

CONFRONTING WHITE SUPREMACY (PART I):
THE CONSEQUENCES OF INACTION

HEARING

BEFORE THE
SUBCOMMITTEE ON CIVIL RIGHTS AND CIVIL
LIBERTIES
OF THE
COMMITTEE ON OVERSIGHT
AND REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

MAY 15, 2019

Serial No. 116-23

Printed for the use of the Committee on Oversight and Reform



Available on: <http://www.govinfo.gov>
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C O N T E N T S

Hearing held on May 15, 2019	Page 1
WITNESSES	
Ms. Susan Bro, Co-Founder President/Board Chair, Heather Heyer Founda- tion Oral Statement	9
Mr. George Selim, Senior Vice President of Programs, Anti-Defamation League Oral Statement	10
Mr. Michael German, Fellow, Brennan Center for Justice Oral Statement	12
Mr. Omar Ricci, Chairman, Islamic Center of Southern California Oral Statement	14
<i>Written statements of witnesses are available at the U.S. House of Representa- tives Repository at: https:// docs.house.gov.</i>	

INDEX OF DOCUMENTS

*The documents entered into the record during this hearing are listed below,
and are available at: [https:// docs.house.gov](https://docs.house.gov).*

- * “Conservative Writer David French Tells How White Supremacists Have Tormented His Family For Opposing Trump”, The Christian Post, Oct. 24, 2016; submitted by Rep. Roy
- * AAI Statement on Confronting White Supremacy
- * Statement, the Lawyer’s Committee for Civil Rights Under the Law; submitted by Rep. Clay
- * “Trump sees immigrants as invaders. White-Nationalist terrorists do, too”, Washington Post; submitted by Rep. Gomez
- * Statement, Jason Kimelman-Block, director, Bend the Arc: Jewish Action; submitted by Rep. Pressley

CONFRONTING WHITE SUPREMACY (PART I): THE CONSEQUENCES OF INACTION

Wednesday, May 15, 2019

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON CIVIL RIGHTS AND CIVIL LIBERTIES,
COMMITTEE ON OVERSIGHT AND REFORM,
Washington, D.C.

The subcommittee met, pursuant to notice, at 2:08 p.m., in room 2154, Rayburn House Office Building, Hon. Jamie Raskin (chairman of the subcommittee) presiding.

Present: Representatives Raskin, Maloney, Clay, Wasserman Schultz, Kelly, Gomez, Ocasio-Cortez, Pressley, Norton, Roy, Amash, Meadows, Miller, and Jordan (ex officio). Also present: Representative Tlaib.

Mr. RASKIN. The subcommittee hearing will come to order. And without objection, the chair is authorized to declare a recess of the subcommittee at any point.

This subcommittee is convening the first in a series of hearings on confronting white supremacy, where we will focus on the consequences of government policy and inaction.

And I will now recognize myself for five minutes to give an opening Statement, and then turn it over to Mr. Roy from Texas for his opening Statement. And we can start by rolling the video.

Mr. RASKIN. Okay. It is appearing, you can play it.

While we are waiting for that to come up, I just want to thank all of our witnesses for coming today and everyone attending.

All right. Well, we will let the images go, in any event, in the background as I speak.

We all remember the terrifying trauma that shook Charlottesville and the whole country just two years ago. But did you know that that event does not appear in the 2017 FBI hate crime statistics report? None of the violence which took place on television before a horrified Nation even made it as a statistic onto our national record of hate crimes. Not the horrifying murder of Heather Heyer, which galvanized the country against violent white supremacy, nor the 30 other assaults, at least, committed by the Neo-Nazis and Klansmen who converged on Charlottesville.

So why not? Charlottesville only reported one hate crime in 2017, and that occurred four months after these events. So why did this festival of racial terror and hate crime not make it into the FBI hate crime statistics report? That is one of the questions that we seek to answer today about a serious threat to American civil liberty, domestic tranquility, and the general welfare.

Today's the subcommittee's first hearing on how America is addressing the rise of a particular form of domestic terrorism: violent white supremacy. Our purpose is to examine the scope and nature of this terrorism, understand the problems the government has in collecting relevant data about it, analyze what the FBI and the Department of Homeland Security are doing and should be doing to address it, and then to ask whether the administration is devoting attention and resources commensurate to the magnitude of the threat.

The subcommittee is having a second hearing on June 4 with officials from the FBI and the Department of Homeland Security because we want to hear detailed answers from them on these questions and they've asked for more time to prepare their answers.

The first question we're pursuing is what is the nature and scope of the problem? The FBI hate crime statistics are considered unreliable by many experts and substantially undercount the real number of such events that are committed in the United States.

From 2013 to 2017, the FBI reported on average 7,500 hate crimes each year. But during the same period, the Bureau of Justice Statistics' National Crime Victimization Survey estimated on average 200,000 hate crimes annually. What accounts for this disparity? We are going to try to figure it out.

