁴ The Republican party has, many times in its history, stood against hate and extremism – and there are Republicans who continue to, today. It is incumbent on all of us to ensure that our political parties, regardless of ideology, firmly reject bigotry and political violence.

Across the Ideological Spectrum, Steps Can Be Taken Locally

We are not helpless in the face of rising extremist violence. We have seen numerous examples of civil society institutions, political parties, and local governments across the ideological spectrum rejecting extremist ideology.

In the recent primary election in Idaho, Republican groups successfully pushed back against bigoted anti-democracy candidates. Democrats and Republicans, along with law enforcement and religious and business leaders, condemned extremist behavior as unacceptable.

In northern Idaho a former candidate for Kootenai County sheriff who "made it clear that he's a staunch, conservative Republican" blew the whistle on the Kootenai County Republican Central

Committee plans to “recruit volunteers to infiltrate the Kootenai Democrats, install an ‘antisemitic troll’ as party chair and funnel money donated to Democrats to local Republicans instead” according to the *Idaho Capital Sun*.³⁵

In Washington state, former Representative Matt Shea’s extremist actions were investigated by the FBI, and a wide range of civil society groups condemned his actions. An independent investigation commissioned by the state legislature resulted in him being stripped of committee memberships on a bipartisan basis. The Republican leader of the chamber called on him to resign, and he declined to seek reelection after another Republican announced a primary challenge.

And in the December 2020 attack on the Oregon Capitol, law enforcement agencies and a legislative committee investigated to establish the facts. A wide coalition of business, civic and religious leaders spoke out, and when the facts were established that revealed former Representative Mike Nearman helped plan the attack and opened the door for armed rioters who attacked law enforcement, both parties jointly expelled him from the body in a bipartisan vote that was unanimous except for Nearman.

To support this kind of push-back on extremism, we’ve created tools for communities, democratic institutions and local officials to counter white nationalism and respond effectively to anti-democracy and bigoted social movements with strategies that strengthen democratic practice while closing space for political violence. This includes a set of recommendations for local government to counter the impact of anti-democracy groups, such as identifying the core work of local government that may be vulnerable in each locality and reinforcing it, providing staff with training, considering all legal options including civil suits, and creating safety plans to support staff and officials in the event of doxxing, threats or other harassment.

Western States Center’s toolkits and resources include:

- [Community Guide for Opposing Hate](#), a publication of the Bard Center for the Study of Hate, Western States Center, and the Montana Human Rights Network
- [Confronting Conspiracy Theories and Organized Bigotry at Home: A Guide for Parents and Caregivers](#)
- [Confronting White Nationalism in Schools: A Toolkit](#)
- [Reader’s Guide for Hate in the Homeland: The New Global Far Right](#) by Cynthia Miller-Idriss
- [Strengthening Local Government Against Bigoted and Anti-Democracy Movements: Recommendations for Civic Leaders](#)

Recommendations for the Committee

Respectfully, we offer several actions the Committee could take to reduce the threat to national security caused by domestic extremism.

Cities and counties are increasingly isolated and overwhelmed in responding to targeting by anti-democracy and white nationalist groups. State and federal government are needed not only to raise their voices against white nationalism and political violence, but to enact policies that tackle this threat head on, including stronger laws and enforcement to prevent dangerous paramilitary activity, more training and support for government employees and local elected officials responding to attacks, examination of political bias in law enforcement, improved information sharing across municipalities and agencies, and a dedicated desk at the Department of Justice focused specifically on anti-democracy and hate groups.

Non-governmental organizations have already started to experiment with how to strengthen community-based responses to extremism – for example, a recently-announced \$10 million investment in local leaders, networks, and community groups who are bolstering pluralism in American neighborhoods, towns, and counties.³⁶

NGOs and local governments can't face down this threat on their own. We urge you to consider:

Block Grants to Counter the Impacts of Extremism on Local Governments

The Committee's bipartisan support for appropriations creating block grants for local governments is needed to help counter the impacts of extremism on the functioning of local governance. When local government or community institutions become weak or fail, we have seen in many different locations that extremist groups will step in to occupy the vacuum. The worsening breakdown in trust between local government and community trust creates further space for extremism to build power. As political violence becomes more commonplace, there are insufficient resources to maintain security for the functioning of school boards, city councils, county commissions, and other local bodies. There are a number of tools available to help local governments to counter the impact of anti-democracy groups; federal financial assistance in the form of block grants is needed for state and local governments to choose and implement the tools that are right for them.

Support for Civil Litigation

Civil litigation is an important tool to hold white nationalist, paramilitary and other bigoted actors accountable for the violence they foment. We urge you to seek ways to lend Congressional support to communities pursuing relief through civil courts. Examples include Integrity First for America's historic federal lawsuit against the neo-Nazis, white supremacists, and hate groups responsible for the deadly 2017 "Unite the Right" rally in Charlottesville.³⁷ The verdict held that defendants engaged in an unlawful conspiracy to commit violence and intimidation and to deprive a community of their civil rights. Other examples of civil litigation from Idaho include the 2000 landmark case³⁸ led by local Cœur d'Alene attorneys and a national NGO that resulted in the dissolution of the Aryan Nations compound in North Idaho after its security guards engaged in hate violence. Currently pending is a lawsuit from the state's largest hospital system against Ammon Bundy and his anti-government People's Rights network for coordinated harassment of health care workers and law enforcement and violence that caused a Boise hospital to lock-down and divert its ambulances.³⁹

Implementation of the DHS Chief Security Officer's Recommendations

As you are aware, the recent domestic violent extremism internal review for the Secretary of Homeland Security⁴⁰ contains a number of critical recommendations. We hope the Committee will prioritize follow up with DHS to make sure they are collecting the data and putting in place the necessary policies to ensure they are addressing current and potential internal engagement or collaboration with extremist movements. One thing missing from this important report is the unlawful paramilitaries operating at the southern border; we're seeing a spike in their activity. Their actions and even collaboration with CBP officers is something that poses a grave national security risk. If government entities don't explicitly reject this, paramilitaries gain credibility and build power to advance their goals. This may influence unbalanced individuals to commit violence such as we have seen in Buffalo.

Disavowal of the "Great Replacement" Theory

The Senate has a highly influential platform to shape which political ideas are acceptable in mainstream political discourse and which are not. Regardless of differing views on immigration policy, it is one policy area where white nationalist views are clear—and clearly aligned with the conspiracist "great replacement" theory—with goals of, in effect, ending asylum and other avenues for people of color to immigrate to the U.S. There's a connection between these goals and the Buffalo shooter's goals. This Committee has a unique purview that confers authority on this issue. The Committee could have an enormous impact by clearly rejecting the "great replacement" conspiracy theory and aligned policy goals like severely restricting asylum and immigration especially for Black and brown migrants. Disavowal of the "great replacement"

theory is an appropriate focus of a Joint Congressional Resolution; in our view this would send a powerful signal to people and groups who pose a risk to the nation's security.

Conclusion

Over the last several years, the antisemitic conspiracy called the “great replacement” theory has surged into the political mainstream. The violence and physical harm spawned by the conspiracy isn’t a bug but a feature. For the majority of Americans who care about democratic practice and our republican form of government, we are not powerless. Just the opposite. Examples I have provided from the local and state level show that when elected officials, businesses, nonprofit institutions, faith leaders and ordinary citizens join together across lines of political ideology and reject the violence and antisemitic conspiracies of white nationalism, we begin the important process that both closes the door to political violence and stops anti-democracy extremists from mainstreaming their tactics and agenda.

I remain inspired by the broad coalition of local elected leaders, civil servants and community members who raise their voices against political violence and bigotry, sometimes at great risk to themselves and their families. But increasingly, I’m dismayed by the large swath of federal elected officials who refuse to join them in the condemnation of the antisemitic conspiracy theory justifying the violence. The burden of responding to political violence cannot be limited to local level government leaders. It requires the visible moral condemnation of federal elected officials and the agencies they oversee. Many of those voices are noticeably absent in the aftermath of the white nationalist-driven murders of African Americans in Buffalo, New York.

Let’s be clear. Under the best conditions, no city in America can successfully meet the challenge posed by the white nationalist replacement theory on its own. It’s time for the federal government to acknowledge this. Local government is deserving of federal relief and support in addressing white nationalist political violence. Our local rural and urban communities are facing an existential threat aimed at the heart of our democracy and it’s time for the federal government to act like it.

About Western States Center

Based in the Pacific Northwest and Mountain West, Western States Center (WSC) works nationwide to build a future where all people can live, love, worship, and work free from bigotry and fear. For over 35 years, Western States Center has fostered leaders, organizations, collaborations, and initiatives that reduced disparities and advanced equity; lifted up the leaders of marginalized communities; and delivered accessible tools for community organizing and civic engagement to tens of thousands of people throughout the West and beyond.

Four strategic pillars guide Western States Center's work. **Building Movement** by strengthening the organizing capacity of often-marginalized communities with an emphasis on gender and racial justice and combatting antisemitism. **Developing Leaders** by providing training, leadership development, and organizational capacity support to social justice movement leaders. **Shifting Culture** by convening culture makers to shift the narrative and use culture as a vehicle for social change. **Defending Democracy** by helping communities and civil society effectively respond to white nationalism and anti-democracy social movements.

¹ *Murder and Extremism in the United States 2021*. ADL Center on Extremism, February 2022, https://www.adl.org/sites/default/files/pdfs/2022-05/Murder_Extremism_US_2021_report-2022.pdf

² *Murder and Extremism in the United States 2021*. ADL Center on Extremism, February 2022, https://www.adl.org/sites/default/files/pdfs/2022-05/Murder_Extremism_US_2021_report-2022.pdf

³ *Audit of Antisemitic Incidents 2021*. Anti-Defamation League, April 2022, <https://www.adl.org/resources/report/audit-antisemitic-incidents-2021>

⁴ *The Year in Hate & Extremism Report 2021*. Southern Poverty Law Center, March 2022, <https://www.splcenter.org/20220309/year-hate-extremism-report-2021#proud-boys>

⁵ <https://acleddata.com/2022/01/05/updated-armed-demonstration-data-released-a-year-after-the-6-january-insurrection-show-new-trends/>

⁶ *Armed Assembly: Guns, Demonstrations, and Political Violence in America*. The Armed Conflict Location & Event Data Project and Everytown for Gun Safety Support Fund, August 2021, <https://acleddata.com/2021/08/23/armed-assembly-guns-demonstrations-and-political-violence-in-america/>

⁷ ADL H.E.A.T. Map™ (Hate, Extremism, Antisemitism, Terrorism). Anti-Defamation League, 2022, <https://www.adl.org/resources/tools-to-track-hate/heat-map>

⁸ Winston, Ali. "The Satanist Neo-Nazi Plot to Murder U.S. Soldiers." *Rolling Stone*, 5 June 2022, <https://www.rollingstone.com/culture/culture-features/the-satanist-neo-nazi-plot-to-murder-u-s-soldiers-1352629/>

⁹ <https://www.npr.org/sections/live-updates-protests-for-racial-justice/2020/10/08/921923955/michigan-ag-says-white-supremacist-groups-behind-plot-to-kidnap-gov-whitmer?t=1654573738588>

¹⁰ <https://www.nlc.org/post/2021/11/10/new-report-harassment-threats-and-violence-directed-at-local-elected-officials-rising-at-an-alarming-rate/>

¹¹ Parks, Miles. "1 in 5 local election officials say they're likely to quit before 2024." *NPR*, 10 Mar. 2022, <https://www.npr.org/2022/03/10/1085425464/1-in-5-local-election-officials-say-theyre-likely-to-quit-before-2024?t=1654519570236>

¹² Albiges, Marie. "Pa. election officials are burnt out and leaving their jobs after 2020 'nightmare'." *Spotlight PA*, 21 Dec. 2020, <https://www.spotlightpa.org/news/2020/12/pennsylvania-election-2020-officials-retiring-nightmare/>

¹³ Wines, Michael. "After a Nightmare Year, Election Officials Are Quitting." *New York Times*, 2 July 2021, <https://www.nytimes.com/2021/07/02/us/politics/2020-election-voting-officials.html>

- ¹⁴ Bayoumi, Moustafa. "The alleged Buffalo shooter was also inspired by Islamophobia. That's telling." *The Guardian*, 22 May 2022, <https://www.theguardian.com/commentisfree/2022/may/22/buffalo-shooter-islamophobia-replacement-theory>
- ¹⁵ Breslow, Samuel. "What is the great replacement theory and what does it say about Jews?" *Forward*, 16 May 2022, <https://forward.com/news/502579/great-replacement-theory-jews-blacks-tucker-carlson-antisemitism/>
- ¹⁶ ii Breslow, Samuel. "What is the great replacement theory and what does it say about Jews?" *Forward*, 16 May 2022, <https://forward.com/news/502579/great-replacement-theory-jews-blacks-tucker-carlson-antisemitism/>
- ¹⁷ Tress, Luke. "Manifesto attributed to Buffalo shooting suspect pushes antisemitic conspiracies." *The Times of Israel*, 15 May 2022, <https://www.timesofisrael.com/manifesto-attributed-to-buffalo-shooting-suspect-pushes-antisemitic-conspiracies/>
- ¹⁸ Bayoumi, Moustafa. "The alleged Buffalo shooter was also inspired by Islamophobia. That's telling." *The Guardian*, 22 May 2022, <https://www.theguardian.com/commentisfree/2022/may/22/buffalo-shooter-islamophobia-replacement-theory>
- ¹⁹ Gilsinan, Kathy. "Why Is Dylann Roof So Worried About Europe?" *The Atlantic*, 24 June 2015, <https://www.theatlantic.com/international/archive/2015/06/dylann-roof-world-white-supremacist/396557/>
- ²⁰ Arango, Tim, et al. "Minutes Before El Paso Killing, Hate-Filled Manifesto Appears Online." *New York Times*, 3 Aug. 2019, <https://www.nytimes.com/2019/08/03/us/patrick-crusius-el-paso-shooter-manifesto.html>
- ²¹ Beckett, Lois. "Pittsburgh shooting: suspect railed against Jews and Muslims on site used by 'alt-right'." *The Guardian*, 27 Oct. 2018, <https://www.theguardian.com/us-news/2018/oct/27/pittsburgh-shooting-suspect-antisemitism>
- ²² Turkewitz, Julie and Kevin Roose. "Who Is Robert Bowers, the Suspect in the Pittsburgh Synagogue Shooting?" *New York Times*, 27 Oct. 2018, <https://www.nytimes.com/2018/10/27/us/robert-bowers-pittsburgh-synagogue-shooter.html>
- ²³ "Inside the Apocalyptic Worldview of Tucker 'Tucker Carlson Tonight'." *New York Times*, 30 Apr. 2022, <https://www.nytimes.com/interactive/2022/04/30/us/tucker-carlson-tonight.html>
- ²⁴ Keveney, Bill. "Tucker Carlson doubles down on voter 'replacement' comments after ADL calls for his firing." *USA Today*, 12 Apr. 2022, <https://www.usatoday.com/story/entertainment/tv/2021/04/12/fox-backs-tucker-carlson-and-rejects-adl-call-his-firing/7197805002/>
- ²⁵ Jensen, Eric. "'That's just insane': Tucker Carlson resents ADL's response to 'Replacement' theory remarks." *USA Today*, 28 Sep. 2021, <https://www.usatoday.com/story/entertainment/tv/2021/09/28/fox-news-tucker-carlson-adl-great-replacement-theory-reactions/5897547001/>
- ²⁶ Gaetz, Matt [@mattgaetz]. "@TuckerCarlson is CORRECT about Replacement Theory as he explains what is happening to America. The ADL is a racist organization. Link: <https://www.theguardian.com/media/2021/sep/25/tucker-carlson-fox-news-anti-defamation-league>" *Twitter*, 25 Sep. 2021, <https://twitter.com/mattgaetz/status/1441807874053885952>
- ²⁷ Hullinger, Logan. "ICYMI: Rep. Perry pushes 'replacement theory' during committee hearing." *York Dispatch*, 15 Apr. 2021, <https://www.yorkdispatch.com/story/news/politics/2021/04/15/rep-perry-pushes-replacement-theory-during-committee-hearing/7229074002/>

-
- ²⁸ Rahman, Khaleida. "Elise Stefanik Blasted for 'Despicable' Facebook Ads Pushing 'Replacement Theory'." *Newsweek*, 19 Sep. 2021, <https://www.newsweek.com/elise-stefanik-blasted-despicable-facebook-ads-pushing-replacement-theory-1630545>
- ²⁹ Cameron, Joseph. "Racist 'Replacement Theory' Is Bleeding Into GOP Senate Campaigns." *VICE News*, 10 May 2022, <https://www.vice.com/en/article/n7nxmk/gop-great-replacement-theory>
- ³⁰ Evans, Timothy. "Republican asks Ohioans in new TV spot: 'Do you hate Mexicans?'" *Raw Story*, 5 Apr. 2022, <https://www.rawstory.com/id-vance-racists-ad/>
- ³¹ Carless, Will. "Month before Buffalo shooting, poll finds, 7 in 10 Republicans believed in 'great replacement' ideas." *USA Today*, 1 June, 2022, <https://www.usatoday.com/story/news/nation/2022/06/01/great-replacement-theory-poll-republicans-democrats/7461913001>
- ³² "SPLC Poll Finds Substantial Support for 'Great Replacement' Theory and Other Hard-Right Ideas." Southern Poverty Law Center, 1 June 2022, <https://www.splcenter.org/news/2022/06/01/poll-finds-support-great-replacement-hard-right-ideas>
- ³³ FM3 Polling Research of Idaho Republican voters, May 17-19, 2022
- ³⁴ <https://www.nbcnews.com/politics/immigration/white-nationalist-leader-plotting-take-over-gop-n920826>
- ³⁵ Thornburgh, Kaye. "Recording allegedly reveals Kootenai County GOP plan to take over Kootenai Democratic Party." *Idaho Capital Sun*, 10 March 2022, <https://idahocapitalsun.com/2022/03/10/recording-allegedly-reveals-kootenai-county-gop-plan-to-take-over-kootenai-democratic-party/>
- ³⁶ <https://newpluralists.org/healing-starts-here-rfp-new-pluralists-first-major-public-investment-in-the-field/>
- ³⁷ <https://www.integrityfirstforamerica.org/our-work/case/charlottesville-case>
- ³⁸ <https://cdapress.com/news/2020/sep/06/aryan-nations-trial-20-years-later/>
- ³⁹ <https://idahocapitalsun.com/2022/05/11/st-lukes-hospital-system-sues-bundy-rodriguez-peoples-rights-and-others/>
- ⁴⁰ <https://www.dhs.gov/sites/default/files/2022-03/Report%20to%20the%20Secretary%20of%20Homeland%20Security%20Domestic%20Violent%20Extremism%20Internal%20Review%20Observations%2C%20Findings%2C%20and%20Recommendations.pdf>



Written Testimony of

Michael German
Fellow

Brennan Center for Justice
at New York University Law School

Hearing: Domestic Extremism in America:
Examining White Supremacist Violence After
Recent Attacks

Before the United States Senate
Committee on Homeland Security and Government
Affairs

Thursday, June 9, 2022

Chair Peters, Ranking Member Portman, and members of the Committee, thank you for inviting me to testify regarding white supremacist violence following the deadly attack on the Tops Friendly Market in Buffalo, New York this May. For too long, law enforcement has deprioritized investigations into white supremacist and far-right militant violence, despite the deadly results. While recent racist attacks have raised public awareness and galvanized Congress to act, the nature and scope of the problem must be better understood in order for effective reforms to be established. The Brennan Center has published four reports describing intelligence abuses and deficiencies in the law enforcement response to white supremacist and far-right militant violence over the last several years that contain detailed recommendations for reform, which I will summarize below.¹ I appreciate the attention this committee is focusing on this issue and submit this statement to aid your efforts.

The Great Replacement Theory and White Supremacist Violence

The Buffalo attack, which left 10 people dead, was explicitly intended to intimidate and coerce the Black community in New York and across the nation, and therefore clearly meets the statutory definition of domestic terrorism passed by Congress in 2001.² It followed previous mass shootings by avowed white supremacists who are often called “lone wolves,” including a 2019 attack targeting the Latinx community in El Paso, Texas, which killed 23 people, and the 2018 attack on the Jewish community in Pittsburgh, Pennsylvania that killed 11 people. Our sympathies are with the survivors, their families, and all communities victimized by white supremacist and far-right militant violence.