We want to hear about the problems affecting the reporting system. The process for data collection seems to break down at almost every level. Many hate crime victims do not trust law enforcement enough to report incidents in the first place. Then even among the hate crimes that are reported to local and State authorities, thousands of them are never reported then to the FBI. State and local law enforcement reporting to the FBI is purely voluntary. Not all agencies participate, and of those that do, only 12 percent reported any hate crimes at all in 2016.

In 2017, for example, the State of Mississippi only reported one hate crime, and the State of Alabama reported nine hate crimes. We had hundreds of hate crimes in my home State of Maryland over the last three years, so it would be startling if there were only one in Mississippi. We know from the work of civil rights groups and local reporting that these numbers are not accurate.

Amazingly, the FBI fails to include its own internal hate crime statistics into their official numbers, citing technical limitations that cannot be resolved until the year 2021. That's pretty remarkable.

Beyond the methodological and statistical problems besetting the information gathering process, we also face a serious problem conceptualizing in naming the problem. When Dylann Roof, a 21-year-old white supremacist, murdered nine African American worshippers at a prayer service at the Emanuel African Methodist Episcopal Church in Charleston, South Carolina, on June 17, 2015, do we classify this explosion of violence as domestic terrorism or do we simply call it a hate crime and hope that it makes its way onto the illusive hate crime statistics list?

When a violent anti-Semite entered the Tree of Life synagogue in Pittsburgh during Shabbat morning services and murdered 11 worshippers in the most deadly attack on the Jewish community in American history, do we classify this explosion of violence as do-

mestic terrorism or do we call it a hate crime and hope that it makes its way onto the FBI list?

This is not merely a matter of semantics, but it is important to call things what they are. The innocent civilians murdered in these attacks were definitely the victims of terrorism.

This question of classifying white supremacist violence has significant implications for resource allocation and the seriousness with which the government and the Nation address the problem. The FBI calls protecting the United States against terrorist attacks the Bureau's No. 1 priority. FBI policy instructs agents to open a parallel domestic terrorism investigation whenever a suspect in a hate crime has a nexus to any type of white supremacist extremist group, but often this step is never taken in practice.

It is very important that we develop objective categories and definitions so our classification of events has coherence and integrity to it. The FBI called the December 2, 2015, attack on the Inland Regional Center in San Bernardino County, which killed 14 people, domestic terrorism; and definitely it was. The FBI called the June 12, 2016, Pulse nightclub mass shooting in Florida, which took the lives of 49 people, domestic terrorism; and definitely it was. But the FBI did not call the deadly white supremacist attacks and mass shooting at the Mother Emanuel AME Church in Charleston or at the Tree of Life synagogue domestic terrorism. It did not call the deadly violence that took place in Charlottesville domestic terrorism.

But why not? Surely it cannot be because the perpetrators in San Bernardino County, Syed Rizwan Farook and Tashfeen Malik, were non-White Muslims; and that the perpetrator in Orlando, Florida, Omar Mateen, was a non-White Muslim; while the murderers in Charleston, Pittsburgh, and Charlottesville were Dylann Roof, Robert Gregory Bowers, and James Alex Fields, all White males.

This kind of categorization would obviously violate our essential constitutional values. The racial or religious identity of the perpetrator cannot define the character of the crime. All of the victims of all of these crimes perished because the killers wanted to destroy lives based on their racism, homophobia, religious hatred, or other forms of group bias. Surely all of these victims died in terrorist violence.

But then what explains the FBI labeling the San Bernardino attack domestic terrorism but not the attacks in Charleston, Pittsburgh, or Charlottesville?

Whatever its cause, this dilution and disorientation of the concept of terrorism has important resource and budgetary implications. According to the Anti-Defamation League, Islamic extremism, which the FBI classifies as a form of international terrorism, was responsible for 23 percent of the extremist murders we saw in the U.S. from 2009 to 2018. Far-right extremism, or what the FBI at least theoretically classifies as domestic terrorism, was responsible for 73 percent of the fatalities caused by extremist violence during that same period. Yet the FBI devotes its resources almost exactly backward to these proportions.

The FBI apparently spends 80 percent of its resources addressing international terrorism in this field and only 20 percent addressing domestic terrorism. Why is that?

Despite all of the problems causing the undercount of white supremacist violence, the data still shows us that hate crimes are sharply on the rise. Last year, the FBI reported over 7,000 hate crime incidents in 2017, a 17 percent increase from the prior year and a 31 percent increase over 2014. During those same four years, hate crimes against African Americans rose by 20 percent. They rose—anti-Semitic hate crimes rose by 35 percent, anti-Latino hate crimes rose by 43 percent, and anti-Muslim hate crimes rose by 44 percent.