Each of these recent white supremacist mass killers allegedly made prior references to the “great replacement” in statements posted on various online platforms. The “great replacement,” sometimes also called “white genocide,” is a racist and anti-Semitic conspiracy theory that claims that there is a leftist (or sometimes Jewish) plot to systematically displace white Americans in the United States through non-white immigration, race mixing, and increased birth rates in communities of color. It is an old concept that has animated the global white supremacist movement for decades, as it frames white people as victims in need of protection and urges preventative action – conveniently characterized as defensive rather than offensive – to protect white social, political, and economic dominance.³ It

serves to allow followers who are inclined to commit offensive violence against innocents to characterize themselves as honorable defenders of their people rather than criminals.

The “great replacement” became a topic of mainstream media interest when white supremacists marching at the start of the violent 2017 Unite the Right rally in Charlottesville, VA in 2017 were filmed chanting “Jews will not replace us.”⁴ And though the FBI and Justice Department regard white supremacist violence as domestic terrorism, the great replacement theory and white supremacist violence are and always have been international in scope. An Australian white supremacist who in 2018 attacked a mosque in Christchurch, New Zealand killing 50 people titled his manifesto, “The Great Replacement.” It referenced a 2015 white supremacist attack against a Black church in Charleston, South Carolina and a 2011 white supremacist mass killing in Norway as inspiration. The El Paso and Buffalo shooters modeled their attacks on the Christchurch mass shooting and wrote their own manifestos cribbing heavily from the Christchurch attacker’s.

This evidence suggests violent white supremacists are not always “lone wolves,” as they are habitually characterized by law enforcement and the media. They often collaborate with like-minded individuals, learn from studying previous attacks, and seek to inspire others by issuing public statements paying homage to one other as martyrs to the cause. When I was working undercover in the white supremacist movement, its leaders instructed us to employ what they called “lone wolf” tactics when committing criminal acts, as part of a broader “leaderless resistance” strategy.⁵ The strategy directed individuals or small cells to separate themselves from any larger white supremacist group before committing an attack to prevent the government from lodging conspiracy charges that could destabilize the larger movement. Individuals or small cells that properly utilize this strategy can make it impossible for law enforcement to prosecute a broader conspiracy relative to any particular criminal act. But that doesn’t mean that law enforcement can’t learn important details from these investigations that will be useful to anticipate the next attack.

Though the Buffalo shooter was initially called a lone wolf, more recent media reports indicate that investigators are now seeking information about at least six people who he made aware of his plans prior to the attack, including a former

federal agent. Fifteen people accepted his invitation to read his manifesto and watch his livestream of the attack in a Discord chatroom. The shooter's online diary also claimed someone he called "the Sandman" provided assistance in selecting the weapon he should purchase for the task.⁶

But the great replacement theory and the fear of demographic change is not only shared among violent white supremacists. A French white nationalist, Renaud Camus, wrote a book titled "The Great Replacement," claiming there was a globalist plot to replace the white population of France with Muslim immigrants. Camus has repeatedly and publicly disavowed support for violence, however.⁷ The number of non-violent white supremacists that traffic in racist conspiracy theories far exceeds the number who commit violence in furtherance of them. Moreover, an Associated Press/NORC Center for Public Affairs poll conducted before the Buffalo shooting indicated that almost one-third of Americans agreed with the statement that "a group of people is trying to replace native-born Americans with immigrants for electoral gains." Twenty-nine percent of Americans believed immigration increases are "leading to native-born Americans losing economic, political, and cultural influence," according to the poll.⁸

That these core tenets of the "replacement theory" are so widely believed should not be surprising, as politicians and media pundits have long exploited racial resentments and public fears of demographic change to sway voters and build an audience. Back in 2006, for instance, Fox News host John Gibson ran a segment bemoaning a news report that nearly half of the children in the U.S. under five years of age were non-white, and that the U.S. population was projected to be majority Hispanic within twenty-five years. He urged non-Hispanic people to "make more babies."⁹ Fox News hosts have continued to promote these ideas ever since. A recent Yahoo/YouGov poll found that 54 percent of Fox News viewers believe that "a group of people in this country are trying to replace native-born Americans with immigrants and people of color who share their political views."¹⁰

Even within government, white supremacist beliefs are distressingly widespread. Members of Congress and state legislatures have increasingly promoted the types of conspiracy theories discussed above, and even participated in white supremacist events.¹¹ Our immigration policies have long been influenced by racial bias.¹² Law enforcement and the military have acknowledged infiltration of their ranks by white supremacists and far-right militants. At some point we must acknowledge that

white supremacy is not an “extremist” belief system, but instead far too mainstream. It is particularly dangerous when authority figures promote conspiracy theories because individuals hearing these messages may interpret it as government authorization to act in violation of the law.

Social Media, Terrorism Prevention, and Flawed Theories of Radicalization

Unfortunately, counterterrorism efforts since the al Qaeda attacks on 9/11 have focused on a discredited theory of terrorist radicalization that posits that the exposure to and adoption of radical ideas is a reliable predictor of terrorist violence.¹³ This theory has long been disproven through empirical research, but the FBI and its law enforcement and intelligence partners cling to a terrorism prevention strategy based on its flawed premise, because it justifies broad and intrusive investigative and intelligence collection authorities.¹⁴ The prevention strategy relies on massive data collection activities that infringe on all Americans’ privacy, countering violent extremism programs that label entire communities as suspect, and “see something, say something” programs that spread mutual suspicion and animosity, dividing Americans against each other. And crucially, there isn’t any evidence they work to prevent terrorist attacks.

Yet after each failure, the FBI doubles down on the flawed methodology. Though FBI and Department of Homeland Security analysts and other law enforcement officials issued timely warnings about far-right militants who had posted on social media calls for violence at the Capitol on January 6, 2021, FBI, DHS, and Capitol Police leaders ignored them.¹⁵ But after the attack, the FBI invested another \$27 million to conduct more monitoring of social media to detect potential threats—as if the problem had been insufficient monitoring of social media rather than a failure of the FBI to respond to threats unfolding before in plain view.¹⁶ This additional monitoring wasn’t helpful in preventing the Buffalo shooting, or the hundreds of other mass shootings that have taken place in the U.S. since that contract was signed.

It seems intuitive that effective social media monitoring might provide important clues that could help law enforcement anticipate and prevent an attack. After all, the attackers in Buffalo, Pittsburgh, and El Paso all gained access to white supremacist texts online and expressed their hateful and violent intentions on various social media platforms. If someone had reported this online activity to law enforcement, it is presumed the police could have acted to prevent the attack. But as discussed

above, racist conspiracy theories like the “great replacement” are commonplace, not just on social media but in mainstream political discourse. The head of FBI counterterrorism explained her failure to act on a January 5th warning about a social media posting call for “war” at the Capitol on January 6th by stating that, “Thousands and thousands of tips come in just like this one every day. And not all of those get elevated to senior leadership.”¹⁷ Broadscale social media monitoring identifies so many false positives that it drowns out true threats and overwhelms law enforcement responders, just as false fire alarms tend to dull firefighters’ response times.

In fact, this dulling effect may have been a factor in the deficient law enforcement response to earlier warnings regarding the alleged Buffalo shooter. When concerned individuals at his school reported his threatening to engage in a school shooting, law enforcement reportedly had him hospitalized for a psychological evaluation but did little to follow up.¹⁸ The tendency for law enforcement to downplay white supremacist violence as a threat may have played a role as well. One can imagine that the law enforcement response may have been more aggressive if the Buffalo shooter had instead expressed support for ISIS or al Qaeda.

Moreover, social media has proven to be a double-edged sword for white supremacists and far-right militants. While it allows them to spread their message and establish like-minded communities, it also leaves a permanent record of their activities that often is used against them in criminal and civil trials. When popular social media companies have barred white supremacist content for violating terms of service regarding racist and threatening content, those who post such content moved to less-known outlets that sometimes cater to these groups. White supremacists and far-right militants formed communities on Discord, Gab, and Parler, for instance, all of which suffered significant data breaches that exposed this content.¹⁹ The leaked Discord chats of the organizers of the violent Unite the Right rally played a prominent, and likely decisive role in a civil action that held them liable for \$26 million in damages.²⁰

If law enforcement is to be more effective in addressing white supremacist violence, it is essential for law enforcement to better understand how the violent element within the white supremacist movement networks and operates. This requires focusing on the tactics violent white supremacists employ rather than mass surveillance of ideological groups. The FBI should account for, catalog, and

investigate all incidents of white supremacist and far-right militant violence to build an evidence-driven understanding of these crimes, their instrumentalities, and the networks that aid, abet, and perpetrate them. It is also important to recognize that while white supremacist are the most violent and deadly among the perpetrators the FBI categorizes as domestic terrorists, they make up only a small subset of the mass shootings that occur each year. And these mass killings are only a small subset of the total number of U.S. homicides. While the total number of murders each year significantly lower than rates seen in the 1980s, the murder clearance rate has fallen too, to a historic low of just over 50 percent in 2020.²¹ Any terrorism or targeted violence prevention strategy has to recognize that failing to solve violent crimes undermines the overall mission of protecting public safety.

Preventing Another Failure

Fortunately, Congress has already done the work necessary to provide federal law enforcement with all the statutory tools it needs to properly address white supremacist and far-right militant violence. It passed 52 federal crimes of terrorism that apply to domestic acts, and dozens of other civil rights, organized crime, violent crime, and conspiracy statutes that prosecutors regularly use to prosecute twice as many domestic terrorism cases as international terrorism cases, using only one-fifth of the investigative resources.²² The problem is that the Justice Department and FBI choose not to prioritize the investigation and prosecution of white supremacist and far-right violence as a matter of policy and practice. They do not even collect accurate data regarding such attacks.

Instead, the Justice Department and FBI use their domestic terrorism authorities most aggressively against groups that are far less violent and rarely, if ever, commit fatal attacks, such as environmentalists, animal rights activists, peace activists, anti-racism activists, anti-fascists, and most recently revealed, Concerned Women of America.²³ The Justice Department's failed attempt to prosecute more than 200 anti-Trump activists who happened to be near locations where some windows were broken during the 2017 Disrupt J20 post-inauguration protests stands in sharp contrast to the relative handful of federal arrests arising from more than four years of far-right rioting across the country where counter-protesters, journalists, and police officers have been beaten, maced, stabbed, run over, shot, and killed.²⁴

The DHS Office of Intelligence and Analysis has also come under withering

criticism from a number of sources, both internal and external, for the poor quality of its reporting, its targeting of journalists and protesters, and attempts by high-level officials to politicize its threat assessments.²⁵ A whistleblower complaint by the former acting head of I&A alleged that DHS leaders asked him to alter intelligence assessments to downplay the threat of white supremacist violence and amplify reporting on anti-fascists and anarchists to match Trump administration rhetoric.²⁶

Congress Needs Accurate Data to Enact Sound Policies

Organized white supremacist violence has posed an enduring threat in the United States since its founding, but the Justice Department does not collect or publish data that measures the true nature or scope of this problem. A May 2021 report required by the National Defense Authorization Act of 2020 confirmed that the FBI does not track the annual incidents of lethal and non-lethal violence committed by groups it categorizes as “domestic violent extremists.”²⁷ Though white supremacist and far-right militant attacks represent just a tiny proportion of the violence that takes place in the U.S. each year, these crimes demand extra attention because they pose a persistent threat to vulnerable communities, particularly communities of color, immigrants, LGBTQ people, women, the disabled, and religious minorities. White supremacists and far-right militants also kill law enforcement officers more often than other groups the FBI categorizes as domestic terrorists.²⁸ Moreover, the organized nature of the groups that often commit this violence enables them to quickly replace any member who is arrested and incarcerated and continue committing further acts of violence after any previous crime is successfully prosecuted.

Congress has repeatedly made clear its intent for the Justice Department to investigate and prosecute these crimes. In 1871, Congress passed what was arguably the first domestic terrorism law, the Ku Klux Klan Act.²⁹ It later passed five federal hate crimes statutes to address the bias crimes that many white supremacists commit, and 52 terrorism laws that apply to domestic acts. It passed organized crime, violent crime, and conspiracy statutes that the Justice Department can and does use effectively at times, to prosecute violent white supremacist gangs. These statutes all impose substantial penalties for violations. Congress also funded 200 FBI Joint Terrorism Task Forces across the country, which are designed to leverage state and local laws in the pursuit of terrorists, when federal prosecution, for whatever reason, is unwarranted. All the necessary tools already exist.

Indeed, the Justice Department has been using these tools to charge more than 846 people with crimes related to the January 6th attack, including federal crimes of terrorism.³⁰ Yet, with an estimated 2,500 individuals having participated in the attack, there is still much to be done. Judges presiding over the Capitol breach cases have criticized the Justice Department for their charging decisions, particularly for allowing misdemeanor pleas that limit the sentences they could impose.³¹ And militant groups like the Proud Boys have reorganized since January 6th and continue to menace local communities across the U.S. with little intervention from law enforcement.³² Most shockingly, militants involved in the January 6th attack continue to engage in public violence, yet federal prosecutors have not brought new charges.³³

The Biden administration issued the government's first national strategy on countering domestic terrorism. It recognized that white supremacist and far-right militants posed the "most persistent and violent threats," and highlighted the need for better data to facilitate a comprehensive assessment of the domestic terrorism threat.³⁴ Yet the problem is far from solved. What's needed, and what the Justice Department has so far refused to produce, is a comprehensive national strategy specifically designed specifically to address white supremacist and far-right militant violence, beginning with the collection of accurate data about these attacks across all its programs. Absent such an approach, there will continue to be failure to properly prioritize domestic terrorism resources.

Ironically, the multiple pathways Congress has provided to prosecute white supremacist and far-right militant violence inadvertently have given the Justice Department another way to obscure the true nature of the threat in its reporting. If a white supremacist murdered someone, the FBI could consider the crime an act of domestic terrorism, a hate crime, or simply a violent crime. If the FBI categorized it as domestic terrorism, the case would be treated as a top priority (though second in the counterterrorism program to international terrorism) and would be well-resourced and robustly investigated. But it often puts white supremacist violence into lower-prioritized programs.

If the victim belonged to a protected class, the FBI could categorize the murder as a hate crime, a type of civil rights violation which is the bureau's fifth priority. FBI hate crime investigations typically have a narrow focus, seeking to identify evidence to prove the biased motive for the attack rather than to determine whether the

perpetrator was part of a continuing criminal enterprise. But the FBI probably wouldn't conduct such an investigation because the Justice Department has a longstanding policy of deferring investigations of hate crimes to state and local law enforcement, even though some states don't have hate crime laws and many more rarely use them. Only a small percentage (14 percent in 2019) of police agencies even acknowledge that hate crimes occur in their jurisdiction in federal reporting.³⁵ Crime victim surveys suggest that there are approximately 230,000 violent hate crimes annually, but despite five federal hate crime statutes, the Justice Department prosecutes only about 25 defendants each year.³⁶

The Biden domestic terrorism strategy recognizes the need for collaboration between federal domestic terrorism prosecutors and hate crimes prosecutors, and the FBI created fusion cells to link domestic terrorism and hate crimes investigations long before the January 6th attack.³⁷ But the Justice Department has not changed its policy of deferring hate crimes investigations to local authorities. It is unclear in the Justice Department guidance implementing the domestic terrorism strategy whether hate crimes prosecuted locally will be accounted for, and of course, it is impossible to count cases not investigated or charged as hate crimes because of a lack of interest, rather than lack of evidence.³⁸

A significant percentage of Justice Department prosecutions of violent white supremacists are not products of Joint Terrorism Task Force investigations or civil rights cases, but federal violent crimes task force investigations. These investigations are sometimes led by the Bureau of Alcohol, Tobacco, and Firearms or the Drug Enforcement Agency rather than the FBI. These cases receive surprisingly little attention, even though serious violent crimes are often alleged, including murders, and dozens of white supremacist gang members are arrested at a time in multi-agency raids. Twenty-four members of Aryan Circle were arrested in Texas in October, 2020, for instance, and 54 members of the New Aryan Empire were arrested in Arkansas in 2019, in just two examples.³⁹ The 2018 arrests of 40 members and associates of the United Aryan Brotherhood in Florida recovered 110 illegal firearms, including two pipe bombs and a rocket launcher.⁴⁰ These cases probably do not appear in Justice Department domestic terrorism statistics, but certainly, Congress needs this data to understand the full scope of white supremacist violence in the United States in order to establish effective policies to address it.

To be clear, these federal organized crime and violent crime prosecutions are

effective tools the Justice Department can and should use to prosecute violent white supremacist and far-right militant groups. Indeed, this methodology could be effective in addressing violent crimes committed by organized groups like the Proud Boys, whose members have been arrested for acts of violence all across the country, including at the U.S. Capitol. But the Justice Department needs to capture the data from these prosecutions, and the intelligence collected during these investigations, to develop a comprehensive national strategy to address this violence.

I have to say these violent crimes prosecutions *probably* do not appear in Justice Department domestic terrorism data because the Justice Department redacts the docket numbers when it discloses non-sensitive prosecution data to the public, making it impossible to cross-check the statistical accomplishments it claims against case records. The Brennan Center sued the Justice Department to obtain these docket numbers in terrorism prosecutions so the public could better understand how the government uses its counterterrorism authorities.⁴¹ Though the Justice Department acknowledged that it used this data in reporting to Congress regarding its terrorism prosecutions, in litigation it argued that it needed to withhold docket numbers because a substantial number of the defendants convicted in cases it reports as domestic terrorism prosecutions are not actually terrorists. In contrast, the Department routinely releases defendant information in prosecutions that it considers to be linked to international terrorism, even where the crimes charged bear no clear relation to terrorism. The judge hearing the case wrote that, “the public has an interest in knowing that the [Justice Department’s prosecutions] database contains inaccuracies and that those inaccuracies may have resulted in erroneous public reporting from the Department.”⁴²

Without a national strategy focused on documenting the full scope of white supremacist and far-right violence, cases involving these militants will continue to fall through the cracks. Recent examples of far-right violence that appear to have met the statutory definition of domestic terrorism but resulted in no federal charges include the 2018 slaying of a gay Jewish man in California by a member of the violent neo-Nazi group Atomwaffen Division; the 2017 murder of a black man in New York City by a white supremacist intent on starting a race war; and the 2016 vehicular homicide of a black man in Oregon by a member of European Kindred, a white supremacist prison gang.⁴³ State and local prosecutors charged these perpetrators with hate crimes and, in the New York City case, with violating a state terrorism statute. The crimes likely met the federal definition of domestic terrorism as well, as they were deadly and intended to intimidate a civilian population. These

crimes did not go unpunished, and pursuing state charges may have been an appropriate choice in these cases. But the Justice Department does not properly account for them as potential acts of domestic terrorism that need to be recorded in threat assessments that inform a national strategy. The failure to acknowledge the organized and interstate nature of violent white supremacist and far-right militant groups forfeits intelligence that could be used to prepare for and perhaps prevent future attacks.

The FBI has also thwarted congressional demands for data regarding its domestic terrorism program. In 2017, Sen. Durbin introduced the Domestic Terrorism Prevention Act, which would have required the FBI to produce data regarding how it used its domestic terrorism resources.⁴⁴ The bill sought data documenting the number of terrorist incidents and corresponding fatalities, and the number of investigations and prosecutions for each of the FBI's 11 domestic terrorism categories, which included white supremacists, anarchists, environmentalists, far-right militants, and Black Identity Extremists, and others. This data would allow Congress to determine if the FBI was disproportionately investigating categories that produced fewer fatal attacks.

Though the bill had not passed yet, Sen. Durbin requested an FBI briefing on the matter for members of the Senate Judiciary Committee. When the FBI finally provided this briefing in April of 2019, it revealed it had collapsed the white supremacist and Black Identity Extremist categories into a new Racially Motivated Violent Extremist (RMVE) category, and the far-right militia and the anarchist categories into a single Anti-Government and Anti-Authority Violent Extremist category (AGAAVE). These groupings make little operational sense. Subjects of an investigation of white supremacists would rarely overlap or work together with subjects of an investigation into Black Identity Extremists, and likewise for militias and anarchists. Some Proud Boys chapters are openly white supremacist, while others disavow racism, leaving it unclear if different FBI field offices will categorize cases against the same group differently.⁴⁵ What these misguided groupings would appear to accomplish, however, as Sen. Durbin suggested in a letter to the Justice Department, is obscuring the comparative data his bill sought.⁴⁶ These groupings confuse which groups are receiving investigative attention, as the relatively high rate of violence committed by white supremacists can be used to justify resources for the RMVE category, which can then be used to investigate less violent Black extremists. Likewise, the relatively high rate of violence from far-right militants could be used to direct resources to the AGAAVE category, which could then be

used to investigate less-violent anarchists.