The Trump administration is not correctly naming the problem and it is not aggressively addressing it either. The Department of Homeland Security appears to be mismanaging the available resources. The administration dismantled DHS' infrastructure to counter violent extremism and white supremacy. Under the Obama Administration, the Department created an Office of Community Partnerships which administered grants to local community groups and partnered with law enforcement. Partnerships with local groups is considered by experts to be an extremely effective way to prevent radicalization, because many communities do not trust local law enforcement.

The Trump administration rescinded the grants awarded to organizations working to counter white supremacist extremism. Recent news reports indicate that after this year, DHS will dismantle the grant program altogether. DHS also renamed the Office of Community Partnerships the Office of Terrorism Prevention Partnerships in August 2017, and renamed it again to Targeted Violence and Terrorism Prevention in April 2019. This reflects the shift away from prevention and toward only law enforcement.

In the prior administration, this office had 16 full-time employees, 25 contractors, and a budget of \$21 million, but this administration has reduced it to eight employees and a budget of \$3 million.

The Obama Administration's DHS established an interagency Countering Violent Extremism Task Force, which included the FBI, the National Counterterrorism Center, and the Departments of Justice, Education, and Health and Human Services. It was disbanded in this administration and now exists in name only.

Recently, it was reported that the Department of Homeland Security's Office of Intelligence and Analysis disbanded a group of analysts focused on domestic terrorism, which reduced the number of analytic reports on white supremacy. Step by step DHS has simply dismantled the infrastructure necessary to counter the threat precisely at the time when the threat is growing to levels we have not seen in many, many years.

Real Americans are being killed in their churches, in their mosques, and in their synagogues, in movie theaters, and in public places. Racial and religious mass killings inspired by white supremacy and other forms of tribal and religious hatred are a plague on the Earth, and the American society is suffering now along with the rest of the world.

It is the primary goal of government under our social contract to make it safer than we would be in a State of war. Yet when it comes to white supremacist terror, the single greatest domestic ter-

rorist threat to the American people we have, we are falling down on the job.

As I mentioned at the outset, this will be only the first of several hearings on white supremacist terror. We will have the agencies here in June to address these same issues. In the meantime, I look forward to hearing from these expert witnesses today on what the FBI and Homeland Security can and should be doing to combat this pernicious terror in the land.

And we will show you the video now, and then I'm going to turn it over to you, Mr. Roy. Forgive me for our technical difficulties.

[Video shown.]

Mr. RASKIN. Okay. And I'll turn it over to the ranking member, Mr. Roy.

Mr. ROY. Mrs. Bro, are you Okay?

Well, I want to thank all the witnesses for taking the time to join us today and for their service, whether that has been in law enforcement or in the arena of ideas or whether it was in a mother who lost her daughter. I just want to appreciate you all taking the time to be here, and it is very much appreciated that you take the time to do that.

Particularly, I do want to thank you, Mrs. Bro, for coming and continuing to share your perspective on the issues with speaking as a parent the courage to set aside the unimaginable loss of your daughter—I have a daughter and a son—at the hands of the forces of evil that we saw in display in this video.

I am all too familiar with the surroundings of what I just saw in Charlottesville, whether it is the downtown mall, the last images we just saw.

As a double alumnus of the University of Virginia, I spent a lot of my life in Charlottesville. I spent hours there in peace and tranquility, celebration, sports rallies down on the downtown mall, to restaurants. That's where I worked my first political campaign, literally two blocks from where we just saw that footage, in the House of Delegates race in Virginia.

And then obviously in August 2017, I joined the Nation watching in horror as this traditionally peaceful pedestrian plaza turned to death and destruction on the heels of marchers spewing the racist venom that we just saw. I could not believe it.

With tiki torches on the north side of the rotunda by Mr. Jefferson's statue, we saw a group of mostly or all White men marching as or with Neo-Nazis, Klansmen, chanting hateful things such as the Jews will not replace us, as we just saw, while carrying torches reminiscent of Nazi marches or the worst and most active days of the KKK.

It was a far cry from a place I spent hundreds of hours of my life hanging out or passing by, living, myself, in one of those historical buildings we saw with the white columns that they were just walking by. I lived in one of those rooms built by Mr. Jefferson.

It was a far cry from the intellectual give-and-take that resulted in growth and maturity in the arena of ideas, a university that was moving from a southern university that had become co-educational 20 years before I joined it. It was a far cry from my teammates on the University of Virginia golf team who came from around the world, Germany, Italy, Zimbabwe, where my dear friend, who has

unfortunately since departed this Earth to be with our Heavenly Father, Lewis Chitengwa, helped me learn a little of what it was like for him, a young Black man growing up in Zimbabwe and becoming the first Black to win the South African Open in the mid 1990's, which was a fairly big deal, as you might imagine.