Other FBI categories include Animal Rights/Environmental Violent Extremists and Abortion-Related Violent Extremists, which the FBI says includes pro-choice violent extremists. Including these categories among its domestic terrorism program signals to Joint Terrorism Task Force members that they should conduct investigations targeting these groups, despite the fact that there has never been a single homicide committed by pro-choice, animal rights, or environmental activists in the U.S.⁴⁷ The FBI claims its domestic terrorism investigations are focused on violence and not ideology, but it uses ideologies as categories for its domestic terrorism program promotes. The FBI's establishment of these ideological categories was arbitrary, based its own subjective preferences rather than a complete and objective analysis of domestic terrorism incidents that occur in the U.S., which it admitted it does not collect.⁴⁸

Terrorism investigations should be focused where evidence indicates deadly violence is most likely to occur, not distributed among ideological categories that include protest groups and activists that do not regularly commit deadly violence. Some animal rights and environmental activists have engaged in non-violent civil disobedience and damaged property. These lesser crimes should never be mistaken for terrorism, and most often can better be addressed by local law enforcement. The FBI should not be using its domestic terrorism resources and authorities to target non-violent crimes and civil disobedience, particularly when it fails to properly account for and address all the deadly white supremacist and far-right militant violence within its domestic terrorism program.

National Strategy on Countering Domestic Terrorism Helpful But Insufficient

The Biden administration's domestic terrorism strategy is a positive step toward reform, but it is hampered by the FBI's improper categorization scheme. The strategy highlights the fact that white supremacist and far-right militant violence are the most prevalent and most deadly of the domestic terrorism categories, but it had to wrestle with the FBI's language to make its intent clear. It uses the FBI's language identifying "racially and ethnically motivated violent extremists" but then has to add a parenthetical, "(principally those who promote superiority of the white race)" to make clear that it intends the focus of cases in this category to be white supremacists rather than so-called "Black Identity Extremists," which go

unmentioned.⁴⁹ The intelligence community assessment of the domestic terrorism threat that is embedded in the strategy includes a similar caveat, referring to “RMVEs who promote the superiority of the white race” as the most serious transnational threat. But in describing the most lethal threats, it uses “racially and ethnically motivated violent extremists (RMVEs) and militia violent extremists (MVEs),” adopting the FBI’s revised category that includes groups other than white supremacists, but abandoning the use of the AGAAVE category to focus on one element within it.⁵⁰ These tortured addendums and reductions inject unnecessary confusion that could have been avoided if the FBI had not awkwardly combined dissimilar groups into a single category.

The domestic terrorism strategy also references other “ideologies” that may motivate domestic terrorism and specifically mentions animal rights and environmental activism, reinforcing the perception that domestic terrorism investigators and prosecutors should pursue cases targeting these groups despite the lack of deadly violence attributed to them.⁵¹ The FBI’s establishment of an entire domestic terrorism category focused on animal rights and environmental activism creates a false equivalency with white supremacists and far-right militants that pose significantly more persistent deadly threats.

The FBI has shown a stubborn determination to resist reform efforts and to utilize its domestic terrorism authorities to harass disfavored political activism involving protest activities or non-violent civil disobedience. Compelling FBI managers and Justice Department prosecutors to focus on white supremacist and far-right militant violence they otherwise choose to ignore requires specificity in the language used to set its domestic terrorism strategy, policy, and practices.

Recommendations for A New Approach to Address White Supremacist and Far-Right Violence:

1. Reject Calls to Create a New Domestic Terrorism Crime

Congress and other stakeholders should categorically reject calls for a new federal statute that gives federal law enforcement greater authorities or resources to investigate and prosecute domestic terrorism. As detailed above, such legislation is unnecessary, given the plethora of authorities and resources already available to the Justice Department and FBI. Adding new ones would only intensify existing discriminatory impacts of domestic terrorism investigations and prosecutions that are

targeted at groups protesting government policies rather than terrorists.

2. Strengthen Congressional Oversight of Counterterrorism Resources

Domestic terrorism and hate crime data is rife with error, often arbitrary, and based on vague and conflicting categorization schemes. Congress should require the Justice Department to revamp its data collection policies and practices to ensure that it captures all incidents of white supremacist violence across all its investigative programs so it can better understand the true nature and scope of the impact these crimes have on American communities, and provide this information to Congress in a timely and reliable way.

3. Require the Justice Department and Department of Homeland Security to Produce a National Strategy to Fight White Supremacist and Far-Right Violence

The Justice Department and Department of Homeland Security need a comprehensive national strategy to properly prioritize and sufficiently resource investigations and prosecutions of white supremacist and far-right violence, and document the true impact it has on American society. The language in the strategy needs to be specific in order to compel a focus on this most deadly form of domestic terrorism. Generalized language gives law enforcement agencies room to use resources devoted to domestic terrorism or domestic violent extremism to target groups engaging in protest activities and non-violent civil disobedience rather than deadly violence. This misallocation of resources tends to disproportionately result in investigations targeting communities of color, environmentalists, and anti-racist protesters. Congress should require the FBI and Justice Department to allocate domestic terrorism resources based on an objective assessment of the threat to human life posed by each domestic terrorism category, with fewer resources devoted to groups that engage in property crimes like vandalism rather than violence harmful to human life. The FBI should treat all cases in which white supremacist and far-right militants engaged in deadly violence among its top investigative priorities, whether currently classified as domestic terrorism, hate crimes, or violent crimes, rather than deferring these investigations and prosecutions to state and local law enforcement.

4. Reform Police Intelligence Practices to Restore Community Trust

Minority communities are disproportionately victims of many kinds of violence,

including at the hands of law enforcement, and are often denied equal protection when they seek justice. A comprehensive strategy to protect these communities from white supremacist terrorism and hate crimes must include measures to address these disparities and to reform police practices. The Justice Department also has an important role in holding law enforcement officials accountable for civil rights violations, but these cases are rarely prosecuted. Recent allegations of police cooperation with or assistance to far-right groups involved in violent protests should be fully investigated.

5. Require the Justice Department to Produce a National Strategy to Address Racism, White Supremacy, and Far-Right Militancy in Law Enforcement

The Justice Department has acknowledged that law enforcement involvement in white supremacist and far-right militia organizations poses an ongoing threat, but it has not produced a national strategy to address it. Not only has the department failed to prosecute police officers involved in patently racist violence, it has only recently begun collecting national data regarding use of force by law enforcement officials.

Congress should direct the Justice Department to:

- Immediately establish a working group to examine law enforcement associations with white supremacist and other far-right militant groups to assess the scope and nature of the problem in a report to Congress.
- Develop an evidence-based national strategy designed to protect the security and civil liberties of communities policed by law enforcement officers who are active in white supremacist or far-right militant organizations. This strategy could include criminal domestic terrorism investigations, civil actions, and reporting to local prosecutors and police departments for administrative action. A national strategy will ensure that U.S. attorneys and FBI offices across the country properly prioritize these investigations and harmonize their tactics to guarantee equal justice for all. The national strategy should include data and metrics to evaluate the effectiveness of the methodologies it employs.
- Require the FBI to survey its domestic terrorism investigations involving white supremacists and other overtly racist or fascist militant groups to document and report to the DOJ all indications of active links between these groups and law enforcement officials.

- Require the FBI to determine whether any law enforcement officials it investigates for civil rights violations or other criminal matters have connections to violent white supremacist organizations or other far-right militant groups, have a record of discriminatory behavior, or have a history of posting explicitly racist commentary in public or on social media platforms. This information should be provided to FBI agents assigned to domestic terrorism matters for investigative and intelligence purposes, and to federal, state, and local prosecutors to consider their inclusion on Brady lists, which would require disclosure of such misconduct to defendants in cases in which these law enforcement officers testify as witnesses.

- Require the FBI to report any federal, state, or local official assigned to a federal task force who is discovered during initial screenings or periodic background investigations to have active links to any white supremacist or other militant groups, to have engaged in racist behavior, or to have posted overtly racist commentary to on social media to the DOJ and to their departments. Where appropriate based on available evidence, the Justice Department should bar these officials from further participation with federal task forces and report the information to appropriate departmental heads and state and local prosecutors for potential inclusion on Brady lists.

- Analyze the data collected by the FBI in its law enforcement use of force database to evaluate each use of force complaint for indications that racial, ethnic, or political bias motivated the violence.

- Establish a formal mitigation plan to implement when evidence indicates that an unidentified law enforcement officer poses a public security threat or a risk of harm to any protected class or community. Such a plan could include federal, state, or local investigations and prosecutions where warranted by the officers' conduct; civil rights lawsuits and consent decrees; reporting information identifying the officer to other federal, state, or local authorities for appropriate employment action; and placement of identified officers on Brady lists maintained by federal, state, and local prosecutors to ensure that defendants in criminal cases and plaintiffs in civil actions against these officers have appropriate impeachment evidence available.

- Congress should pass the Ending Racial and Religious Profiling Act of 2019 to ban all federal, state, and local law enforcement agencies from profiling based on actual or perceived race, ethnicity, religion, national origin, gender, gender identity, or sexual orientation. Current racial profiling guidelines issued by the Department of Justice are incomplete, unenforceable, and inapplicable to state and local law

enforcement. Banning racial profiling through comprehensive legislation would mark a significant step toward mitigating the potential harm caused by racist officers undetected within the ranks.

- Strengthen whistleblower protections for FBI employees and other federal law enforcement agents. Employees of the FBI and other federal law enforcement agencies are in the best position to identify waste, fraud, and abuse of authority in the enforcement of the law. Congress should ensure the employees entrusted to protect public safety and national security receive protection for properly reporting internal misconduct, with access to federal courts to vindicate these rights. The Federal Bureau of Investigation Whistleblower Enhancement Act of 2015 could serve as a model for such legislation.

- The Domestic Terrorism Prevention Act of 2021 (H.R. 350) includes a provision that requires the FBI to assess the threat posed by white supremacist and neo-Nazi infiltration of law enforcement and the military. This assessment should be informed by data collected from FBI investigations and surveys of federal, state, and local law enforcement agencies, and from data collected for the law enforcement use of force database.

Conclusion

The Justice Department's failure to properly prioritize the investigation and prosecution of white supremacist and far-right terrorism, hate violence, and organized crime undermines public safety and the rule of law and threatens social cohesion. Rethinking this problem requires that Congress increase its oversight to reorient the Justice Department's policies and practices to ensure that attention and resources are allocated to those areas where the threat of violence against individuals and communities is the greatest.

-
- ¹ Faiza Patel, et. al., *A Course Correction for Homeland Security*, BRENNAN CTR. FOR JUST., April 20, 2022, <https://www.brennancenter.org/our-work/research-reports/course-correction-homeland-security>; Michael German and Sarah Robinson, *Wrong Priorities on Fighting Terrorism*, BRENNAN CTR. FOR JUST., Oct. 2018, available at <https://www.brennancenter.org/our-work/research-reports/wrong-priorities-fighting-terrorism> [hereinafter “WRONG PRIORITIES ON TERROR”]. Michael German and Emmanuel Mauleon, *Fighting Far-Right Violence and Hate Crimes*, BRENNAN CTR. FOR JUST., July 1, 2019, available at <https://www.brennancenter.org/our-work/research-reports/fighting-far-right-violence-and-hate-crimes>; Michael German, *Hidden in Plain Sight: Racism, White Supremacy, and Far-Right Militancy in Law Enforcement*, BRENNAN CTR. FOR JUST., August 27, 2020, available at <https://www.brennancenter.org/our-work/research-reports/hidden-plain-sight-racism-white-supremacy-and-far-right-militancy-law>.
- ² 18 U.S.C. § 2331(5).
- ³ David Lane, convicted member of the terrorist group The Order, summarized the white supremacist mission statement in 14 words, “we must secure the existence of white people and a future for white children.” See, e.g., George Michael, *David Lane and the Fourteen Words*, TOTALITARIAN MOVEMENTS AND POLITICAL RELIGIONS, Vol. 3, No. 1, 43-61, March 2009, <https://www.tandfonline.com/doi/abs/10.1080/14690760903067986>.
- ⁴ Emma Green, *Why the Charlottesville Marchers Were Obsessed With Jews*, THE ATLANTIC, August 15, 2017, <https://www.theatlantic.com/politics/archive/2017/08/nazis-racism-charlottesville/536928/>.
- ⁵ George Michael, *This is WAR! Tom Metzger, White Aryan Resistance, and the Lone Wolf Legacy*, FOCUS ON TERRORISM, Vol. 14, 2016, available at: https://www.researchgate.net/publication/303446060_This_is_War_Tom_Metzger_White_Aryan_Resistance_and_the_Lone_Wolf_Legacy.
- ⁶ Lou Michel and Dan Herbeck, *Authorities Investigating if Retired Federal Agent Knew of Buffalo Mass Shooting Plans in Advance*, BUFFALO NEWS, May 31, 2022, https://buffalonews.com/news/local/authorities-investigating-if-retired-federal-agent-knew-of-buffalo-mass-shooting-plans-in-advance/article_bd408f18-dd39-11ec-be53-df8fdd095d6f.html.
- ⁷ See, e.g., Joe Haim and James McAuley, *New Zealand Attacks Offer the Latest Evidence of a Web of Supremacist Extremism*, WASHINGTON POST, March 15, 2019, https://www.washingtonpost.com/world/europe/new-zealand-suspect-inspired-by-far-right-french-intellectual-who-feared-nonwhite-immigration/2019/03/15/8c39fba4-6201-4a8d-99c6-aa42db53d6d3_story.html.
- ⁸ AP-NORC Center for Public Affairs Research, *Immigration Attitudes and Conspiratorial Thinkers: A Study Issued on the 10th Anniversary of The Associated Press-NORC Center for Public Affairs Research*, May 2022, <https://apnorc.org/projects/immigration-attitudes-and-conspiratorial-thinkers/>.
- ⁹ Ben Armbruster, Gibson: “Make More Babies” Because “in Twenty-Five Years... the Majority of the Population is Hispanic”, MEDIA MATTERS FOR AMERICA, May 12, 2006, <https://www.mediamatters.org/fox-nation/gibson-make-more-babies-because-twenty-five-years-majority-population-hispanic>.
- ¹⁰ Andrew Romano, *Poll: 61% of Trump Voters Agree With Idea Behind ‘Great Replacement’ Theory*, YAHOO NEWS, May 24, 2022, <https://news.yahoo.com/hed-poll-61-of-trump-voters-agree-with-idea-behind-great-replacement-conspiracy-theory-090004062.html>.
- ¹¹ Erin Mansfield and Candy Woodall, *Republican Politicians All Over the Country Have Repeated the Great Replacement Theory*, USA TODAY, May 29, 2022, <https://www.usatoday.com/story/news/politics/2022/05/29/republicans-great-replacement-theory/9798199002?gnt-ctr=1>.
- ¹² Donald S. Dobkin, *Race and the Shaping of U.S. Immigration Policy*, UCLA CHICANA/O LATINA/O LAW REVIEW, 28, (2009), <https://escholarship.org/content/qt2m0272wv/qt2m0272wv.pdf>.

-
- ¹³ Faiza Patel, *Rethinking Radicalization*, BRENNAN CTR. FOR JUST., March 8, 2011, <https://www.brennancenter.org/our-work/research-reports/rethinking-radicalization>.
- ¹⁴ A recent literature review conducted by researchers at the Center for Information, Technology, and Public Life at the University of North Carolina found that “the term ‘radicalization’ does not serve as a useful analytical frame for studying the spread of far-right and fringe ideas online.” Alice Marwick, et. al., *Far-Right Online Radicalization: A Review of the Literature*, THE BULLETIN OF TECHNOLOGY AND PUBLIC LIFE, May 10, 2022, <https://citap.pubpub.org>.
- ¹⁵ Hannah Allam, et.al., *Red Flags*, WASHINGTON POST, October 31, 2021, <https://www.washingtonpost.com/politics/interactive/2021/warnings-jan-6-insurrection/>.
- ¹⁶ Aaron Schaffer, *The FBI is Spending Millions on Social Media Tracking Software*, WASHINGTON POST, April 5, 2022, <https://www.washingtonpost.com/politics/2022/04/05/fbi-is-spending-millions-social-media-tracking-software/>.
- ¹⁷ Paul Sonne, Matt Zapotozky, and Devlin Barrett, D.C. Guard Chief Says ‘Unusual’ Restrictions Slowed Deployment of Backup During Capitol Riot, WASHINGTON POST, March 3, 2021, https://www.washingtonpost.com/national-security/capitol-riot-hearing/2021/03/02/a4867a48-7b81-11eb-85cd-9b7fa90c8873_story.html.
- ¹⁸ Ashley Southall, et. al., *Before the Massacre, Erratic Behavior and a Chilling Threat*, NEW YORK TIMES, May 15, 2022, <https://www.nytimes.com/2022/05/15/nyregion/gunman-buffalo-shooting-suspect.html>.
- ¹⁹ Joe Khalili, *Massive Parler Data Leak Exposes Millions of Posts, Messages, and Videos*, TECH RADAR, January 12, 2021, <https://www.techradar.com/news/massive-parler-data-leak-exposes-millions-of-posts-messages-and-videos>; Nitasha Tiku, *Violent Alt-Right Chats Could Be Key to Charlottesville Lawsuits*, WIRED, August 27, 2017, <https://www.wired.com/story/leaked-alt-right-chat-logs-are-key-to-charlottesville-lawsuits/>; Kevin Collier and Brandy Zadrozny, *Gab, a Social Platform Favored by the Far Right Says it Was Hacked*, NBC NEWS, March 1, 2021, <https://www.nbcnews.com/tech/security/gab-social-platform-favored-far-right-says-it-was-hacked-n1259156>.
- ²⁰ Ellie Silverman, et. al., *Spencer, Kessler, Cantwell and Other White Supremacists Found Liable in Deadly Unite the Right Rally*, WASHINGTON POST, November 23, 2021, <https://www.washingtonpost.com/dc-md-vi/2021/11/23/charlottesville-verdict-live-updates/>.
- ²¹ Weihua Li and James Larty, *As Murders Spiked, Police Solved About Half in 2020*, THE MARSHALL PROJECT, January 12, 2022, <https://www.themarshallproject.org/2022/01/12/as-murders-spiked-police-solved-about-half-in-2020>.
- ²² WRONG PRIORITIES ON TERROR.
- ²³ See Jack Cloherty and Jason Ryan, *FBI Spied on PETA, Greenpeace, Anti-war Protesters*, ABC NEWS, Sep. 20, 2010, <https://abcnews.go.com/News/Blotter/fbi-spied-peta-greenpeace-anti-war-activists/story?id=11682844>; George Joseph & Murtaza Hussain, *FBI Tracked an Activist Involved With Black Lives Matter as They Travelled Across the U.S., Documents Show*, INTERCEPT, Mar. 29, 2018, <https://theintercept.com/2018/03/19/black-lives-matter-fbi-surveillance/>; Will Parrish & Sam Lavin, *‘Treating Protest as Terrorism’: US Plans Crackdown on Keystone XL Activists*, GUARDIAN, Sep. 20, 2018, <https://www.theguardian.com/environment/2018/sep/20/keystone-pipeline-protest-activism-crackdown-standing-rock>; Adam Goldman, Katie Benner, and Zolan Kanno-Youngs, *How Trump’s Focus on Antifa Distracted Attention from the Far-Right Threat*, NY TIMES, Jan. 30, 2021, <https://www.nytimes.com/2021/01/30/us/politics/trump-right-wing-domestic-terrorism.html>; Ryan Lovelace, *Grassley Presses FBI to Explain its Monitoring of Conservative Women’s Group*, THE WASHINGTON TIMES, July 26, 2021, <https://www.nytimes.com/2021/01/30/us/politics/trump-right-wing-domestic-terrorism.html>.
- ²⁴ See, e.g., Mike Carter & Steve Miletich, *Couple Charged With Assault in Shooting, Melee During UW Speech by Milo Yiannopoulos*, SEATTLE TIMES, Apr. 24, 2017, <https://www.seattletimes.com/seattle-news/crime/couple-charged-with-assault-in-shooting-melee-during-uw-speech-by-milo-yiannopoulos/>; David Kelsen, *7 Charged in*