To be clear, while they have a right to spew their vile notions, so long as it stops short of inciting violence, there is literally no defense for associating with these groups. There is no place for this in civil discourse. And there's a problem, be it relatively small or large, in the subject of this hearing and beyond with at least some groups of White individuals perpetuating racism. Some refer to it as the alt right. These terms are loaded, to be honest. I don't really like to adopt them because they're usually either created by the same jackasses spewing hate or often the groups whose existence is based on the continuation of identity politics.

But the real problem—but this problem is real. For example, let's look at the attacks on David and Nancy French, two great thinkers with whom I do not always agree, and their family, from the article that I would like to be added to the record, without objection.

Mr. RASKIN. Without objection, it will be entered.

Mr. ROY. Because of the alt-right—this is a quote from that article: Because of the alt-right's sick obsession with racial preservation, what has really raised the ire about David French is that he and his wife have an adopted daughter from Ethiopia. Among the many chilling things alt-righties sent him were photoshopped images of his daughter's face in gas chambers, with a smiling picture of the President in a Nazi uniform preparing to press a button and kill her, and vile messages laced with racial epithets asserting that his wife had slept with Black men while he was deployed in Iraq.

She went on to add: In the past, leftwingers have also attacked the French family for having a Black adopted child, accusing them of not raising her with the right values since they are unapologetically conservative.

What is happening to our Nation? Why are we at each others' throats, quite frankly, all too often literally?

This hearing will perhaps allow us to explore the contours of how we investigate, manage, and stop the threats of violence from racist evildoers. And to be clear, that's what we're talking about, whatever they call themselves. But as we go through this, it is important that we recall the talking about how divided we are. Focusing so much of our time and energy on race and identity politics can itself be at least one of the forces at play in causing division.

Of course we should address this issue, but how we do it matters. Casting blame and large nets of accusation beyond the locust of the hate only causes more people to retreat to entrenched corners.

To be clear, a relatively conservative American of any race, who either partially or fully supports the President, for example, perhaps even wearing a MAGA hat, should not be labeled a racist for doing so. I remember getting some rather evil and disgusting things said my way because I was a supporter of Senator Cruz, as his former chief of staff. There are people in the world who say hateful things.

But an American of a particular minority group who self-identifies as a Conservative should not be the target of scorn or hate be-

cause some other, as I said before, jackasses who are hateful bigots wrongfully define themselves as alt-right, again, whatever that means on the political ideological spectrum. But all too often that happens and it is offensive and divisive.

And it is also important that we keep in mind perspective. And I look forward to hearing from the witnesses, particularly those of you in law enforcement who have had a history of working on these kinds of things. I know the ADL report, for example, focuses on murders in 2017. And I believe that we're going to talk about 18 of 34 extremist murders are tied to the alt-right or similar in various articles that I've seen, and that is troubling. Of course, perspective is important when there were 17,000 murders in the United States in 2017. So we have got a resource issue. We have got State and local and Federal resources that we've got to manage.

And it is important that we keep in mind the perspective, our focus, on extremism. It is true that domestically it is important to stop groups from targeting Americans no matter the group or the reason. As a former Federal prosecutor myself who wants to see bad guys behind bars and away from innocent Americans, it is also true that in light of 3,000 dead Americans on 9/11, in an attack on our own Pentagon in a downed plane, as we see continued presence of Islamic extremist forces abroad with al-Qaida continuing with the Taliban resurgent in Afghanistan, that national defense dictates a continued focus on international Islamic terrorism with vast networks in the United States, that these networks have proven that they exist and they are part of a large vast network designed to undermine our Nation and our allies.

Those networks reach into our communities where we, and as my colleague here likely agrees, seek to protect American rights while allowing tools to stop terrorism.

And that No. 2, regarding domestic terrorism, the American people are kind of funny about not wanting domestic surveillance and prefer to police Americans a little bit the old-fashioned way using the thousands of state, local, and Federal laws on the books to do that.

I just want that perspective, I think, to be a part of what we discuss, and I look forward to hearing from each of you. And I cannot reiterate enough my thanks for your taking time to be here, and again, particularly, Mrs. Bro, for what you are doing. Thank you.

Mr. RASKIN. Mr. Roy, thank you very much.

And I'm yielding a couple of minutes to my friend, Mr. Jordan from Ohio, who is the ranking member of the Oversight Committee.

Mr. JORDAN. Thank you, Mr. Chairman. I'll make it a couple of seconds or a few seconds, if I could.

I want to associate myself with the ranking member's comments as well. And I appreciate you having this important hearing.

Ms. Bro, thank you. Well, all our witnesses, but in particular, Ms. Bro, for you being here. We want to extend to you and your family our deepest sympathies. Your daughter, in the face of hate, stood for decency, civility, and made clear that bigotry has no place in our society. And tragically, she lost her life standing up for those values, those virtues, those important principles. And so we all appreciate you being here today carrying on her legacy.

There is no place in America for hate. It must be condemned any time, any place it rears its ugly head. Scripture says this: The one who hates his brothers in the darkness and walks in the darkness and does not know where he is going because the darkness has blinded his eyes.

Today's hearing is about shining light, shining light on all forms of hatred.

And so again, I want to thank the witnesses who are going to testify, and the chairman and the ranking member for their comments, and for the time that we can focus on shining light on behavior that is just in no way acceptable, in no way should be tolerated.

Mr. RASKIN. Thank you so much, Mr. Jordan.

I will now welcome our witnesses, beginning with Mrs. Bro. Susan Bro the president and board chair of the Heather Heyer Foundation, an organization that she founded in honor of her brave daughter, Heather Heyer, whose name now lives imperishably in the pantheon of American heroes who gave their lives fighting for equality for all and civil rights and civil liberties for all Americans. I never had the good fortune to meet your daughter, Mrs. Bro, but my sister lives in Charlottesville with her husband, their three kids, a lot of family there. And as you know, Charlottesville is a very intimate community. I know lots of people who knew Heather Heyer, and everyone says that she just had a heart of gold and was the most splendid, magnificent person. And so we thank you for standing up from the first days when this happened and making such a moving speech at the memorial service for Heather and for standing strong, for bringing us back together as a people, and for countering violence, white supremacy, and terrorism.

Next will be George Selim, who is the senior vice president of programs for the Anti-Defamation League. Prior to joining ADL, Mr. Selim served in the administrations of Presidents Bush, Obama, and Trump. He was the founding director of the Department of Homeland Security's Office of Community Partnerships and the DHS' Countering Violent Extremism Task Force.

Michael German is a fellow at the Brennan Center for Justice's Liberty and National Security program. He's a 16-year veteran of Federal law enforcement who served as a special agent for the FBI specializing in domestic terrorism.

Omar Ricci is the chairperson for the Islamic Center of Southern California and former chairperson of the Muslim Political Action Committee. He also serves as a reserve officer for the Los Angeles Police Department.

Roy Austin is a partner at Harris, Wiltshire, and Grannis, LLP. Earlier in his career he was a hate crimes prosecutor for the Department of Justice's Civil Rights Division and served as the deputy assistant general for the Division.

And finally, Robby Soave is an associate editor at Reason Magazine, and serves on the D.C. advisory committee to the U.S. Commission on Civil Rights.

I want to welcome all of you and thank you for coming, and I will begin by swearing you in.

Please rise, if you would, and raise your right hand.

Do you swear or affirm that the testimony you're about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Thank you very much.

Let the record show the witnesses all answered in the affirmative.

Thank you. You may be seated.

The microphones are sensitive, so please make sure they're on and please speak directly into them. Without objection, your full written Statements will be made part of record and you will be recognized for five minutes.

With that, Ms. Bro, you are now recognized.

STATEMENT OF SUSAN BRO, PRESIDENT/BOARD CHAIR, HEATHER HEYER FOUNDATION

Ms. BRO. Good morning—or good afternoon, pardon me. Chairman Raskin, Ranking Member Roy, and members of the committee, thank you for the opportunity to speak before you today.

Ms. BRO. My name is Susan Bro. I'm the mother of Heather Heyer. Heather—I'm going to diverge a little bit from the written record here and just tell her story quickly very quickly.

Heather was not a known activist in the community, but she worked as a paralegal in a bankruptcy firm, and she practiced justice, she practiced fairness, she practiced understanding people. She also worked as a bartender and a waitress, and she cared about people genuinely.

Most of the girls in her office were people of color. And Heather had always believed in fairness and justice for people, so she stood in solidarity with them.

She wasn't originally going to go down to join the protestors that day, but once she saw her friend Courtney's video of Friday night, she said, I have to go. Her best friend said, Don't go, you could die. And she said, I know, but I have to go. Of course, when we say those things, we don't really think we're going to.

People came from 35 States that day to make a stand in Charlottesville. Some were told it was for freedom of speech, some were told it was to prevent the erosion of White rights. Some were told it was to take a stand against people of all colors and religions other than what they perceive to be Eurocentric values.

A young man who had been consumed by hate for many years had been led astray by the Nazi beliefs that he saw online, and he made a point to practice those beliefs that day. He came from Ohio, slept in his car, and got up the next morning and joined the forces with shield, with his white polo and his khakis. He wore a helmet, and he yelled racial epithets and Jewish—and anti-Jewish and anti-Muslim and anti-everything else phrases that day.