- Anaheim KKK Melee—But Stabby Klanner Not One of Them, O.C. WKLY, Jul. 1, 2016, <https://ocweekly.com/7-charged-in-anaheim-kkk-melee-but-stabby-klanner-not-one-of-them-7305812/>; Sam Levin, *Stabbed at a Neo-Nazi Rally, Called a Criminal: How Police Targeted a Black Activist*, GUARDIAN, May 25, 2018, <https://www.theguardian.com/world/2018/may/25/neo-nazi-rally-california-stabbing-police-target-black-activist>; Frank John Tristan, *Huntington Beach Pro-Trump March Turns Into Attack on Anti-Trump Protestors*, O.C. WKLY, Mar. 26, 2017, <https://www.ocweekly.com/huntington-beach-pro-trump-march-turns-into-attack-on-anti-trump-protesters-press-7991623/>; James Queally, *Ku Klux Klan Rally in Anaheim Erupts in Violence; 3 Are Stabbed and 13 Arrested*, L.A. TIMES, Feb. 29, 2016, <http://www.latimes.com/local/lanow/la-me-ln-klan-rally-in-anaheim-erupts-in-violence-one-man-stabbed-20160227-story.html>; Frances Robles, *As White Nationalist in Charlottesville Fired, Police 'Never Moved'*, N.Y. TIMES, Aug. 25, 2017, <https://www.nytimes.com/2017/08/25/us/charlottesville-protest-police.html>. See also Keith L. Alexander, *Federal Prosecutors Abruptly Dismiss All 39 Remaining Inauguration Day Rioting Cases*, WASH. POST, July 7, 2018, https://www.washingtonpost.com/local/public-safety/federal-prosecutors-abruptly-dismiss-all-remaining-inauguration-day-rioting-cases/2018/07/06/d7055ffe-7ee8-11e8-bb6b-c1cb691f1402_story.html?utm_term=.20c01a92836b; Emily Shugerman, *120 Protests: All You Need to Know About the Nearly 200 People Facing 60 Years in Jail for Protesting Trump*, INDEPENDENT, Nov. 16, 2017, <https://www.independent.co.uk/news/world/americas/120-trump-protests-trials-jail-threat-inauguration-demonstrations-explained-a8057521.html>; Hannah Allam, *Vehicle Attacks Rise as Extremists Target Protesters*, NPR, Jun. 1, 2020, <https://www.npr.org/2020/06/21/880963592/vehicle-attacks-rise-as-extremists-target-protesters>; Azmi Haroun, *Anti-Lockdown Protesters Storm Oregon State Capitol Building, Clashing With Police Officers*, BUSINESS INSIDER, Dec. 22, 2020, <https://www.msn.com/en-us/news/us/anti-lockdown-protesters-storm-oregon-state-capitol-building-clashing-with-police-officers/ar-BB1c7TgB>.
- ²⁵ DHS Office of the General Counsel, *Report on DHS Administrative Review into I&A Open Source Collection and Dissemination Activities During Civil Unrest*, Portland, Oregon, June Through July 2020, DHS, January 6, 2021, <https://s3.documentcloud.org/documents/21074152/dhs-intelligence-internal-review-report-20210930.pdf>; Rep. Adam B. Schiff, chair of the H. Permanent Select Comm. on Intelligence, to Chad F. Wolf, acting secretary of homeland security, and Brian Murphy, acting undersecretary, I&A, July 22, 2020, https://intelligence.house.gov/uploadedfiles/20200722hpsci_chm_letter_to_dhs.pdf; Department of Homeland Security Office of Inspector General, *DHS Actions Related to an I&A Intelligence Product Deviated from Standard Practice*, DHS-OIG, April 26, 2022, <https://www.cnn.com/2022/03/08/politics/dhs-ig-report-threats-intelligence-january-6/index.html>; Shane Harris, *DHS Compiled 'Intelligence Reports' on Journalists Who Published Leaked Documents*, Washington Post, July 30, 2020, https://www.washingtonpost.com/national-security/dhs-compiled-intelligence-reports-on-journalists-who-published-leaked-documents/2020/07/30/5be5ec9e-d25b-11ea-9038-af089b63ac21_story.html; Geneva Sands, *Watchdog Finds DHS Identified Threats Prior to January 6 But Did Not Share Intelligence Until After the Attack*, CNN, March 8, 2022, <https://www.cnn.com/2022/03/08/politics/dhs-ig-report-threats-intelligence-january-6/index.html>.
- ²⁶ Kelly Weill, *Whistleblower: DHS Hyped "Antifa," Soft-Pedaled White Supremacist Threat*, THE DAILY BEAST, September 9, 2020, <https://www.thedailybeast.com/whistleblower-dhs-hyped-antifa-soft-pedaled-white-supremacist-threat>.
- ²⁷ Federal Bureau of Investigation & Dept. of Homeland Security, *Strategic Intelligence Assessment and Data on Domestic Terrorism*, May 2021, 21, <https://www.fbi.gov/file-repository/fbi-dhs-domestic-terrorism-strategic-report.pdf/view>.
- ²⁸ Kate Irby, *White and far-right extremists kill more cops, but FBI tracks black extremists more closely, many worry*, MCCLATCHY, Jan. 24, 2018, <https://www.mcclatchydc.com/news/nation-world/national/article196423174.html>.
- ²⁹ 42 U.S. Code § 1985.
- ³⁰ Madison Hall, et. al., *At Least 846 People Have Been Charged in the Capitol Insurrection So Far. This Searchable Table Shows Them All*, THE INSIDER, May 23, 2022, <https://www.insider.com/all-the-us-capitol-pro-trump-riot-arrests-charges-names-2021-1/>; Clare Hymes and Cassidy MacDonald, *Two Proud Boys Committed 'Crimes of*

Terrorism,' *Federal Prosecutors Say*, CBS NEWS, Feb. 19, 2021, <https://www.cbsnews.com/news/proud-boys-capitol-riot-terrorism-crimes/>; Cassidy McDonald and Clare Hymes, *Oath Keepers Member Committed 'Crime of Terrorism' in Capitol Riot, Prosecutors Say*, CBS NEWS, Feb. 24, 2021, <https://www.cbsnews.com/news/oath-keepers-jessica-watkins-crime-of-terrorism/>.

³¹ Marshall Cohen, *Top DC Federal Judge Criticizes "Schizophrenic" Justice Department Approach to Jan. 6 Cases*, CNN, Oct. 28, 2021, <https://www.cnn.com/2021/10/28/politics/dc-federal-judge-january-6-cases/index.html>.

³² Tess Owen, *All the Terrible Things Proud Boys Have Done Since Storming the Capitol*, VICE NEWS, June 23, 2021, <https://www.vice.com/en/article/pkb377/all-the-terrible-things-proud-boys-have-done-since-storming-the-capitol>; Katie Shepherd, *Portland Police Stand Down as Proud Boys and Far-Right Militias Flash Guns and Brawl With Antifa Counterprotesters*, WASHINGTON POST, Aug. 22, 2022, <https://www.washingtonpost.com/nation/2020/08/22/portland-police-far-right-protest/>.

³³ Amy Goodman, *Proud Boys & Far-Right Groups Tied to Jan. 6 Attack Reporters & Others at Anti-Mask, Anti-Vax Rally*, DEMOCRACY NOW!, Aug. 23, 2021, https://www.democracynow.org/2021/8/23/anti_vaccine_protest_los_angeles; Trevor Aaronson, *Proud Boy Admits False Statements to FBI, But Prosecutors Haven't Charged Him With a Felony*, THE INTERCEPT, Jan. 3, 2022, <https://theintercept.com/2022/01/03/capitol-riot-january-6-proud-boys-fbi/>.

³⁴ *National Strategy for Countering Domestic Terrorism*, White House National Security Council, June 2021, <https://www.whitehouse.gov/wp-content/uploads/2021/06/National-Strategy-for-Countering-Domestic-Terrorism.pdf>.

³⁵ In 2019, 15,588 law enforcement agencies participated in UCR hate crime reporting, out of approximately 18,000 law enforcement agencies nationwide. The vast majority of those participating reported zero hate crimes (86.1%). See *Hate Crimes by Jurisdiction, 2019*, FBI: UCR, <https://ucr.fbi.gov/hate-crime/2019/topic-pages/jurisdiction> (last visited Feb. 18, 2021).

³⁶ LYNN LANGTON, PH.D. & MADELINE MASUCCI, U.S. DEP'T OF JUST., SPECIAL REPORT: HATE CRIME VICTIMIZATION, 2004–2015 2 (June 2017), available at <https://www.bjs.gov/content/pub/pdf/hcv0415.pdf>; Press Release, U.S. Dep't of Just., Justice Department Releases Update on Hate Crimes Prosecutions and Announces Launch of New Hate Crimes Website (Oct. 29, 2018), available at: <https://www.justice.gov/opa/pr/justice-department-releases-update-hate-crimes-prosecutions-and-announces-launch-new-hate>.

³⁷ Statement for the Record of Michael McGarrity and Calvin Shivers, *Confronting Violent White Supremacy (Part II): Adequacy of the Federal Response—Hearing before the Subcommittee on Civil Rights and Civil Liberties of the Committee on Oversight and Reform, House of Representatives*, 116th Cong. 22 (2019), <https://www.fbi.gov/news/testimony/confronting-white-supremacy>.

³⁸ Office of the Deputy Attorney General, Dept. of Justice, *Guidance Regarding Investigations and Cases Related to Domestic Violent Extremism*, March 8, 2021, https://www.scribd.com/document/507550668/DVE-Guidance#fullscreen&from_embed.

³⁹ Juan A. Lozano, *24 Indicted in Probe of White Supremacist Prison Gang*, ASSOCIATED PRESS, Oct. 15, 2020, <https://abcnews.go.com/US/wireStory/24-indicted-probe-white-supremacist-prison-gang-73636966>; Will Sommer, *Drug Dealing White Supremacist Gang Ordered Hits on Suspected Informants: Feds*, DAILY BEAST, Feb. 12, 2019, <https://www.thedailybeast.com/drug-dealing-arkansas-white-supremacist-gang-ordered-hits-on-suspected-informants-feds>.

⁴⁰ Isabel Rosales, *39 Suspected Gang Members Charged in Major Drug, Gun Trafficking Investigation in Pascoe*, ABC ACTION NEWS, Nov. 15, 2018, <https://www.abcactionnews.com/news/region-pasco/39-suspected-gang-members-charged-in-major-drug-gun-trafficking-investigation-in-pasco>.

⁴¹ U.S. District Court for the District of Columbia (D.D.C.): **1:18-cv-01860-RDM** BRENNAN CENTER FOR JUSTICE AT NEW YORK UNIVERSITY SCHOOL OF LAW et al v. UNITED STATES DEPARTMENT OF JUSTICE.

⁴² Memorandum Opinion and Order, filed Jul. 1, 2021, p. 28, U.S. District Court for the District of Columbia (D.D.C.): 1:18-cv-01860-RDM BRENNAN CENTER FOR JUSTICE AT NEW YORK UNIVERSITY SCHOOL OF LAW et al v. UNITED STATES DEPARTMENT OF JUSTICE.

⁴³ Sean Emery, *Blaze Bernstein Murder Case: Samuel Woodward Charged With a Hate Crime, DA Says*, O.C. REGISTER, Aug. 2, 2018, <https://www.ocregister.com/2018/08/02/samuel-woodward-will-face-a-hate-crime-enhancement-in-the-blaze-bernstein-murder-case/>; David K. Li, *White Supremacists Pleads Guilty to Race-Hate Murder of Black Man in New York*, NBC NEWS, Jan. 23, 2019, <https://www.nbcnews.com/news/us-news/white-supremacist-pleads-guilty-race-hate-murder-black-man-new-n961731>; Aimee Green, *Russell Couturier: racial Bias Murder Conviction Could Be the First in 30 Years in Oregon*, OREGONIAN, Mar. 19, 2019, <https://www.oregonlive.com/news/2019/03/jury-finds-russell-courtier-guilty-of-murdering-black-teen-with-jeep.html>.

⁴⁴ The Domestic Terrorism Prevention Act of 2017, S. 2148.

⁴⁵ See for example, Kahron Spearman, *Yes, Of Course the Proud Boys are White Nationalists, Here's Why*, DAILY DOT, Oct. 9, 2020, <https://www.dailydot.com/debug/proud-boys-white-nationalists/>; Will Carless, *Proud Boys Splintering After Capitol Riot, Will More Radical Factions Emerge?*, G, Feb. 12, 2021, <https://www.usatoday.com/story/news/nation/2021/02/12/proud-boys-splintering-after-capitol-riot-revelations-leader/6709017002/>.

⁴⁶ SEN. RICHARD J. DURBIN, ET AL., LETTER TO ATTORNEY GENERAL WILLIAM P. BARR AND FBI DIRECTOR CHRISTOPHER WRAY, May 2, 2019, <https://www.durbin.senate.gov/imo/media/doc/Letter%20to%20AG%20Barr%20and%20Director%20Wray%20on%20violent%20white%20supremacist%20threat,%205-2-19.pdf>.

⁴⁷ Federal Bureau of Investigation and Department of Homeland Security, Strategic Intelligence Assessment and Data on Domestic Terrorism, May 2021, https://www.dni.gov/files/NCTC/documents/news_documents/ndaa-domestic-terrorism-strategic-report-051421.pdf.

⁴⁸ *Id.*, at 21.

⁴⁹ The National Security Council, *National Strategy for Countering Domestic Terrorism*, 6, June 2021, <https://www.whitehouse.gov/wp-content/uploads/2021/06/National-Strategy-for-Countering-Domestic-Terrorism.pdf>.

⁵⁰ *Id.*, at 10.

⁵¹ *Id.*, at 9.

**Domestic Extremism in America:
Examining White Supremacist Violence in the Wake of Recent Attacks**

**U.S. Senate Committee on Homeland Security
and Governmental Affairs**

June 9, 2022

Testimony of Ambassador Nathan A. Sales

Chairman Peters, Ranking Member Portman, and Members of the Committee, it is a pleasure to appear before you today to discuss this important topic.

My name is Nathan Sales. I am the founder and principal of Fillmore Global Strategies LLC, a consultancy that provides legal and strategic advisory services on matters at the intersection of law, policy, and diplomacy. I am also a nonresident senior fellow at the Atlantic Council and a senior advisor at The Soufan Group.

From 2017 to 2021, I served at the U.S. Department of State as the Ambassador-at-Large and Coordinator for Counterterrorism. Concurrently, I was the Under Secretary of State for Civilian Security, Democracy, and Human Rights (acting) as well as the Special Presidential Envoy to the Global Coalition to Defeat ISIS. I previously served at the U.S. Department of Homeland Security as Deputy Assistant Secretary for Policy, and at the U.S. Department of Justice as Senior Counsel in the Office of Legal Policy.

I am here as a private citizen, but my testimony today is informed by my past government service – particularly my time at the State Department, where I led the U.S. government’s diplomatic efforts to combat white supremacist terrorism around the globe. In my testimony, I will begin by surveying the rise of white supremacist terrorism in recent years, both in the United States and abroad. I will then discuss the ideological underpinnings that have inspired such attacks, as well as the manner in which global white supremacist networks are organized and operate. I will conclude by discussing a number of the key tools that can be used to combat the international dimensions of white supremacist terrorism, including information sharing, sanctions, counter-messaging, taking down terrorist content online, and enhancing border security.

I.

From Christchurch to Buffalo, from El Paso to Oslo and beyond, the world has seen a dramatic spike in white supremacist terrorism in recent years. The perpetrators have attacked mosques and synagogues, grocery stores and refugee centers and countless other soft targets, seeking to terrorize religious and minority communities. They have killed Jews, Muslims, members of other religious and racial groups, immigrants, and others they view as enemies. Many of these terrorists are motivated by a deep and visceral hatred of those they see as threats to their identity, and often are animated by virulent antisemitism.

White supremacist terrorism is a global – and growing – threat. It is the product of a loosely organized, transnational network of individuals and groups motivated by violent, intolerant, and ethno-supremacist ideologies. It is a particularly noxious subset of a broader phenomenon known as racially or ethnically motivated terrorism (“REMT”), or racially or ethnically motivated violent extremism (“REMVE”). And it poses a grave danger both to the U.S. homeland and to our foreign partners.

It’s clear that this threat is on the rise. From 2011 to 2017 there were approximately 350 white supremacist terrorist attacks in Europe, North America, and Australia, according to a *New York Times* analysis of data from the University of Maryland’s Global Terrorism Database. In 2011, there were just nine such attacks. In 2013 the number increased slightly, to 16. In 2015 there was a dramatic jump, to 135 attacks, likely in reaction to large-scale migration from war zones in the Middle East to Europe. In 2016 the number of attacks dropped by more than half to 65 before rebounding somewhat in 2017 to 88.¹

The United States witnessed a particularly horrific example of white supremacist terrorism just last month, when a gunman opened fire at a grocery store in Buffalo, NY, killing ten people and injuring three others. The shooter targeted African-Americans, deliberately selecting the store because of the local area’s predominantly black population. His sickening 180-page manifesto, which he posted online immediately before the attack, promoted the so-called “great replacement theory” – the notion that an influx of non-whites is leading to the “extinction” of “the white race” – and cited as inspiration the notorious 2019 attack on Muslims in Christchurch, New Zealand.²

Buffalo is only the most recent in a string of attacks afflicting our country.

In August 2019, in El Paso, TX, a gunman brutally killed 23 innocent people and wounded 22 more at a Walmart. His manifesto expressed support for the Christchurch attacker and made clear that he was targeting Mexican-Americans in response to what he called a “Hispanic invasion.”³ Earlier that year, in Poway, CA, a shooter opened fire at a synagogue in an attack motivated by a belief that Jews were carrying out a “meticulously planned genocide of the European race.”⁴ And in Pittsburgh, PA, in October 2018, a racist and antisemitic gunman slaughtered eleven innocent worshippers and wounded six others at the Tree of Life synagogue during Shabbat services.⁵

The same alarming trend has been seen overseas.

¹ Weiyi Cai & Simone Landon, *Attacks by White Extremists Are Growing. So Are Their Connections.*, N.Y. Times, Apr. 3, 2019, <https://www.nytimes.com/interactive/2019/04/03/world/white-extremist-terrorism-christchurch.html>.

² Jonathan Franklin, *Parts of the Buffalo Shooter’s Alleged Screed Were Copied from Other Sources*, NPR, May 18, 2022, <https://www.npr.org/2022/05/18/1099372659/parts-of-the-buffalo-shooters-alleged-screed-were-copied-from-other-sources>.

³ Julio-Cesar Chavez, *Gunman Kills 20, Wounds 26 at Walmart Store in El Paso, Texas*, Reuters, Aug. 3, 2019, <https://www.reuters.com/article/us-texas-shooting-idUSKCN1UT0HQ>.

⁴ Yaron Steinbuch, *Accused Synagogue Gunman Claimed to Have Set Fire to Mosque*, N.Y. Post, Apr. 29, 2019, <https://nypost.com/2019/04/29/accused-synagogue-gunman-claimed-to-have-set-fire-to-mosque/>.

⁵ Campbell Robertson et al., *11 Killed in Synagogue Massacre; Suspect Charged With 29 Counts*, N.Y. Times, Oct. 27, 2018, <https://www.nytimes.com/2018/10/27/us/active-shooter-pittsburgh-synagogue-shooting.html>.

In March 2019, in Christchurch, New Zealand, an Australian named Brenton Tarrant gunned down 51 people in a terrorist attack on a pair of mosques – a horror that was livestreamed on the internet for the world to see. Before the attack, Tarrant posted online a lurid and deranged manifesto titled “The Great Replacement.” His writing reveals that he was motivated by a violent racist and white supremacist worldview, expressing rage that demographic changes are resulting in a so-called “replacement” of whites.⁶ Like other recent attackers, Tarrant was inspired by Anders Breivik, the white supremacist terrorist who in 2011 murdered nearly 80 people in Norway, many of them children.⁷

In Hanau, Germany, in February 2020, nine people were killed and five more were injured in a terrorist attack targeting two hookah bars. In his manifesto, the attacker called for the expulsion of non-Germans from the country and the annihilation of those he views as racially inferior.⁸ A few months earlier, in October 2019, a terrorist attempted to attack a synagogue in the German town of Halle while worshippers were observing Yom Kippur, the holiest day of the Jewish year. After posting his manifesto online and arming himself, the attacker failed in his attempts to enter the synagogue. He then killed a passer-by and drove to a Turkish cafe, where he shot a guest. After his arrest, he confessed to the police the antisemitic, anti-immigrant, and misogynist motives for his attack.⁹

In August 2019, a week after El Paso, a 21-year old Norwegian broke into the al-Noor Islamic Centre in a suburb outside of Oslo wielding multiple weapons. Thankfully, worshippers who were preparing to celebrate the Eid al-Adha holiday quickly overpowered and restrained him, preventing what could have been a bloodbath. In messages posted online earlier that day, the attacker claimed that he’d been “chosen” by “Saint Tarrant,” acknowledging the Christchurch killer as an inspiration. He also praised the El Paso killer for “fighting to reclaim his country.”¹⁰

⁶ Rick Noack, *Christchurch Endures as Extremist Touchstone, as Investigators Probe Suspected El Paso Manifesto*, Wash. Post, Aug. 6, 2019, <https://www.washingtonpost.com/world/2019/08/06/christchurch-endures-extremist-touchstone-investigators-probe-suspected-el-paso-manifesto/>.

⁷ Colin P. Clarke, *The Cult of Breivik*, Slate, Mar. 18, 2019, <https://slate.com/news-and-politics/2019/03/anders-breivik-new-zealand-right-wing-terrorism-inspiration.html>.

⁸ Colin P. Clarke, *Far-Right Terror Rocks Germany*, Lawfare, Feb. 21, 2020, <https://www.lawfareblog.com/far-right-terror-rocks-germany>.

⁹ Ben Knight, *Germany: Synagogue Attacker Sentenced to Life in Prison*, Deutsche Welle, Dec. 21, 2020, <https://www.dw.com/en/germany-synagogue-attacker-sentenced-to-life-in-prison/a-56004932>.

¹⁰ Jason Burke, *Norway Mosque Attack Suspect “Inspired by Christchurch and El Paso Shootings”*, The Guardian, Aug. 11, 2019, <https://www.theguardian.com/world/2019/aug/11/norway-mosque-attack-suspect-may-have-been-inspired-by-christchurch-and-el-paso-shootings>.

II.

To effectively tackle the threat posed by these terrorists, we need to understand their motivations and the ideologies that fuel the atrocities they commit.¹¹

White supremacist ideology encompasses vicious racism and often glorifies Adolf Hitler. Many of its adherents draw extensively from Nazi-era propaganda. For example, the group Blood and Honor takes its name from a Hitler Youth slogan. Combat 18 derives its name from Hitler's initials being the first and eighth letters of the alphabet.

In addition to an obsession with antisemitic conspiracy theories, white supremacist terrorists often express a hatred of Muslims in particular and immigrants in general, and a fear of what they call "white genocide." Many of these actors are heavily influenced by foundational texts that provide an ideological framework for their actions – works like *Siege*, *The Turner Diaries*, and *The Great Replacement*. They are also actively promoting "accelerationism," a fringe theory holding that terrorist attacks can "accelerate" a coming race war. For instance, after the onset of the coronavirus pandemic, one European neo-Nazi proclaimed online, "I hope it's time, boys," and another post told users to "buy ammo and get ready to rob the banks."¹²

A number of white supremacist terrorists – including the Christchurch, El Paso, and Buffalo killers – describe themselves as "eco-fascists." They blame immigrants and non-whites for environmental problems. And they want to, in Tarrant's words, "kill the invaders" in order to "save the environment."¹³

Let me speak plainly: This is not merely "violence," nor does the term "violent extremism" seem adequate. It's *terrorism*, plain and simple. These attackers seek to sow fear among their target communities – they don't just want to kill several Hispanics, they want to terrorize *all* Hispanics. They seek to intimidate and coerce populations and governments to advance their grotesque political goals. That is the textbook definition of terrorism.

In addition to understanding the ideological underpinnings of white supremacist terrorism, it is also important to focus on how these networks are organized and operate. In some ways they are similar to the Islamist and other terrorists with which we may be more familiar. But in other respects they are very different, and our policies for countering them need to take account of those differences.

¹¹ See generally The Soufan Center, *White Supremacy Extremism: The Transnational Rise of the Violent White Supremacy Extremist Movement*, Sept. 27, 2019, <https://thesoufancenter.org/research/white-supremacy-extremism-the-transnational-rise-of-the-violent-white-supremacist-movement/>.

¹² Ben Makuch, *Experts Say Neo-Nazi "Accelerationists" Discuss Taking Advantage of Coronavirus Crisis*, Vice, Mar. 18, 2020, <https://www.vice.com/en/article/pkewgv/experts-say-neo-nazi-accelerationists-discuss-taking-advantage-of-coronavirus-crisis>.

¹³ Will Humphries et al., *New Zealand Shooting: Brenton Tarrant Targeted "Invader" Sadiq Khan in Manifesto*, The Times, Mar. 16, 2019, <https://www.thetimes.co.uk/article/new-zealand-shooting-alleged-killer-called-for-attack-on-invader-sadiq-khan-6hpxw5k6w>.

First, like Islamist terrorists, many of these figures are part of a global and interconnected online community. Thanks to the internet and social media, it's easier than ever for them to contact and inspire one another across borders.

After Christchurch, hundreds of memes and other forms of “fan” art were shared online, exalting the killings and revering the attacker. In one hideous and quite literally sacrilegious example, the faces of the Christchurch perpetrator and five other white supremacist terrorists were transposed onto images of medieval saints under the slogan “Praise the Saints” and marketed as t-shirts, tote bags, and mugs.

Second, white supremacist terrorists are using the internet to radicalize new followers. It has become standard for these attackers to post manifestos online, creating twisted propaganda that provides ideological justification for their crimes and urges others to follow their examples. Perhaps their most potent – and revolting – recruiting tool is videos of their abhorrent crimes that they record and broadcast on the internet. The Christchurch shooter filmed his attack with a GoPro camera and live-streamed it on Facebook Live, while the Buffalo and Halle terrorists live-streamed their attacks on Twitch, a platform owned by Amazon.

These efforts to radicalize new followers online are having a major impact. A recent *New York Times* analysis found that at least a third of white supremacist killers since 2011 were inspired by others who perpetrated similar attacks, professed a reverence for them, or showed an interest in their tactics.¹⁴ This was certainly true of the Buffalo attacker.

In addition to online radicalization, person-to-person radicalization remains a serious concern. Like ISIS fighters, thousands of white supremacist actors are traveling across borders to meet, radicalize, train, raise money, and plot attacks. Neo-Nazi music festivals in Europe and Renaissance fairs have become key hubs for such networking. In 2020, the FBI arrested six suspected members of a neo-Nazi group called The Base who were traveling to a rally in Richmond, Virginia. One was a former Canadian army reservist.¹⁵

By the way, if the group's name sounds familiar, it should. “The Base” is the English translation of “al Qaeda.”

Third, white supremacist actors have a diffuse organizational structure. In this respect they're different from al Qaeda, ISIS, or Hezbollah – or, for that matter, terrorist groups from other ideological camps like the FARC in Colombia or Kahane Chai in Israel. Islamist terrorist groups typically are hierarchical and centralized; they have clear leadership cadres, physical headquarters or safe havens, and command-and-control structures that allow them to direct the activities of individual operatives or branches in other locations, including preparations for attacks. By contrast, these figures tend to use a “leaderless resistance” model, in which actors act largely independently

¹⁴ Cai & Landon, *supra* note 1.

¹⁵ Shane Harris & Devlin Barrett, *FBI Arrests 3 Alleged Members of White-Supremacist Group “the Base” Ahead of Virginia Gun Rally*, Wash. Post, Jan. 16, 2020, https://www.washingtonpost.com/national-security/fbi-arrests-alleged-members-of-white-supremacist-group-the-base/2020/01/16/ac8e01d4-386b-11ea-bf30-ad313e4ec754_story.html.

of each other even as they operate within a larger ecosystem that equips individual perpetrators with the ideas and inspiration for their attacks. The movement's decentralized nature can make it harder for adherents to organize or coordinate attacks. But it can also make them more resilient to some traditional forms of counterterrorism pressure.

III.

What can be done? As an initial matter, senior policymakers must begin by recognizing that white supremacist terrorism is a significant challenge and make countering it a priority. The previous administration's national counterterrorism strategy was the first such strategy ever to specifically recognize this threat, calling out by name "terrorists who are not motivated by a radical Islamist ideology but are instead motivated by other forms of violent extremism, such as racially motivated extremism."¹⁶ The Biden administration has built upon this foundation, issuing the first ever national strategy for countering domestic terrorism and devoting increased resources to the problem.¹⁷

While the threat landscape is complex and dynamic, the United States has a number of powerful tools at its disposal to counter white supremacist terrorism globally. During my time at the State Department, I approved a comprehensive strategy to guide the Counterterrorism Bureau's efforts to combat the international aspects of white supremacist terrorism.¹⁸ Many of these measures are ideologically agnostic—they can be effective regardless of what worldview is motivating the group or individual in question. Others may need to be adapted to varying extents to account for important differences between white supremacist terrorism and other forms of terrorism.

First, coordination and information sharing. White supremacist terrorism is an international phenomenon and the United States therefore must work closely with international partners—particularly our European and Five Eyes allies, who are facing the same acute threat. Transnational engagement allows policymakers to synchronize measures to counter the threat. Just as importantly, it enables the sharing of information that can be used to investigate suspected terrorists, disrupt ongoing attack planning, take down fundraising and facilitation networks, and support prosecutions in courts of law.

¹⁶ The White House, National Strategy for Counterterrorism of the United States of America, Oct. 2018, https://www.dni.gov/files/NCTC/documents/news_documents/NSCT.pdf.

¹⁷ The White House, National Strategy for Countering Domestic Terrorism, June 2021, <https://www.whitehouse.gov/wp-content/uploads/2021/06/National-Strategy-for-Countering-Domestic-Terrorism.pdf>.

¹⁸ Efforts to counter white supremacist terrorism worldwide are only one part of a larger U.S. strategy. Here at home, the FBI and Department of Homeland Security have the lead in preventing and investigating cases of domestic terrorism. At a recent Congressional hearing, FBI Director Chris Wray told lawmakers that his agency has elevated this issue to a "national threat" priority, placing it "on the same footing" as ISIS. Hannah Allam, *FBI Announces That Racist Violence Is now Equal Priority to Foreign Terrorism*, NPR, Feb. 10, 2020, <https://www.npr.org/2020/02/10/804616715/fbi-announces-that-racist-violence-is-now-equal-priority-to-foreign-terrorism>. The State Department's role begins at the water's edge, with a focus on coordinating with international partners and countering the transnational elements of the threat.

Second, terrorist designations. One of the most effective weapons in our arsenal is sanctions to deprive terrorists of the resources they need to plot and execute attacks. In April 2020, the State Department named the Russian Imperial Movement (“RIM”), along with three of its leaders, as Specially Designated Global Terrorists (“SDGTs”). It was the first time the United States ever imposed terrorism sanctions on white supremacist terrorists.

RIM operates two training camps in St. Petersburg, where it provides paramilitary-style training to neo-Nazis and white supremacists; the group also plays a prominent role in trying to rally Europeans and Americans into a common front against their perceived enemies. In 2016 and 2017, a pair of RIM-trained terrorists carried out a series of attacks in Gothenburg, Sweden against a refugee shelter and other soft targets. RIM also has had its eye on the United States. After the August 2017 rally in Charlottesville, VA, RIM reportedly contacted some of the event’s organizers and invited them to visit Russia for paramilitary training. (There’s no evidence that rally leaders accepted the invitation.) The following month several RIM leaders traveled to the United States to network with fellow white supremacists here; one of them was photographed posing with a Russian imperial flag in front of the White House.¹⁹

The RIM sanctions are a good start, but the United States should redouble its efforts to designate additional white supremacist terrorists. The Biden administration rightly has made countering such groups a priority, but, a year and a half into its term, it has yet to translate that policy into sanctions of its own. RIM was the first; it must not be the last. The administration also should look for groups that could be designated as Foreign Terrorist Organizations (“FTOs”). An FTO designation is the gold standard of terrorism sanctions, imposing costs that other sanctions cannot match. Unlike an SDGT designation, an FTO designation makes it a federal crime to provide “material support” to a group that has been so named and automatically renders the members of such a group inadmissible to the United States.

Third, the United States should use public diplomacy and counter-messaging to delegitimize the ideologies that drive white supremacist terrorism. One particularly powerful tool is testimony from “formers”: People who were involved with this movement in the past, who have realized the errors of their ways, and who thus have unique credibility in dissuading others from going down the same misguided path. In late 2019, for example, the State Department sent a former neo-Nazi to Vienna and Brussels, where he spoke about his journey into and out of these networks, providing a first-hand account of their destructive nature.

State has also leveraged multilateral platforms like the Strong Cities Network and the two-way City Pair Partnership Program to link U.S. cities with counterparts facing similar challenges in Canada and Europe. In 2019 Anaheim and San Diego were connected with Bonn, Cologne, and Dusseldorf. Building on this momentum, the Strong Cities Network recently added member cities such as Derry, in Northern Ireland, and Pittsburgh.

Fourth, social media and other tech companies need to promptly identify and take down terrorist content that violates U.S. law or their own terms of service that forbid the use of their platforms

¹⁹ Stanford University Center for International Security and Cooperation, *Mapping Militant Organizations: Russian Imperial Movement*, Feb. 2021, <https://cisac.fsi.stanford.edu/mappingmilitants/profiles/russian-imperial-movement>.

for terrorist purposes, while maintaining full respect for freedom of speech. Under no circumstances should legitimate political discourse be subject to cancellation. But neither should graphic video footage of massacres remain available online for years, as remains the case with the Christchurch attack to this day.²⁰ Social media companies will need to refine their algorithms against evasion techniques that terrorist sympathizers use to keep content up on popular platforms, such as changing a video's background color, cropping it, or inserting a watermark.²¹ Non-profit industry groups such as the Global Internet Forum to Counter Terrorism and Tech Against Terrorism can help advance these efforts.

Terrorism sanctions have an important role to play here as well. Because tech companies can face legal risks if they provide services to designated groups or individuals, sanctions can prompt them to sever ties with those listed as terrorists. Notably, Facebook, Instagram, and Twitter all shuttered RIM's accounts in the immediate aftermath of the 2020 designations, which one of the group's leaders admitted was "a major blow."²²

Fifth, the United States needs to harden its borders against white supremacist terrorists who might seek to travel here to recruit new followers, raise money, or even carry out an attack. RIM's leaders – and representatives of countless other similar foreign groups – must never be able to set foot in the United States again. One way to prevent such travel is to add the names of known white supremacist terrorists to national watchlists and international law enforcement databases such as INTERPOL, just as is done for Islamist groups like al Qaeda and ISIS.

Mr. Chairman, Mr. Ranking Member, and Members of the Committee, thank you again for inviting me to be here today. I look forward to your questions.

²⁰ Ryan Mac at al., *The Enduring Afterlife of a Mass Shooting's Livestream Online*, N.Y. Times, May 19, 2022, <https://www.nytimes.com/2022/05/19/technology/mass-shootings-livestream-online.html>.

²¹ Billy Perigo, *Social Media Companies Vowed to Stop Videos of Terror Attacks. Buffalo Showed They Have More Work to Do*, Time, May 17, 2022, <https://time.com/6177640/buffalo-shooting-twitch-social-media/>.

²² Robyn Dixon, *Inside White-Supremacist Russian Imperial Movement, Designated Foreign Terrorist Organization by U.S. State Department*, Wash. Post, Apr. 13, 2020, https://www.washingtonpost.com/world/europe/russia-white-supremacist-terrorism-us/2020/04/11/255a9762-7a75-11ea-a311-adb1344719a9_story.html.



June 7, 2022

VIA ELECTRONIC TRANSMISSION

The Honorable Alejandro N. Mayorkas
 Secretary
 U.S. Department of Homeland Security

Dear Secretary Mayorkas:

Department of Homeland Security (DHS) information obtained by our offices through protected whistleblower disclosures raises serious concerns about DHS's recently-paused Disinformation Governance Board (DGB) and the role the DGB was designed to play in DHS counter disinformation efforts. Documents show that, contrary to your May 4, 2022, testimony before the Senate Committee on Homeland Security and Governmental Affairs, the DGB was established to serve as much more than a simple "working group" to "develop guidelines, standards, [and] guardrails" for protecting civil rights and civil liberties.¹ In fact, DHS documents show that the DGB was designed to be the Department's central hub, clearinghouse and gatekeeper for Administration policy and response to whatever it happened to decide was "disinformation."

Specifically, documents describe a prominent DGB designed to "serve as the departmental forum for governance of DHS policies, plans, procedures, standards, and activities" pertaining to what the government refers to as "mis-, dis-, and mal- information," or "MDM," "that threatens homeland security" as well as the Department's internal and external point of contact for coordination with state and local partners, non-governmental actors, and the private sector.² Internal DHS memoranda also show that in practice, the DGB was expected to function as a "coordination and deconfliction mechanism... conven[ing] to discuss threats, assessments, response actions, and engagements as often as warranted."³ According to the DGB's charter,

¹ Resources and Authorities Needed to Protect and Secure the Homeland: Hearing before the Senate Committee on Homeland Security and Governmental Affairs, 117th Congress (May 4, 2022).

² DHS Disinformation Governance Board Charter (February 24, 2022); The Cybersecurity & Infrastructure Security Agency (CISA), one of nine DHS components with representation on the DGB, defines misinformation as "false, but not created or shared with the intention of causing harm." CISA defines disinformation as "deliberately created to mislead, harm, or manipulate a person, social group, organization, or country," and it defines malinformation as "based on fact, but used out of context to mislead, harm, or manipulate." Cybersecurity & Infrastructure Agency, "MIS, DIS, MALINFORMATION", available at <https://www.cisa.gov/mdm>.

³ "Ukraine MDM Playbook Version 12, as of 2/14/2022" at 2. See also DHS Disinformation Governance Board Charter (February 24, 2022).

“DHS-wide or Component specific proposals for funding related to efforts to counter MDM” were also required to be “appropriately coordinated with the Board, including in advance of submitting any final funding proposals.”⁴

While DHS components apparently have established methods for defining and analyzing disinformation, and would continue to carry out all of their normal operational functions under a DGB, it appears that the DGB was equipped to review evidence presented by representatives of the various components and guide DHS counter disinformation efforts.⁵ A September 13, 2021, memo prepared in part by Robert Silvers, Under Secretary for Strategy, Policy, and Plans and, according to whistleblower allegations, one of two intended co-chairs of the DGB, outlined specific policy recommendations that should guide DHS efforts to counter disinformation.⁶ The memo states that DHS’s “role in responding to disinformation should be limited to areas where there are clear, objective facts.”⁷ It is unclear how DHS defines “clear, objective facts,” and it is unclear what safeguards, if any, DHS has put in place to ensure that individuals charged with determining which issue areas have “clear” and “objective facts” are not influenced by their own ideological and political beliefs. While the memo boldly asserts that the Department’s “counter-disinformation mission, including the choices as to what issue areas to focus on, must not be politicized and must be protected from perceptions of politicization,” some of the examples of disinformation given in the memo relate not only to foreign disinformation but issues that have been at the heart of domestic political discourse for the past several years.⁸ For instance, the memo refers to “[c]onspiracy theories about the validity and security of elections” and “[d]isinformation related to the origins and effects of COVID-19 vaccines or the efficacy of masks.”⁹

Given the significant coordinating role the Department envisioned for the DGB, the consequences of installing Nina Jankowicz, a known trafficker of foreign disinformation and liberal conspiracy theories, as the DGB’s first Executive Director, would have been a disaster. Jankowicz once asserted that the Hunter Biden laptop should be viewed as a “Trump campaign product.”¹⁰ Content on the Hunter Biden laptop has since been verified by multiple major news outlets.¹¹ In 2016, Jankowicz also sent out multiple tweets spreading the now-debunked claim

⁴ “DHS Disinformation Governance Board Charter” (February 24, 2022) at 4.

⁵ “DHS Disinformation Governance Board Charter” (February 24, 2022); *See also* “Ukraine MDM Playbook Version 12, as of 2/14/2022” at 2, 18.

⁶ “DHS Disinformation Governance Board Charter” (February 24, 2022); Memorandum from Robert Silvers, Under Secretary, Office of Strategy, Policy, and Plans, and Samantha Vinograd, Senior Counselor for National Security, Office of the Secretary, for the Secretary (September 13, 2021).

⁷ Memorandum from Robert Silvers, Under Secretary, Office of Strategy, Policy, and Plans, and Samantha Vinograd, Senior Counselor for National Security, Office of the Secretary, for the Secretary (September 13, 2021).

⁸ *Id.*

⁹ *Id.*

¹⁰ Callie Patteson, “Ex-Disinformation Board chief Nina Jankowicz breaks silence, cites death threats” (May 19, 2022), available at <https://nypost.com/2022/05/19/ex-disinformation-board-chief-nina-jankowicz-breaks-silence/>.

¹¹ Craig Timberg, Matt Viser, and Tom Hamburger, “Here’s how The Post analyzed Hunter Biden’s laptop,” *The Washington Post* (March 30, 2022), available at <https://www.washingtonpost.com/technology/2022/03/30/hunter->

that President Trump had a “secret server” to communicate with Kremlin-linked Alfa Bank.¹² In 2020, Jankowicz tweeted that a podcast by Christopher Steele, the author of the debunked Steele Dossier containing Russian disinformation, had provided “some great historical context about the evolution of disinfo.”¹³ So this begs the question, if the (former) Executive Director of the DGB is incapable of determining what is and is not disinformation, how could the DGB ever have expected to function properly under her leadership? We believe that Congress and the American people require full transparency regarding the DGB’s creation as well as the role Jankowicz would have played had she remained in her position at DHS. Toward that end, we are releasing documents we have collected during our investigation as an attachment to this letter.