As everyone was leaving town after the Governor called for an emergency situation, James Fields followed another car down 4th Street. The other car stopped, so he backed up. He sat at the top of the hill. And while he was sitting at the top of the hill—I don't know what he was doing, maybe he was looking at his GPS for a few seconds—the crowd that Heather was in that was made up of all kinds of people were celebrating the fact that the Nazis had left and they were going to the downtown mall to celebrate and gather

forces, get some water, get some sandwiches, and he chose to accelerate forward.

He had a very clear view of them as they came up 4th Street. There was no one around his car when he made that choice. He accelerated so fast that when he hit the white car in front of him, it instantly accelerated to 17 miles an hour. Heather's aorta was severed in four places. She spun through the air, leaving skin and blood on his windshield, smashing his front windshield. My daughter was probably dead by the time she hit the ground, but they didn't know that. They sent her to the emergency room. And from the emergency room, they tried to revive her, not knowing she had actually been dead for 20 minutes before she got there.

Now, parents lose their children all the time. I'm not special in that way. But because my daughter was a White girl, the whole world lost their mind and suddenly showed up on my doorstep. I've said, I'm not happy about giving my daughter up, but if I'm going to give her up, I'm going to make her death count. So I'm using the platform that has been given me because of my daughter's death to carry forward in her work.

And I want to say to you, we have to do a better job of reporting hate crime, but we also have to do a better job of preventing hate crime. We have to find ways to reach these young people before they become radicalized. How we go about that I leave to greater minds. But I want you to think about my daughter and others who have died because of hate.

Thank you.

Mr. RASKIN. Thank you for that very powerful and moving testimony, Ms. Bro. And thank you for coming to join us.

Mr. Selim, you're recognized for five minutes.

STATEMENT OF GEORGE SELIM, SENIOR VICE PRESIDENT OF PROGRAMS, ANTI-DEFAMATION LEAGUE

Mr. SELIM. Thank you.

Good afternoon, Mr. Chairman, Ranking Member Roy, distinguished members of this subcommittee. My name is George Selim. I serve as the senior vice president for programs at the ADL, the Anti-Defamation League. It is indeed an honor to appear before you today to address the issue of white supremacy and the threat it poses to all of our communities.

Thank you to my fellow panelists for being here today as well. In particular, I wanted to thank Susan for sharing about her daughter Heather. I deeply admire the work you are doing, Susan. And at ADL and in communities across the country we stand by you in your fight against the hatred that took her life.

Unfortunately, in the short time since the Unite the Right rally in Charlottesville in August 2017, white supremacist violence has continued to shatter many families across the country and across the globe. Families in Pittsburgh, in Christchurch, in Poway, and other places have been affected by this insidious form of violence. More can be done to counter this threat, and more must be done before the next inevitable tragedy.

I have served at the Department of Homeland Security, the Department of Justice, and at the White House on the National Security Council. I watched the rise of ISIS and the full-throated gov-

ernment response to counter it. Now, the rise of white supremacist terrorism poses a similarly serious threat. Yet instead of scaling up to meet the threat, the government seems to be scaling down. Fewer resources dedicated to preventing encountering extremism and little transparency and accountability with respect to how the government sees this threat and what it is specifically doing to counter it.

The University of Maryland START Center found that from 9/11 through 2017, 71 percent of Islamist-inspired extremists in the U.S. were interdicted in the planning phase of their terrorist plots. On the other hand, far-right extremists, the inverse is the case. Nearly 71 percent managed to successfully commit their acts of violence.

And so the question before us, as you noted, Mr. Chairman, is why? It is paramount to counter extremism in all its forms. At this time today, white supremacist extremism warrants far greater attention than it currently receives. Our ADL data has shown that in the last year, of the 50 murders that were committed at the hands of extremists, all but one were linked to right-wing extremism, and 78 percent were tied to white supremacy specifically.

Last year was the deadliest year for the Jewish community and the third highest on record for anti-Semitic incidents in the United States. This form of hate targets not only Jews, African Americans, Muslims, non-White immigrants, and the LGBTQ community as well. The data is clear: The white supremacist threat in the United States is at disturbingly high levels, and we must work together now to ensure that the worst is not yet to come.

Like other forms of extremism, white supremacists seek to spread their ideology. Most believe in a conspiracy theory that the White race, as Susan noted, is in danger of extinction due to the rising number of non-Whites who are, quote, controlled and manipulated by Jews, and that their eminent action is needed, in their view, to, quote, save the White race. Then they convince other adherents that they must act immediately to counter that perceived threat, which manifests itself in the form of hate and violence.

Not only do white supremacist extremists spread this propaganda through fliers and banners and events, but on the internet, on social media as well. Ranging from mainstream platforms like Gab and 8chan, where they are proselytizing and conspiring, and are less scrutinized, in many instances, of the public eye.