Documents also suggest that the Department has been working on plans to “operationalize” its relationships with private social media companies to implement its public policy goals.¹⁴ For example, we obtained draft briefing notes prepared for a scheduled April 28, 2022, meeting between Robert Silvers and Twitter executives Nick Pickles, Head of Policy, and Yoel Roth, Head of Site Integrity. The notes are marked “TBC,” and it is unclear whether the scheduled meeting actually took place. The briefing notes frame the planned meeting between Silvers and the Twitter executives as “an opportunity to discuss operationalizing public-private partnerships between DHS and Twitter, as well as [to] inform Twitter executives about DHS work on MDM, including the creation of the Disinformation Governance Board and its analytic exchange...”¹⁵ According to whistleblower allegations, Nina Jankowicz may have been hired because of her relationship with executives at Twitter. Consistent with these allegations, Silvers’ briefing notes state that both Pickles and Roth know Jankowicz.¹⁶ A recent DHS strategy document further discusses efforts to “[e]mpower partners to mitigate MDM threats.”¹⁷ The document states that in certain cases, federal, state, local, tribal, and territorial or nongovernmental partners “may be better positioned to mitigate MDM Threats based on their capabilities and authorities.”¹⁸ DHS theorizes that “[b]y sharing information, DHS can empower these partners to mitigate threats such as providing information to technology companies enabling them to remove content at their discretion and consistent with their terms of service.”¹⁹

[biden-laptop-data-examined/](#); Katie Benner, Kenneth P. Vogel and Michael S. Schmidt, “Hunter Biden Paid Tax Bill, but Broad Federal Investigation Continues,” *The New York Times* (March 16, 2022), available at <https://www.nytimes.com/2022/03/16/us/politics/hunter-biden-tax-bill-investigation.html>.

¹² Jankowicz, Nina [@wicsipedia]. “Trump had not one, but two secret email servers to communicate w/ influential Russian bank. Unbelievable.” *Twitter* (November 1, 2016), available at

<https://twitter.com/wiczipedia/status/793329082167619584>; Jankowicz, Nina [@wicsipedia]. “Husband texted me ‘you have news to wake up to.’ Never thought it would be this. Confirms our worst fears about Trump. I am horrified.” *Twitter* (November 1, 2016), <https://twitter.com/wiczipedia/status/793322439505772544>.

¹³ Jankowicz, Nina [@wicsipedia]. “Listened to this last night- Chris Steele (yes THAT Chris Steele) provides some great historical context about the evolution of disinfo. Worth a listen” *Twitter* (August 7, 2020), available at <https://twitter.com/wiczipedia/status/1291692143262814209>.

¹⁴ Draft Briefing Notes, *Twitter* (April 28, 2022).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ “Ukraine MDM Playbook Version 12, as of 2/14/2022” at 17.

¹⁸ *Id.*

¹⁹ *Id.*

Collectively, whistleblower allegations and the documents we've reviewed raise concerns that DHS could be seeking an active role in coordinating the censorship of viewpoints that it determines, according to an unknown standard, to be "MDM" by enlisting the help of social media companies and big tech. The DGB's charter also specifically states that the DGB should "serv[e] as the Department's internal and external point of contact for coordination with state, local, tribal, and territorial partners, the private sector, and nongovernmental actors regarding MDM."²⁰

The First Amendment of the Constitution was designed precisely so that the government could not censor opposing viewpoints – even if those viewpoints were false. DHS should not in any way seek to enlist the private sector to curb or silence opposing viewpoints. It is therefore imperative for DHS to provide additional clarity regarding its policies and procedures for identifying and addressing "MDM," as well as its efforts to "operationalize" public-private partnerships and the steps it is taking to ensure that it does not infringe on the constitutional rights of American citizens.

In order for us to better understand the role of the DGB and DHS's efforts to counter disinformation, we ask that you respond to the following no later than June 21, 2022.

1. Has DHS at any point in time asked or suggested to Twitter, Facebook, TikTok, or any other social media executives that they should censor, flag, add context to, or remove any social media posts that it believes to be disinformation?
2. Has DHS at any point in time asked or suggested to Twitter, Facebook, TikTok, or any other social media executives that they suspend or ban the account(s) of individuals believed to be promoting information it believes to be disinformation?
3. Please provide all documents, including all written and electronic communications, memoranda, and organizational documents, related to the DGB from the point that DHS first considered establishing a DGB until the present.
4. Please provide all documents, including all written and electronic communications and memoranda, related to Nina Jankowicz's selection as Executive Director of the DGB.
5. Please explain why, in your public statements and testimony before Congress, you have not fully explained the key role that the DGB was designed to play in coordinating among DHS components and engaging the assistance of the private sector.

²⁰ "DHS Disinformation Governance Board Charter" (February 24, 2022) at 3.

Secretary Mayorkas
June 7, 2022
Page 5 of 5

6. Please explain how DHS defines "MDM" and how DHS decides whether a given news story or other piece of information fits its definition of "MDM." Please identify who exactly is ultimately responsible for making this determination.
7. Please explain the criteria DHS uses when deciding whether to spend taxpayer resources addressing a particular news item or narrative that it has classified as "MDM."
8. Please describe all safeguards that DHS has put in place to ensure that its efforts to counter the spread of disinformation do not infringe on Americans' constitutional right to free speech.
9. Did DHS Under Secretary for the Office of Strategy, Policy, and Plans Robert Silvers meet with Twitter executives on April 28, 2022? If so, please provide a summary of topics discussed during the meeting.
10. Please define what DHS means by the phrase, "operationalizing public-private partnerships."

Thank you for your prompt attention to this important matter.

Sincerely,



Charles E. Grassley
U.S. Senator



Josh Hawley
U.S. Senator

Enclosures.

The Leadership Conference
on Civil and Human Rights

1620 L Street, NW
Suite 1100
Washington, DC
20036
202.466.3311 voice
202.466.3435 fax
www.civilrights.org



**STATEMENT OF
JESSELYN MCCURDY, EXECUTIVE VICE PRESIDENT FOR GOVERNMENT AFFAIRS
AND
NADIA AZIZ, SENIOR DIRECTOR, FIGHTING HATE AND BIAS
THE LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS**

**UNITED STATES SENATE
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

**HEARING ON “DOMESTIC EXTREMISM IN AMERICA: EXAMINING WHITE
SUPREMACIST VIOLENCE IN THE WAKE OF RECENT ATTACKS”**

JUNE 9, 2022

Chairman Peters, Ranking Member Portman, and members of the committee: Thank you for the opportunity to submit a statement for the record for this critical hearing. On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 230 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States, we thank you for holding this hearing. Over the last several years in America, we have witnessed a dramatic increase in white supremacist violence and hate. Indeed, as with the deadly anti-Black hate crime in Buffalo, New York, far too many people are forced to confront the reality of hate violence. In the wake of that tragedy, it is more important than ever that Congress monitor and push back against white supremacist violence and domestic terrorism.

White Supremacist Violence Has Long Posed a Threat to Our Nation

Since this nation’s inception, many of our systems and institutions have perpetuated the scourge of white supremacy. For too long, the threat of white nationalist violence has been a reality for Black and Brown communities. The history of anti-Black violence in this country — from lynchings to the actions of the Ku Klux Klan and other white supremacist organizations to the Tulsa race massacre and beyond — demonstrates the historical trauma among communities. Communities that have yet to heal. Federal hate crime laws were first established in the 1870s in response to white supremacist violence of the Reconstruction Era. Since then, hate crime laws have evolved over time to the most recent COVID-19 Hate Crimes Act which includes Jabara-Heyer NO HATE and the Emmett Till Anti-Lynching Act.

Yet, despite the increases in hate crimes, instead of examining the capacity of the U.S. Department of Justice to enforce hate crimes laws, or laws intended to address white supremacist violence, resources have gone to supporting an expanded and often flawed national security framework — a framework that has historically discriminated against Black and Brown communities. COINTELPRO, the unlawful domestic surveillance operation of the Federal Bureau of Investigation (FBI) that was used to try to

June 15, 2022

Page 2 of 3



discredit Dr. Martin Luther King, Jr. and other civil rights leaders in the 1960s, was justified as a national security program.¹ After the terrorist attacks of September 11, our nation built a counterterrorism framework and apparatus that continues to over-police; unjustly surveil; and harm Muslims, Arabs, South Asians, and immigrants for little reason other than their national origin, religion, or ethnic background.²

The FBI and other have agencies “mapped” Muslim and Arab communities, deployed informants throughout mosques, and solicited intelligence through federally sanctioned community engagement programs and detained and interrogated members of those communities using secret evidence.³ Furthermore, the no-fly list continues to result in devastating and discriminatory consequences to law-abiding people.⁴ All of this has happened against a background of increased hate crimes against people of these same communities.

The federal government has long had intelligence that has demonstrated the threat of violent white nationalists. The FBI and other federal law enforcement have identified domestic violent extremism by white supremacists as a top threat to our national security.⁵ Yet, not enough has been done to address this danger. The federal government has the tools to confront and hold perpetrators of white nationalist violence accountable but has historically lacked the political will to do so.⁶

¹ “COINTELPRO.” FBI. <https://vault.fbi.gov/cointel-pro>.

² See German, Michael, and Robinson, Sara. “Wrong Priorities on Fighting Terrorism.” *Brennan Center for Justice*. 2019. https://www.brennancenter.org/sites/default/files/2019-08/Report_Wrong_Priorities_Terrorism.pdf; German, Michael, and Mauleón, Emmanuel. “Fighting Far-Right Violence and Hate Crimes.” *Brennan Ctr. for Justice*. July 1, 2019. <https://www.brennancenter.org/publication/fighting-far-right-violence-and-hate-crimes>.

³ See, e.g., Gupta, Amith. “Broader US government surveillance powers won’t make us safer.” *Al Jazeera*. April 28, 2021. <https://www.aljazeera.com/opinions/2021/4/28/broader-u-s-government-surveillance-powers-wont-make-us-safer>; “Unleashed and Unaccountable: The FBI’s Unchecked Abuse of Authority.” *ACLU*. September 2013. <https://www.aclu.org/other/unleashed-and-unaccountable-fbis-unchecked-abuse-authority>.

⁴ Written Statement of Professor Shirin Sinnar, “Countering Domestic Terrorism: Examining the Evolving Threat.” Hearing before the Committee on Homeland Security and Governmental Affairs, United States Senate, One Hundred Sixteenth Congress, First Session. Sep. 25, 2019. Pg. 149. <https://www.hsdl.org/?abstract&did=835354>.

⁵ See Bump, Philip. “FBI Director Wray reconfirms the threat posed by racist extremists.” *Washington Post*. March 2, 2021. <https://www.washingtonpost.com/politics/2021/03/02/fbi-director-wray-reconfirms-threat-posed-by-racist-extremists/>. See also Sullivan, Eileen, and Benner, Katie. “Top law enforcement officials say the biggest domestic terror threat comes from white supremacists.” *The New York Times*. June 15, 2021.

<https://www.nytimes.com/2021/05/12/us/politics/domestic-terror-white-supremacists.html>; “Homeland Threat Assessment October 2020.” *Department of Homeland Security*. Oct. 2020. https://www.dhs.gov/sites/default/files/publications/2020_10_06_homeland-threat-assessment.pdf; Donaghue, Erin. “Racially-motivated violent extremists elevated to ‘national threat priority,’ FBI director says.” *CBS News*. Feb. 5, 2020. <https://www.cbsnews.com/news/racially-motivated-violent-extremism-isis-national-threat-priority-fbi-director-christopher-wray/>. The FBI defines a ‘domestic violent extremist’ as “an individual based and operating primarily within the territorial jurisdiction of the United States who seeks to further their ideological goals wholly or in part through unlawful acts of force or violence.” “Domestic Terrorism: Definitions, Terminology, and Methodology.” *FBI*. 2020. <https://www.fbi.gov/file-repository/fbi-dhs-domestic-terrorism-definitions-terminology-methodology.pdf/view>.

⁶ See, e.g., German, Michael. “Hidden in Plain Sight: Racism, White Supremacy, and Far-Right Militancy in Law Enforcement.” *The Brennan Center for Justice*. Aug. 27, 2020. <https://www.brennancenter.org/our-work/research-reports/hidden-plain-sight-racism-white-supremacy-and-far-right-militancy-law>.

June 15, 2022

Page 3 of 3



To ameliorate these past failures, Congress must help ensure that DOJ uses the many tools already at its disposal, including federal hate crime laws and the more than 50 terrorism-related crimes and authorities,⁷ to prioritize and address white nationalist violence. We continue to support the Domestic Terrorism Prevention Act, as well as efforts to improve the federal government's response to hate crimes. We remain, however, adamantly opposed to any new legislation that would create an added charge for domestic terrorism or enhanced criminal penalties, because we know that those laws will likely target Black and Brown communities instead of the white supremacist threat. In January 2021, we joined with 156 other organizations in opposing a new charge,⁸ and we remain steadfast in that commitment today.

Civil Rights Enforcement Is Critical in Responding to Domestic Terrorism

Instead of a new charge, the DOJ should be appropriately resourced to meet the challenges of increased hate violence. Congress should use its power to ensure that law enforcement appropriately focuses investigative and prosecutorial resources on white nationalist crimes. In instances where an act meets both the definition of a hate crime and an act of domestic terrorism, the divisions should work together to hold perpetrators accountable.

Congress should also use its power to adequately fund programs that help communities heal in the wake of such awful tragedies. The Community Relations Service (CRS) works across the country with local law enforcement and other public safety officials, local and national civil rights organizations, and religious leaders at times when communities are in crisis, including after domestic terrorism and hate incidents. CRS aids law enforcement with engaging with the communities targeted for hate, helping to develop sustainable mechanisms for engaging with community leaders to help prevent and respond more effectively to hate in the future. CRS's regional offices also allow its staff to understand the communities they are privileged to serve and to respond quickly to their needs. In short, CRS assists in creating long-term and sustainable social change, which is just as crucial as enforcement action. Congress should ensure that CRS has the resources and tools necessary to carry out its essential work.

Conclusion

Now is the time to create a shared vision for a country as good as its ideals that centers human dignity — a country where all are valued equally regardless of their race, ethnicity, religion, sex, disability, or socioeconomic status. We must not respond to hate crimes and acts of domestic terrorism by reinforcing counterterrorism policies, programs, and frameworks that are rooted in bias, discrimination, and diminution of fundamental rights. Instead, we must prioritize confronting hate violence and reckon with the white supremacy that was present at our founding and continues to devastate communities today.

⁷ See German, Michael, and Robinson, Sara. "Wrong Priorities on Fighting Terrorism." *Brennan Center for Justice*. 2019. Pg. 5. https://www.brennancenter.org/sites/default/files/2019-08/Report_Wrong_Priorities_Terrorism.pdf.

⁸ "157 Civil Rights Organizations Oppose a New Domestic Terrorism Charge." *The Leadership Conference on Civil and Human Rights*. Jan. 19, 2021. <https://civilrights.org/resource/135-civil-rights-organizations-oppose-a-new-domestic-terrorism-charge/>.



The Honorable Gary C. Peters
Chairman
U.S. Senate Committee on Homeland
Security & Government Affairs
224 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Rob Portman
Ranking Member
U.S. Senate Committee on Homeland
Security & Government Affairs
224 Dirksen Senate Office Building
Washington, D.C. 20510

June 9, 2022

Dear Chairman Peters, Ranking Member Portman, and members of the U.S. Senate Committee on Homeland Security & Government Affairs:

On behalf of the Sikh American Legal Defense and Education Fund (SALDEF) and the Sikh American community, we want to thank you for holding the recent hearing, "Domestic Extremism in America: Examining White Supremacist Violence in the Wake of Recent Attacks." Our hearts are heavy as we contemplate the spate of mass shootings that have only seemed to accelerate in the wake of the act of vicious hate in a Buffalo Tops that precipitated this hearing. As lone wolf gunmen continue to attack targets like grocery stores and schools, we fear that the longer Congress takes to pass legislation taking a clear-eyed and comprehensive approach to domestic terrorism, more families and communities will continue to experience avoidable tragedies.

SALDEF remains committed to working with all stakeholders to prevent, address, and combat hate crimes and domestic extremism. It is our hope that our written testimony will shed light specifically on the Sikh American community and its long and tragic history of experiencing the deadly and damaging consequences of hate and domestic terrorism: acts of bias like physical assaults and bullying; acts of community intimidation like vandalism of community-owned businesses and houses of worship; and being targeted in deadly attacks with assault weapons designed to maximize casualties and make people across the nation feel unsafe and unwelcome. From the retaliatory murder of Balbir Singh Sodhi¹, a Sikh Arizonan misidentified as Muslim and killed in broad daylight in the immediate aftermath of 9/11, to the Oak Creek mass shooting in 2012, to the Indianapolis mass shooting in 2021 and countless smaller-scale acts of bias and hate, **Sikh Americans are the most disproportionately targeted group in the United States - at a rate of four times the national average**, according to an analysis of FBI data controlling for population size.²

¹

<https://www.azcentral.com/story/news/local/mesa/2021/09/16/memorial-honors-balbir-singh-sodhi-mesa-man-killed-9-11-hate-crime/8334849002/>

² <https://bit.ly/3BY2GWC>

The Federal Bureau of Investigation (FBI) released the annual report on hate crimes showing that 8,052 single-bias incidents involving 11,126 victims occurred in 2020.³ Nearly 62% of victims were targeted because of the offenders' bias against the race/ethnicity/ancestry of the victims. **Anti-Sikh hate crimes also hit a record high of 89 documented incidents, reflecting an 82% increase over 2019**, despite an overall decrease in the number of anti-religious hate crimes.

SALDEF continues to urge all federal agencies and reporting to fully disaggregate data about communities of color, which are often the targets in attacks like the ones in Buffalo. To better understand the Sikh American community's experiences, we have conducted surveys to paint a picture of our nationwide community. One survey, the National Sikh American Survey, involved reaching out to over 2000 Sikh individuals around the country during 2020.⁴ The survey built on understanding from our pioneering work on attitudes towards Sikh Americans, Turban Myths.

The Sikh American Survey revealed some disheartening figures: 15% of respondents said they only sometimes felt safe practicing Sikhism, with respondents living in the South feeling the least safe. 58% of respondents reported being bullied or harassed because of their Sikh identity, with 60% of respondents living in the Midwest reporting such mistreatment. 63% of turbaned respondents reported being discriminated against for wearing a turban. When sorted regionally, 70% of turbaned respondents living in the South experienced turban-related discrimination.

While there are many cases of bias and hate reported against our community, and countless more unreported cases, few are as burned into our collective memory as the hate crime at the Sikh Temple of Wisconsin in Oak Creek.

This summer will mark ten years since an avowed white supremacist opened fire with a semi-automatic weapon on volunteers preparing a communal meal at the *gurdwara* (Sikh house of worship) in Wisconsin. The six fatalities and three hospitalizations made the attack the deadliest on any house of worship on American soil since the 1964 Birmingham church bombing, until the 2015 mass shooting at the Emanuel African Methodist Episcopal Church in Charleston and then the 2018 mass shooting at the Tree of Life Synagogue in Pittsburgh.

In its misplaced hate, its deliberate targeting of a minority community in advancement of a white supremacist agenda, and its use of military-grade hardware, Oak Creek was a tragic precursor to Buffalo. The fact that two men acted in such a similar fashion ten years apart, with only a difference in targeted community and geography separating their crimes, is the most searing indictment of our country's inaction as young men continue to legally equip themselves to convert feelings of hate into hundreds of bullets fired per minute. Unfortunately, as is the case for many minority communities relaying a story of survival, Oak Creek was not the last time.

³ <https://www.justice.gov/crs/highlights/2020-hate-crimes-statistics>

⁴ <https://saldef.org/national-sikh-survey-results/>

On April 15, 2021, a gunman launched an attack on a FedEx ground facility in Indianapolis, Indiana.⁵ The facility was widely known for employing a high concentration of Sikh and immigrant workers. In the shooting, eight innocent people were killed, four of whom were Sikhs in the Indianapolis Sikh community.

In our work in Indianapolis, we encountered many of the same structural issues that continue to hamstring the government's work to address hate crimes. There was no centralized point of contact or central source of information to distribute information to the community to answer questions or explain what was happening. It largely fell to national organizations, with limited local government contacts and primarily federal relationships, to act as intermediaries. All of these gaps and silos must be addressed through targeted policy solutions. At a high level, Congress must incentivize and provide support for better identification, reporting, and collection, including through the establishment of centralized and unified reporting structures that are focused on addressing the needs of victims rather than jurisdictional divisions. We outline a few potential fixes below.