Today's propaganda is tomorrow's hate and violence in our communities. More can and must be done to counter this threat and prevent it from getting worse. Instead of increasing intelligence into the domestic terrorist threats, the Department of Homeland Security has discontinued prevention grants entirely and has sharply reduced the number of terrorism prevention staff.

The FBI in its own testimony last week admitted to having fewer resources to counter domestic terrorism than international terrorism. The National Counterterrorism Center does not currently view domestic terrorism as within its legal remit. These things need to change immediately. All of this, while white supremacists continue to proselytize and mobilize across the country and across the globe. More can be done and more must be done. ADL urges

swift and comprehensive action to counter the threat of white supremacy specifically.

A few things to list off, which we can get into more in the question and answer. Our first recommendation is we need to speak out much more strongly and decisively against white supremacy at all levels and all leadership at the Federal, State and local level. Second, to urgently consider legislative proposals designed to improve the government's ability to counter the threat. Three, to invest in prevention efforts to stop this threat from getting worse. Four, to improve and increase our data and reporting on hate crimes and bias-motivated incidents across the United States. And last, to work with the technology sector to advance commonsense solutions to prevent the abuse on their platforms by white supremacists and their adherence.

Mr. RASKIN. Thank you very much, Mr. Selim.

Mr. German, let me come to you.

STATEMENT OF MICHAEL GERMAN, FELLOW, BRENNAN CENTER FOR JUSTICE; OMAR RICCI, CHAIRPERSON, ISLAMIC CENTER OF SOUTHERN CALIFORNIA

Mr. GERMAN. Chairman Raskin, Ranking Member Roy, and members of the subcommittee, thank you for inviting me to testify today.

White supremacist violence is a persistent problem in the United States. And Congress has given the Justice Department powerful tools to address it, as the Brennan Center documented in our report "Wrong Priorities on Fighting Terrorism."

I used these tools as an FBI undercover agent assigned to domestic terrorism investigations against white supremacists and militia groups planning acts of violence in the 1990's. Today, however, Justice Department policies deprioritize the identification, investigation, and prosecution of these violent crimes.

When white supremacists commit deadly attacks, such as the recent mass shooting at a San Diego synagogue, their crimes fit the definitions of both domestic terrorism and hate crimes. The laws governing these crimes all carry substantial penalties, but their designation as domestic terrorism or hate crime has consequences.

Terrorism investigations are the FBI's No. 1 priority and are well resourced. Civil rights violations like hate crimes rank fifth out eight priorities. More problematic, as a matter of policy, the Justice Department defers the vast majority of hate crime investigations to State and local law enforcement, without any Federal evaluation to determine if the perpetrators are part of a violent white supremacist group. State and local law enforcement are often ill-equipped or unwilling to properly respond to these crimes.

As a result, and in spite of a congressional mandate to track bias crimes, the Justice Department doesn't know how many people white supremacists attack and kill each year, leaving intelligence analysts and policymakers in the dark about the scope of this violence.

Victim surveys suggest there are approximately 230,000 violent hate crimes per year. In 2017, the 12 percent of State and local agencies that acknowledged hate crimes occurring in their jurisdic-

tions identified 7,175 incidents involving 8,800 victims, including 990 aggravated assaults, 15 murders, and 23 rapes.

The Justice Department, in contrast, prosecutes only about 25 hate crimes defendants each year. While white supremacist attacks represent just a tiny proportion of the violence that takes place in the United States, these crimes require specific attention because they pose a persistent threat to vulnerable communities, particularly communities of color, immigrants, LGBTQ people, women, the disabled, and religious minorities.

These crimes are intended to threaten and intimidate entire communities, and they demand a government response that more effectively addresses this communal injury,

The Justice Department officials have been calling for broad new domestic terrorism powers, but new laws are unnecessary and may cause harm. As the Justice Department continues to treat protests as terrorism, particularly in its monitoring of minority-led movements, like Native American water protectors and Black Lives Matter activists, falsely framed as Black identity extremists.

Congress should ensure that counterterrorism resources are directed toward the most lethal threats. Seven U.S. Senators have recently complained that the FBI's reorganization of its domestic terrorism program categories seem intended to mask the scope of white supremacist violence and the resources it devotes to investigating it.

Congress should require the Justice Department to collect accurate data about white supremacist violence and bias crimes. Further, it should explore new responses to hate crimes that are designed to ensure victimized communities are both safer and more resilient.

First, minority communities are victims of many kinds of violence, including at the hands of law enforcement, and are often denied equal justice when they seek—equal protection when they seek justice. Half of the violent crime in the United States goes unsolved each year, including 40 percent of the homicides and 64 percent of the rapes. Black, Native American, and migrant victims are disproportionately represented in these unsolved crimes.