In presenting recommendations on combating hate crimes to the Senate Homeland Security & Government Affairs Committee, SALDEF would like to fully echo the recommendations of **Pardeep Singh Kaleka**, executive director of the Interfaith Council of Milwaukee and the son of a Sikh worshiper slain in the hate crime against the Sikh Temple of Wisconsin in Oak Creek. Mr. Kaleka presented his comments at a House Judiciary Subcommittee hearing on Crime, Terrorism, and Homeland Security in early March 2022.⁶

It is essential, as Mr. Kaleka argued, to **pass the Domestic Terrorism Prevention Act**, which will give the federal government essential tools and funding to track and combat hate crimes and bias incidents at a scale proportionate to their perpetration. We were disappointed in the vote on the DTPA some time ago, but we strongly urge the Senate to take it up once more in the wake of this spate of violence. Similarly, the **Justice for Victims of Hate Crimes Act must be passed**, to close a loophole in how hate crimes are prosecuted at the federal level.

Mr. Kaleka's recommendations echo what we have outlined throughout this written testimony: that action to protect minority communities must be taken urgently through new laws, more resources, and deeper engagement with and between local law enforcement and advocates. We must invest in early-stage interventions to correct the pain that precedes acts of violence, through accurate and inclusive education and holding social media platforms accountable for hosting hate speech.

SALDEF would also like to highlight the recommendations made in a recent Homeland Security Advisory Council Report, particularly the critical gap flagged by the report: **the lack of a**

⁵

<https://www.npr.org/2021/04/16/987929888/9-killed-others-injured-in-shooting-at-fedex-warehouse-in-indianapolis>

⁶ <https://judiciary.house.gov/calendar/eventsingle.aspx?EventID=4850>

domestic terrorism statute.⁷ This is a real threat disproportionately faced by minority communities like Sikh Americans, manifesting in ways both large and small. Congress, working with DHS and the Department of Justice, **must pass a statute defining acts of domestic terrorism and funding the monitoring of these acts** so law enforcement can better monitor, understand, investigate, and prosecute acts of domestic terrorism. Domestic terrorism has been painfully real for our community for much longer than ten years, and it is our hope that today's hearing represents a meaningful step toward naming and fighting it as such.

Hate crimes against Asian American, Native Hawaiian, and Pacific Islander (AANHPI) communities also exacerbate a problem unique to our community: lack of in-language support. We face continuing common problems of cultural fluency, bias, accessibility, and lack of trust due to years of neglect and/or perceived hostility and profiling. However, many agencies and individuals have engaged in models of bridge building and community-oriented outreach that should be highlighted and replicated throughout all levels of government across the country.

We are happy the Committee is paying closer attention to the plague of violence that continues to afflict our and other minority communities. We look forward to continuing our work striving together with the members of the Committee and all of your colleagues to build an America where acts of hate from the members of one community against the members of another are an artifact of the past, and where all Americans can help build a better future in which all colors, orientations, and faiths are truly equal. The innocent lives lost in only the last couple of weeks in Buffalo and Tulsa, in addition to all the ones lost due to governmental paralysis over the past several years, demand and deserve nothing less.

Respectfully submitted,

Kiran Kaur Gill
Executive Director

⁷

https://www.dhs.gov/sites/default/files/publications/preventing_targeted_violence_against_faith-based_communities_subcommittee_0.pdf



Statement for the Record from the Sikh Coalition

**Committee on Homeland Security & Governmental Affairs
United States Senate**

**Hearing on Domestic Extremism in America: Examining White Supremacist Violence in
the Wake of Recent Attacks**

June 9, 2022

The Sikh Coalition respectfully submits this statement for the record in connection with the above-referenced hearing before this Committee. As an organization that represents the Sikh community in the United States and has worked to address hate-related attacks against the Sikh American community since 9/11, we write to share our concern regarding white supremacist violence and hate crimes against Sikhs and other minorities.

By way of background, the Sikh Coalition is the largest Sikh American civil rights organization in the United States. We were founded in the immediate aftermath of September 11, 2001, in response to a torrent of hate crimes against Sikhs throughout the United States. Our mission since then has been to work towards a world where Sikhs and other religious minorities in America may freely practice their faith without facing bias and discrimination.

**Background of White Supremacist Violence
Against Sikhs in the United States**

Many Sikhs in the United States remain disproportionately vulnerable to hate and bigotry due to our distinctive articles of faith, including turbans and unshorn hair (including facial hair). Hate-related threats and attacks against Sikhs are not just cases of "mistaken identity,"--that is, the notion that Sikhs are targeted because they are believed to be Muslim. While these cases do occur, immediately defaulting to this framework fails to account for the other bias-related motivations against Sikhs, and inadvertently implies that there is a group that should be targeted by such hate. Hate crimes against Sikhs can be attributed to a number of reasons, including the fact that most (but not all) Sikhs are of South Asian/Punjabi ancestry (i.e., brown-skinned). Thus, the hate violence, threats, and vandalism cases that the Sikh Coalition handles are frequently intersectional, including bias towards religion, race, ethnicity, and national origin.



National Office: 50 Broad Street, Suite 504 | New York, NY 10004
t: 212.655.3085 | f: 212.208.4611
www.sikhcoalition.org



In many ways, the challenges that Sikhs face often foreshadow systemic problems for the rest of the nation. The first deadly post-9/11 hate crime in the United States was the murder of Sikh American business owner Balbir Singh Sodhi, who was shot and killed outside his gas station in Mesa, Arizona, on September 15, 2001.¹ The perpetrator explicitly stated that he wanted to kill turbaned individuals in retaliation for the terrorist attacks. The Sikh Coalition documented more than 300 community reports of hate, bias, and bigotry against Sikhs in just the first month after the 9/11 attacks.²

The hate and xenophobia against Sikh, Muslim, Arab, and South Asian communities did not subside in the following years. The worst attack on an American house of worship in nearly 50 years occurred on August 5, 2012, when a white supremacist murdered seven Sikhs at a gurdwara (Sikh house of worship) in Oak Creek, Wisconsin. The shooting, perpetrated by a gunman with white nationalist ties, killed six Sikh worshippers at the time and injured several others. Baba Punjab Singh, a courageous and beloved 72-year-old Sikh religious teacher who was shot and paralyzed during the assault, sadly passed away from his injuries on March 2, 2020, making him the seventh victim of this deadly assault.³ Since the Oak Creek shooting, additional gurdwaras and other minority houses of worship and community centers have been targeted through vandalism, arson, bomb threats, bioterrorism, and mass shootings.

The failures to adequately address hate crimes and white supremacist violence against individuals have resulted in more acts of hate being directed at minority institutions, including our houses of worship. The Sikh Coalition has tracked an alarming increase in attacks against gurdwaras over the past five years. In September of 2017, a white man defaced a gurdwara in Hollywood, California, calling for the nuking and death of Sikhs and threatened to slit the throat of an onlooker.⁴ In July of 2019, a gurdwara in Hughson, California, was broken into, and the Sikh caretaker was assaulted and told to “go back” to a foreign country.⁵ In January of 2020, another gurdwara in Orangevale, California, was vandalized with white supremacist graffiti⁶ after its grand

¹ A Sikh man's murder at a gas station revealed another tragedy of 9/11, CNN (Sep. 11, 2021), available at <https://www.cnn.com/interactive/2021/09/us/balbir-singh-sodhi-9-11-cec/>

² History of Hate: Crimes Against Sikhs Since 9/11, HuffPost (Aug 7, 2012), available at https://www.huffpost.com/entry/history-of-hate-crimes-against-sikhs-since-911_n_1751841

³ Priest Paralyzed in Mass Shooting at Sikh Temple in 2012 Dies from Injuries, New York Times (March 4, 2020), available at <https://www.nytimes.com/2020/03/04/us/baba-punjab-singh-wisconsin.html>

⁴ LAPD seeks suspect who vandalized Los Feliz Sikh temple, threatened witness, LA Times (Sep. 18, 2017), available at <https://www.latimes.com/local/lanow/la-me-in-sikh-temple-hate-crime-20170918-story.html>

⁵ Sikh Priest Attacked Inside Hughson Home Told ‘Go Back, Go Back’, CBS Sacramento (Jul. 26, 2019), available at <https://sacramento.cbslocal.com/2019/07/26/sikh-priest-attacked-go-back/>

⁶ Swastikas, ‘white power’ spray-painted outside of Sikh temple in Orangevale, Fox 40 (Jan. 13, 2020), available at <https://fox40.com/news/local-news/swastikas-white-power-spray-painted-outside-of-sikh-temple-in-orangevale/>



opening; reporters later discovered that a prominent and dangerous white supremacist⁷ lived within a mile of the gurdwara and a synagogue. In August of last year, a gurdwara under construction in Long Island, New York, was vandalized with hateful slurs and pro-Trump messaging.⁸ And in September of last year, a gurdwara in Federal Way, Washington, was vandalized and had equipment stolen.⁹ We fear that without federal intervention, more gurdwaras and minority houses of worship will continue to see hate violence come to their doorsteps.

Unfortunately, today the threats against our communities appear to be even more elevated than they were following the 9/11 backlash. The Department of Homeland Security (DHS) has begun to acknowledge that white supremacists are the most pressing and lethal domestic security threat facing our nation.¹⁰ DHS also recently issued a National Terrorism Bulletin on June 7, 2022, alerting our nation of prolonged threats against a range of targets, including faith-based institutions and racial and religious minorities.¹¹ Some of the factors that led to DHS issuing the bulletin include online forums that routinely promulgate domestic violent extremist ideology and previous attacks where suspects have been motivated by racist conspiracy theories, often referred to as the "great replacement" or "white genocide." This terror bulletin came on the heels of another bulletin issued in February that warned individuals were being radicalized due to false or misleading narratives, conspiracy theories, and other forms of mis-, dis-, and malinformation and could target houses of worship and other public venues.¹²

Limitations in Response to White Supremacist Violence

The federal government's current response to white supremacist and nationalist violence remains inadequate despite multiple congressional hearings, Government Accountability Office findings¹³,

⁷ *Leader Of Dylann Roof-Worshipping Neo-Nazi Group Under Police Investigation*, Huffington Post (Jul 27, 2020), available at https://www.huffpost.com/entry/andrew-casarez-neo-nazi-police-investigation_n_5f1f510cc5b638cfec48ba4.

⁸ *Racist, pro-Trump vandal targets Sikh temple on Long Island*, Daily News (Sep. 5, 2021), available at <https://www.nydailynews.com/new-york/nyc-crime/ny-racist-vandalism-sikh-temple-long-island-donald-trump-20210805-hovi7lbvebabnkcxbhs72gc43e-story.html>.

⁹ *Police investigating after Federal Way Sikh center vandalized*, The Seattle Times (Sep. 19, 2021), available at <https://www.seattletimes.com/seattle-news/law-justice/police-investigating-after-federal-way-sikh-center-vandalized/>.

¹⁰ *DHS draft document: White supremacists are greatest terror threat*, Politico (Sep. 4, 2020), available at <https://www.politico.com/news/2020/09/04/white-supremacists-terror-threat-dhs-409236>.

¹¹ *National Terrorism Advisory System Bulletin - June 07, 2022 09:00 am*, Department of Homeland Security (Jun 7, 2022), available at <https://www.dhs.gov/ntas/advisory/national-terrorism-advisory-system-bulletin-june-7-2022>.

¹² *National Terrorism Advisory System Bulletin - February 07, 2022 02:00 pm*, Department of Homeland Security (Feb. 7, 2022), available at <https://www.dhs.gov/ntas/advisory/national-terrorism-advisory-system-bulletin-february-07-2022>.

¹³ *Countering Violent Extremism, Actions Needed to Define Strategy and Assess Progress of Federal Efforts* (April 2017) available at



and repeated warnings from the DHS and the Federal Bureau of Investigation (FBI).¹⁴ With each subsequent attack on minority institutions, the ongoing threat of white supremacist violence remains obvious. Responding to this threat, however, must also not cause further harm to Black and brown communities already disproportionately impacted by law enforcement and the criminal justice system. The failure to effectively address white nationalist violence is not due to a lack of criminal statutes, but a failure to effectively apply existing resources against white supremacist extremists.

Following the Oak Creek shooting, the Sikh Coalition, in collaboration with other advocacy organizations, advocated for updating the FBI's hate crime reporting codes to more accurately capture anti-bias incidents, including anti-Sikh incidents for the first time, in the Uniform Crime Report.¹⁵ Since then the FBI's annual hate crime report consistently finds anti-Sikh violence within the top five most targeted religious communities; when one controls for population sizes of various religious minorities, Sikhs are likely likely more vulnerable than any other religious population in the country.

The reporting of hate crimes to the FBI remains voluntary, and as a result, federal hate crime statistics remain woefully inadequate. According to the most recent reporting by the Bureau of Justice Statistics, there were an estimated 246,900 hate crimes transpiring annually within the United States from 2005 to 2019.¹⁶ The FBI's most recent annual hate crime report in 2020, by contrast, reported only 3 percent of this estimate, with just 8,263 hate crime incidents documented. With just 16 percent of participating agencies reporting hate crimes data, it is apparent that the current model of voluntary reporting and hate crime response training yields very limited statistics.¹⁷ Better tracking and reporting is essential to realizing and recognizing the true scope and scale of the policy problem, as is the development of new policies to prevent hate crimes and the targeting of minority institutions. The large gaps in hate crime reporting and failures to prioritize hate crime threats remain among our nation's largest security threats; this, and the broader danger of white supremacist extremist ideology that continues to target our and other communities, requires further substantial action by Congress.

<https://www.gao.gov/products/gao-17-300>.

¹⁴ *U.S. Law Enforcement Failed to See the Threat of White Nationalism. Now They Don't Know How to Stop It*, New York Times (Nov. 3, 2018), available at <https://www.nytimes.com/2018/11/03/magazine/FBI-charlottesville-white-nationalism-far-right.html>.

¹⁵ *Making History, First Sikh Testifies at U.S. Senate Hearing*, The Sikh Coalition (Sep. 20, 2012), available at <https://www.sikhcoalition.org/blog/2012/making-history-first-sikh-testifies-at-us-senate-hearing/>.

¹⁶ *Hate Crime Victimization, 2005-2019*, Department of Justice Bureau of Justice Statistics (Sep. 2021) available at <https://bjs.ojp.gov/library/publications/hate-crime-victimization-2005-2019>.

¹⁷ *2020 Hate Crime Statistics* (2021), Federal Bureau of Investigations (2021), available at <https://crime-data-explorer.fr.cloud.gov/pages/explorer/crime/hate-crime>.



There are real barriers facing Sikhs and other South Asian communities in reporting hate crimes. Sikhs may have language, cultural, and educational barriers that hinder their ability to report a hate crime, and those barriers can affect the perceived veracity of their reports. Sikhs may also be wary of reporting crimes to law enforcement in general, given the community's history with human rights abuses from law enforcement in India and, more recently, negative profiling experiences here in the United States. Additionally, post-9/11 surveillance programs such as Countering Violent Extremism (CVE), and The Targeted Violence and Terrorism Prevention (TVTP) programs did not prioritize the threats of white nationalist violence -- all of which negatively impacted Black and brown communities. Particularly the most harmed communities of these programs are Arabs and Muslims, who now feel both alienation by law enforcement and targeted by white supremacists. We also cannot ignore that both the infiltration of white supremacists in law enforcement¹⁸ and policing practices unfairly targeting specific communities have dangerously eroded trust in response and prevention initiatives that are meant to counter white supremacist violence and hate crimes.

These barriers, combined with widely shared cases of when law enforcement failed to adequately respond, continue to de-incentivize reporting. Federal surveying shows that 56 percent of hate crime victims do not report the incident to law enforcement.¹⁹

Given the persistent threats posed by far-right extremists and inadequate responses to addressing hate crimes, our government owes it to the American public to address these threats more seriously and act in a manner that does not infringe upon the civil rights and civil liberties of any community.

Policy Recommendations

The Sikh Coalition recommends that Congress take the following actions to address white supremacist extremism and other hate violence against our communities.

Prioritize Law Enforcement Responses Against White Supremacist Violence and Hate Crimes

1. Pass the Domestic Terrorism Prevention Act (S. 963) to improve the focus of the federal government's efforts to prevent domestic terrorism. This bill would implement common-sense processes that will better combat white supremacy while not falsely focusing on

¹⁸ *Prevalence of white supremacists in law enforcement demands drastic change*, Reuters (May 12, 2022), available at <https://www.reuters.com/legal/government/prevalence-white-supremacists-law-enforcement-demands-drastic-change-2022-05-12/>

¹⁹ *Hate Crime Victimization, 2005-2019*



racial and religious groups that too often became targets in the post-9/11 context. It would require federal agencies to monitor, investigate, and prosecute cases of domestic terrorism and specifically focus their resources on the most significant threats, which include violent white supremacist extremists. The bill would also require the DOJ to review hate crimes to determine whether the incident also constitutes a domestic terrorism-related incident.

2. Mandate local and state law enforcement to provide accurate and verifiable hate crime reports to the FBI. According to the Bureau of Justice Statistics, approximately 250,000 hate crimes take place annually, while only 6,200 incidents are reported to the FBI on average. Law enforcement agencies routinely report zero hate crimes, which often runs contrary to media reports and the Sikh Coalition's own verifiable legal work. This effort should include audits by state agencies with oversight over law enforcement at state, and local levels to ensure that the number of hate crimes reported are true and accurate.
3. Close the loophole that precludes many federal hate crime prosecutions by reintroducing and passing the Justice for Victims of Hate Crimes Act. Current federal hate crime law requires an act of bigotry to be the singular motivating factor of the crime, even though many times, bias is just one of many factors in the targeting of an individual for a hate crime. Without intervention, justice is denied to hate crime victims and perpetrators are not held accountable for their acts of hate.
4. Mandate the Department of Justice to have all offices throughout the nation establish and actively maintain hate crime task forces in partnership with local and state law enforcement and community stakeholders in order to improve our understanding of hate crime and share best practices on prevention initiatives, investigation, prosecution, and data collection.

Support Civil Rights and Civil Liberties

1. Pass the End Racial and Religious Profiling Act (H.R.1280 / S.597) to prohibit federal, state, and local law enforcement from targeting a person based on actual or perceived race, ethnicity, national origin, religion, gender, gender identity, or sexual orientation without trustworthy and relevant information linking a person to a crime.
2. Require all federal law enforcement agencies to implement the most current DOJ guidance on racial profiling without security or border exceptions. This must, in turn, be updated to provide clear anti-profiling instruction in close consultation with community stakeholders like the Sikh Coalition.
3. Reject terrorism prevention programs that have been based on junk science and disproportionately harm Black and brown communities. Initiatives that are designed to prevent violent extremism and terrorism must also ensure that the civil rights and civil liberties of all communities are protected. To ensure that these types of programs do not continue to violate the civil rights and liberties of communities, Congress should increase



their oversight of DHS, including the Center for Prevention Programs and Partnerships (CP3).

Support Community-Based Response Initiatives Against White Supremacist Violence and Hate Crimes

1. Pass the Non-Profit Security Grant Program (NGSP) Improvement Act (H.R. 6825) to provide more funding to the NGSP and make it easier for gurdwaras and other houses of worship to obtain resources to protect our communities from another hate-fueled mass casualty event. The program must also be bolstered with culturally attuned and language-accessible technical assistance for non-profits that do not have adequate resources to submit grant applications, and it should ensure that grant funds are administered successfully by eligible non-profits.
2. Appropriate adequate funding for community programs such as the DOJ Community Relations Service (CRS). CRS develops critical resources, convenes forums on protecting houses of worship, holds community stakeholder listening sessions, develops cultural competency resources for the Sikh and Muslim communities, and provides rapid response assistance after hate crime incidents. Continued funding for this program helps ensure that misconceptions about Sikhs and other communities do not escalate into further violence. CRS also helps communities develop the capacity to more effectively prevent and respond to violent hate crimes.
3. Require the DOJ to do more to ensure access to non-law enforcement grant opportunities under the Edward Byrne Memorial Justice Assistance Grant Program, and Matthew Shepard and James Byrd, Jr. Hate Crimes Program. While the DOJ has taken affirmative steps to use these grant programs to prevent and address hate crimes, the majority of those grant programs have gone to law enforcement rather than community organizations.

Swift Action Against White Supremacist Political Rhetoric Promoted by Federally Elected Officials

The promotion of white supremacist ideology by federally elected officials in their official or personal capacity, while elected or seeking office, endangers the legitimacy of our government institutions and further incites violence against vulnerable communities. We strongly recommend that Congress act to discourage divisive political rhetoric by swiftly moving to disincentivize such actions when they occur. Congressional actions should include swift and repeated bipartisan denunciation, but also censure and denying individuals found to have engaged in the promotion or encouragement of white supremacist ideology to be removed from their committee assignments in Congress.



Support Long-Term Initiatives to Address White Supremacist Violence and Hate Crimes

Despite Congress creating the United States Commission on Civil Rights, the body is not exclusively focused on addressing hate crimes and white supremacist violence, and therefore has had a limited impact--it has been unable to keep pace with the rapidly changing landscape of hate and white supremacy. Establishing a Permanent Commission Against Hate and White Supremacist Violence would permit a federal legislative body to issue continuing reports on current gaps and regularly develop recommendations that Congress, the President, and state and local governments can immediately use to protect our nation's security. The Commission must be comprised of community leaders, thought leaders, and law enforcement to develop guidance that will continue to annually publish recommendations on hate and white supremacist violence.

The Sikh Coalition is grateful for the opportunity to submit this statement for the hearing record and looks forward to working with government, civil society, and communities nationwide to eliminate bigotry, hate crimes, and violent extremism in the United States. If you have questions about these recommendations or seek additional information, please contact Sim J. Singh Attariwala at advocacy@sikhcoalition.org.

Thank you for considering our views on this matter.

Sincerely,

Sim J. Singh Attariwala
Senior Policy and Advocacy Manager
The Sikh Coalition



humanrightsfirst.org

To: Senator Sinema

From: Dr. Liz Yates

Re: Post Hearing Questions for the Record: Domestic Extremism in America

Date: July 26, 2022

Question 1: Role of Technology in Spreading Extremism

Online disinformation and misinformation have undoubtedly contributed to the recent surge in domestic extremism and white supremacist violence. Too often, social media and search algorithms actually amplify the most inflammatory content – leading users down a rabbit hole of hate.

What additional steps should technology companies take to prevent their platforms from being used as recruitment tools by extremists? Where should platforms draw the line between protecting free speech and promoting content that incites hatred and violence?

And, in the case of encrypted messaging apps, what can we do when companies don't have visibility into the content that's being shared?

Response:

There are many things we can and must do to address the surge in domestic extremism and white supremacist violence, and at the top of that list is addressing social media's role in fanning the flames of online hate, which has deadly real-world consequences.

- For example, at the start of the pandemic we saw a surge in online content attacking Jewish and Asian Americans. This content was dehumanizing, spread misinformation, and in some cases called for violence.¹ Even in the last six months, researchers at Pyrra Technologies found that users on a series of alternative media sites they track used the racist terms "wuflu" and "China Virus" over 3,000 times.²
- Communities in Buffalo³, El Paso,⁴ Pittsburgh,⁵ and Poway,⁶ can all attest to the horrific impact of violent extremism in the U.S. In each of these cases, the perpetrator of the attack engaged with or sought some sort of inspiration from hate actors online.

¹ Greenblatt, Jonathan A. 2020. "Blaming Jews for the spread of the coronavirus is anti-Semitism pure and simple." *New York Daily News*, April 8; Associated Press. 2021. "More Than 9,000 Anti-Asian Incidents Have Been Reported Since the Pandemic Began," August 12.

² Pyrra Technology, Unpublished. (Additional information available upon request to the author).

³ Bergengruen, Vera. 2021. "There's no such thing as a lone wolf": The online movement that inspired the Buffalo shooter," May 16th, *Time*.

⁴ Arango, Tim, Nicholas Bogel-Burroughs, and Katie Benner. 2019. "Minutes Before El Paso Killing, Hate-Filled Manifesto Appears Online" (August 3rd). *The New York Times*.

⁵ The New York Times Editorial Board. 2018. "The New Radicalization of the Internet," August 24th. *The New York Times*.

⁶ Marantz, Andrew. 2019. "The Poway Synagogue Shooting Follows an Unsettling New Script," April 29th. *The New Yorker*.

We know hate actors are increasingly using social media platforms to radicalize and recruit new followers to grow their national and global footprint. They use these platforms to coordinate their activities and events, to fundraise, and to share extremist propaganda and misinformation.⁷

- Hate groups and violent actors, such as the Proud Boys⁸ and the Boogaloo movement,⁹ have been able to recruit members nationally and internationally on social media platforms.
- While much of the focus is on major platforms like Twitter and Meta (formerly Facebook), more attention needs to be paid to the growing universe of smaller, so-called “alt” social media platforms such as GETTR, Gab, 4chan and 8kun. These smaller platforms have little to no content moderation, lax enforcement of existing policies. As a result they are the most extreme online spaces, and are often where users go looking for even more radical communities after engaging on mainstream platforms.

To date, social media companies have chosen profits over public safety. For years, various advocacy groups, think tanks, and coalition partners have alerted them to harmful content, and yet it still exists on their platforms.¹⁰

- Meta (formerly Facebook) and Instagram knowingly hosted dozens of accounts that neo-Nazis used to sell merchandise to fund violent extremism.¹¹
- Google and YouTube continue to lack transparency around ad placement and profit from both placing ads of major retailers next to extremist content, and taking money from hate groups for their ads, despite public apologies for this as far back as 2017.¹²
- Some coordinating mechanisms exist, such as the Global Internet Forum for Combatting Terrorism (GIFCT), to address content from international terrorists. However, coordination regarding domestic extremism material is uneven and lacking. This is due in part to the competitive dynamics between companies, as well as different definitions of what constitutes hate speech and extremist material.
- While industry has mechanisms in place for “low-hanging fruit” content elimination such as extremist manifestos and videos of their acts, extremist material that isn’t necessarily violent in itself but that directly inspires violence – such as rhetoric referencing a “white genocide” – continues to spread, even on mainstream platforms.

Increased adoption of end-to-end encryption technologies is a dual-edged sword, protecting both the communications of human rights activists as well as extremists and others threatening public safety. However, platforms can still take action when encryption is present because platforms have access to metadata about users from which they can infer violative behavior. There are specific actions these companies can take to increase user safety and deny extremists a virtual safehaven.

1. **Aggressively Uphold Terms of Service:** These companies must uphold their own terms of service, and do so with transparency and consistency. These are the ‘rules of the road’ for user experience and expectations, and they were created with the goal of allowing people to socialize, organize, learn, and create without facing debilitating harassment or discrimination online. However, people of color, women, minority faith groups, and the LGBTQ+ community continue to bear the burden of the hate and violence on social media, as well as the harm it generates offline. Creating explicit policies that ensure speech

⁷ Anti-Defamation League. 2019. “White Supremacy is Being Internationalized and Weaponized Like Never Before, Says New ADL Report,” September 19th. Anti-Defamation League.

⁸ Anti-Defamation League. 2019. “Proud Boys,” Anti-Defamation League.

⁹ Kelly, Makena. 2020. “Facebook still hosts boogaloo extremist groups, report finds,” August 12th, *The Verge*.

¹⁰ *Change the Terms*. “Reducing Hate and Disinformation Online”.

¹¹ Kinetz, Erika. 2021. “Neo-Nazis are still on Facebook. And they’re making money,” September 25th, *ABC News*.

¹² Kotch, Alex. 2019. “Google Is Profiting From Notorious Hate Group’s Ads,” October 25th, *American Prospect*; Mark, Scott. 2017. “Google Tries to Stop Ads From Appearing Next to Hate Speech,” March 21st, *The New York Times*.

from all users is treated consistently, while vastly increasing resources towards content moderation, are critical to reducing hate online.

2. Increase Transparency: These companies have an obligation to conduct and publish external reviews by independent auditors. They also have an obligation to tell those who buy ads, where they will be placed and to ensure that they are not placed next to hateful content. They should be more transparent about content moderation mechanisms such as blackholing content, banking images and video as part of hashing efforts, how their algorithms suggest content, and how they amplify certain accounts and narratives. For instance, YouTube has provided little information to assess and analyze this phenomenon.¹³
3. Fix their Algorithms to Prevent Amplifying Hate: Social media companies have created algorithms that promote content with the most engagement and this often includes incendiary and hateful content and can lead to radicalization. They have the ability to adjust these algorithms and should do so.
4. Enhance Supportive Services: Large and popular social media companies should offer live, real-time assistance to victims of intimidation and harassment on the platform, make information about unlawful harassment and intimidation more readily available to users, and strengthen users' ability to filter, report, and block malicious content. Additionally, they should offer more robust redress mechanisms when users are targeted by false reports of violative behavior.
5. Increase Responsiveness to Law Enforcement: Responses to state and local law enforcement are uneven and the processes to generate a Request for Information (RFI) vary across platforms and are often cumbersome for law enforcement. This leads to incomplete and often delayed information in instances that can involve real-time threats. Each major social media company could have local coordinators to support law enforcement and work together to create a uniform RFI response process across platforms.

Thank you for the opportunity to testify and to provide a more thorough response to your questions. Please don't hesitate to reach out if I can provide assistance in the future.

Respectfully,

Dr. Liz Yates
202-370-3307
yatese@humanrightsfirst.org

¹³ Metz, Rachel. 2018. "An ex-Google engineer is scraping YouTube to pop our filter bubbles," April 12, *MIT Technology Review*.



July 29, 2022

Via Email (laura_kilbride@hsgac.senate.gov)

Laura Kilbride
Chief Clerk
U.S. Senate Committee on Homeland Security and Government Affairs
Washington, DC

Dear Ms. Kilbride:

Thank you for the opportunity to submit this response to a post-hearing question from Senator Sinema for the official record from the June 9, 2022, hearing on "Domestic Extremism in America: Examining White Supremacist Violence in the Wake of Recent Attacks." My original testimony can be found [here](#).

Question from Senator Kyrsten Sinema: In your testimony, you noted that "law enforcement and our military face the threat of rising extremism within their ranks." You even cite the example of a neo-Nazi who joined the Army for the express purpose of gaining tactical experience he could apply to extremist attacks.

What measures should the military and law enforcement take to ensure they are not inadvertently providing training to extremists?

While the number of currently confirmed cases of extremists within military ranks is small, that number of people with military connections convicted of extremist acts is increasing. The National Consortium for the Study of Terrorism and Responses to Terrorism (START) at the University of Maryland [found](#) that the number of convicted extremists with military connections in the past three decades totaled 461 people. A Roll Call piece on the START report [states](#), "And in the last several years their numbers have grown, even when the Jan. 6 rioters who served in the military are excluded, the START analysts reported earlier this year. In the last decade alone, an annual average of 24 Americans with military connections were convicted of a crime of violent extremism — not many, but still four times as many as in the previous decade."

Just this week, [Rolling Stone](#) reported that while he was serving as a Marine, Matthew Belanger trained with airsoft guns in the woods of Long Island as part of a neo-Nazi plot to attack the “Zionist Order of Governments.” A court memo said that Belanger planned to “engage in widespread homicide and sexual assault,” due to his desire to lessen the number of nonwhite Americans and to rape “white women to increase the production of white children.” The alleged plot to commit mass murder, thankfully thwarted by the FBI, like much of the violence and violent intimidation I described in my hearing testimony is linked to the “great replacement” conspiracy theory, a core tenet of white nationalism. From the recent Buffalo massacre to the murders of Black Bible study students in Charleston, Latino Walmart customers and workers in El Paso, Jewish worshippers at the Tree of Life synagogue in Pittsburgh, and Muslim worshipers in Christchurch, the antisemitic “great replacement” theory is a disturbing thread connecting all these events.

My testimony shared more detail on the origins of the “great replacement” theory, but it bears repeating that it’s the dangerous belief that a global conspiracy run by Jews is orchestrating a master plan to undermine white political power by increasing the number of Black and brown people. A modern-day retelling of the “The Protocols of the Learned Elders of Zion”—an antisemitic forgery introduced to the United States by Henry Ford in 1920, the “great replacement” conspiracy theory poses a threat to inclusive democracy and must be unequivocally denounced by leaders at all levels of government. As noted in my testimony, disavowal of the “great replacement” theory is an appropriate focus of a Joint Congressional Resolution and would send a powerful signal to people and groups who pose a risk to the nation’s security.

With the highly disturbing details of the known cases of extremism among military personnel in mind, the Senate Armed Services Committee should reverse its recent [recommendation](#) to the Pentagon, which states, “spending additional time and resources to combat exceptionally rare instances of extremism in the military is an inappropriate use of taxpayer funds, and should be discontinued by the Department of Defense immediately.” Without ongoing, thorough internal reporting on extremism in the military and law enforcement, our country does not yet have an accurate picture of how white nationalist groups are mobilizing members of our armed forces and law enforcement against the people they are sworn to protect.

In addition, the Senate should approve the amendment in the National Defense Authorization Act mandating the FBI, Department of Homeland Security, and Department of Defense to produce a report on white nationalist activity in its ranks and how these agencies plan to address it. Earlier this month, all 208 House Republicans [voted against](#) the amendment, but it passed along party lines.

Dating back to the early 1980’s, groups like the Aryan Nations in Idaho have exploited the expertise of active-duty members of military to train their racist paramilitary groups. One of the most high-profile historical examples is the Carolina Knights of the Ku Klux Klan, founded by Frazier Glenn Miller, who is on death row for killing three people outside of Jewish centers in Kansas.

It is evident that contemporary white nationalist groups continue to attract recruits with military training, putting communities across the country at imminent risk of bigoted violence. Leaked documents from the white nationalist group Patriot Front, notorious for its members' recent arrests for conspiracy to riot at an LGBTQ+ Pride event in Coeur d'Alene, ID, show that one in five membership applications came from current or former members of the military. One of the Patriot Front members arrested in Coeur d'Alene was found to be attending Washington State University as a ROTC scholarship recipient; he has currently been placed on a leave of absence as the incident is investigated.

Western States Center and 16 other civil rights organizations recently sent [a letter to the Department of Justice respectfully urging them to investigate Patriot Front](#). Elected officials and law enforcement leaders can reinforce the importance of criminal investigations and civil and criminal lawsuits when white nationalist groups and members break the law, because clear accountability can prevent these groups from escalating their activity and recruiting more members within law enforcement.

As [recommended](#) in a 2020 report by the Brennan Center, the general public as well as fellow law enforcement and military personnel should be further empowered to feel comfortable reporting activity that they encounter. This should include the establishment of a hotline for the public, as well as clearly established protections for whistleblowers within these agencies.

As the Center for Strategic and International Studies has [recently recommended](#), those within military agencies who are the most likely to come across signs of extremism such as recruiters, company-grade officers, and senior noncommissioned officers, should receive more specialized training about how to properly identify and report extremism, along with clear policies and safeguards protecting them against retaliation when they do report.

Due to the ever-evolving trends within white nationalist organizing trends, rhetoric, and symbols, we recommend that agencies consult with independent and non-partisan experts such as civil rights organizations and university hate studies research programs for up-to-date training content for recruiters and staff on a regular basis. These civil society institutions have a long history of training law enforcement and should be utilized with more frequency.

Thank you again for the opportunity to provide testimony on June 9 about the danger of white nationalism as a domestic terrorism threat, and our team looks forward to answering any further questions.

Sincerely,

[Eric K. Ward](#)
Senior Advisor
[Western States Center](#)

**Post-Hearing Questions for the Record
Submitted to Mr. Michael German
From Senator Kyrsten Sinema**

“Domestic Extremism in America: Examining White Supremacist Violence in the Wake of Recent Attacks”

June 9, 2022

Question 1: Hate Crimes

We’re all familiar with the long list of hateful attacks against religious institutions. Far too many congregants have died at the hands of white supremacists. But this same extremism also manifests itself in ways that don’t make the headlines. According to the FBI, 282 hate crimes were reported in Arizona in 2020 – the highest number since 2001. According to the ADL, the number of anti-Semitic incidents in Arizona more than doubled last year – with synagogues having swastikas spray-painted on their doors and rocks thrown through their windows.

Beyond grants, how can the federal government and law enforcement partner with religious institutions in Arizona to ensure people feel safe when practicing their faith, and hold perpetrators of white supremacist and religiously-motivated hate crimes accountable?

Since every community is different, with different concerns and needs, it isn’t possible to craft one approach that will work for all communities in all situations. Hate crimes are insidious because they target individuals and communities that have already been marginalized, ostracized, and discriminated against by government institutions, and particularly by law enforcement. While some communities may welcome resources and support from the Department of Homeland Security (DHS) and Department of Justice (DOJ) to protect against being victimized by hate crimes, others, which may have been unfairly targeted by these agencies as suspected criminals, terrorists, and spies are suspicious that such “partnership” arrangements will only further securitize their relationship with the government and enable increased surveillance. The Brennan Center report, “Fighting Far-Right Violence and Hate Crimes,” details these deficiencies and recommends broadly reforming police practices as a first step to restoring the community trust before law enforcement-led programs should be expanded.¹

Since hate crimes inflict communal injuries in addition to the direct harm wrought against the individuals or institutions targeted for attack, any response to hate crimes should be designed to strengthen social cohesion within the targeted communities, with enhanced social services, public health, employment, and educational opportunities, for example. If white supremacists learn that targeting a marginalized community will result in their receiving increased public support the incentive to commit such attacks will be reduced. DHS and DOJ funds could be reallocated to federal, state, and local social services, health, and educational departments and

¹ Michael German and Emmanuel Mauleón, *Fighting Far-Right Violence and Hate Crimes*, BRENNAN CENTER FOR JUSTICE, July 1, 2019, https://www.brennancenter.org/sites/default/files/2019-08/Report_Far_Right_Violence.pdf.

agencies to administer such programs, to avoid the stigma associated with previous efforts to conduct community outreach through ill-conceived and counter-productive “countering violent extremism” programs of the past, that were often revealed to be intelligence gathering and informant development programs.

Congress should also seek to empower targeted communities by investing in community-led restorative justice programs such those discussed in a collaborative report by the Brennan Center and Stanford Law School’s Law and Policy Lab, “Exploring Alternative Approaches to Hate Crimes.”² The report documented many community organizations working to establish restorative justice programs across the country that may be implemented parallel to and in cooperation with the criminal justice process or completely independent from it.

Question 2: Increasing Enforcement and Protecting Civil Liberties

As a former FBI agent who has since worked at the ACLU and Brennan Center, you have a unique perspective on how government can achieve security objectives without infringing on privacy or civil liberties.

Given the seriousness of the domestic terrorism threat facing our nation, do you agree that the federal government should be doing more to protect the public from white supremacist violence? As the Justice Department and other agencies intensify their focus on domestic terror, how do we ensure there are also robust protections in place for privacy and civil liberties?

Yes, I believe the federal government should be doing more to protect the public from white supremacist violence, which the federal government does not even accurately measure. According to the May 2021 FBI and DHS report required by the National Defense Authorization Act of 2020, these federal agencies do not collect domestic terrorism incident data, and do not track the number of people killed by white supremacists in the U.S. each year. Without accurate data detailing the scope of white supremacist violence, it is difficult to formulate an effective strategy to counter it. Unfortunately, official hate crime statistics are known to undercount the number of crimes, since most police agencies do not acknowledge or report hate crimes that occur within their jurisdictions and many hate crime survivors do not trust police, and therefore do not report these crimes to law enforcement. The most important thing the Department of Homeland Security (DHS) and Department of Justice (DOJ) can do is to accurately document these crimes when they occur, rather than just relying on voluntary reporting from state and local law enforcement. Once objectively accurate data can be accumulated, DOJ can formulate an effective enforcement strategy to target federal hate crimes investigations and prosecutions where organized white supremacist groups are active and in jurisdictions where state and local authorities are failing to address these crimes.

Investigating terrorism need not infringe on civil liberties, for every investigation or intelligence collection effort that focuses on innocents is a waste of security resources. Unfortunately, after the terrorist attacks of 9/11 the federal law enforcement, homeland security, and intelligence

² “Exploring Alternative Approaches to Hate Crimes,” STANFORD LAW SCHOOL LAW AND POLICY LAB AND THE BRENNAN CENTER FOR JUSTICE, June, 2021, https://law.stanford.edu/wp-content/uploads/2021/06/Alternative-to-Hate-Crimes-Report_v09-final.pdf.

agencies adopted a counter-terrorism intelligence policies that prioritized suspicion-less collection, infringing on the privacy and civil rights of everyone without preventing serious attacks for which they had been warned. As explained in a forthcoming Brennan Center report called, “Focusing the FBI,” we recommend restoring reasonable criminal predicates to justify investigations or intelligence collection, to both protect civil rights and civil liberties and ensure security resources are directed where evidence indicates wrongdoing is likely.³

³ Michael German and Kaylana Mueller, “Focusing the FBI,” BRENNAN CENTER FOR JUSTICE, (forthcoming).