The lack of equal protection leads to broken trust with law enforcement, as is reflected in the Justice Department's crime victim surveys, which indicate more than half of hate crime victimizations are not reported to police. And only 4 percent of reported hate crimes result in arrest.

A comprehensive strategy to protect these communities from white supremacist violence must include measures to address these law enforcement disparities and reform police practices.

Second, the current purely penal approach to white supremacist violence did little to assuage community fear, and so should the vision that these crime create. Research suggests that hate crimes victims overwhelmingly prefer educational programs and restorative justice responses that challenge underlying prejudice. Congress should study restorative justice methods and develop a plan to implement these practices whenever far-right terrorism or hate crimes occur to build a safer, more inclusive, and tolerant society.

Thank you.

Mr. RASKIN. Thank you very much, Mr. German.

Mr. Ricci.

STATEMENT OF OMAR RICCI, CHAIRMAN, ISLAMIC CENTER OF SOUTHERN CALIFORNIA

Mr. RICCI. Thank you, Chairman Raskin.

And first, on behalf of the Muslim Public Affairs Council and the Islamic Center of Southern California, we want to convey our condolences to you, Ms. Bro, and to your family. We pray that your daughter's soul is in the highest levels of heaven and in bliss.

Chairman Raskin, Ranking Member Roy, and honorable members of the Oversight Committee on Civil Rights and Civil Liberties, my name is Omar Ricci. And I would like to thank you for the opportunity and the honor to testify on the impact of white supremacy on American Muslims.

While I am here today to share my experiences as an American Muslim, as a chairperson of an Islamic center, and as a police officer. Prior to coming here, I also have sought the advice from others, particularly with my friends in the Jewish community, African American community, and the LGBT community.

For whatever the path forward to deal with that current outbreak of white supremacy, we must first acknowledge, honor, and pay tribute to, and learn from the historic sacrifices of African Americans and Jewish Americans who have made for our Nation. We are standing on their shoulders.

I am a proud police officer with the Los Angeles Police Department. However, to be clear, I am not testifying in that capacity, and the views shared in this testimony are mine alone.

I am 50 years old, born in New York City to a Pakistani immigrant mother and a second generation Italian Irish father. I am married and I have four daughters, one of whom is accompanying me here today.

For the past 10 years, it has been my incredible honor to be a reserve police officer with the LAPD, a police agency that sets a global model. And I have worked in various capacities, including basic street patrol, counterterrorism and special operations, and community engagement.

In being a police officer, it is my desire to carry on a great tradition of our country, which is civic duty, and carrying out a mandate of my faith that Muslims should work to better the society they live in. In that role, and in the context of this hearing, I have responded to hate crimes against African Americans and have seen their devastating impact firsthand, the distraught, the pain, the emotional and physical turmoil, and more.

In the immediate aftermath of the Tree of Life synagogue terrorist attack, I suited up to provide extra patrols around synagogues, knowing that the presence of a police car and a uniformed officer serves to both deter criminals and provide a feeling of security to the Jewish community.

The same was done for mosques and the Muslim community in the aftermath of the Christchurch attacks. Synagogues and mosques are officially in the crosshairs of white supremacists.

The 65-year-old mosque which I currently chair is a distinct American institution, prominent on the local and national scene. It is impossible to describe all that it does for Muslims and non-Mus-

lims, but it does much. It feeds over 200 needy, mostly non-Muslim senior citizens at our weekly food pantry. It serves as a polling place for voters. It actively participates with Mayor Eric Garcetti's office to try and figure solutions to the homeless. And finally, it is the institution that created the concept of an American Muslim identity that declares there is no incongruence between being a practicing Muslim and a patriotic American.

The fact that I'm a police officer has not shielded me or my mosque from experiencing hate firsthand. Whether it is the arrest of an individual who threatened to kill one of our staff members and was found to have a cache of semiautomatic weapons and thousands of rounds of ammunition or receiving a piece of mail addressed to me personally with a feces-smear page from the Quran with a hate note that I cannot read here in the oral setting but I've placed in my written testimony, there should be no doubt that hate is on the rise.

This past weekend alone, a mosque was set ablaze in New Haven, Connecticut. In March, an arsonist set fire to a mosque in California, and that arsonist turned out to be the same terrorist who attacked and murdered at the Poway, California, synagogue.

These are just the latest attacks. There are countless reports of Muslims having their hijabs ripped off their head. Bullying and taunting of Muslim children in public schools has been commonplace. And there has been a distinct and troubling rise and hate toward my community since the 2016 Presidential election cycle. One study found over 226 percent increase in hate crimes in counties where candidate Donald Trump held a rally.

Respected Members of Congress, words matter. It is no secret that President Trump has an animus toward my faith by saying things like Islam hates us and by instituting his Muslim ban, and it is whipping up a mob mentality.

Contrast those words to the more calm and sober Statements from President Bush after 9/11 that, quote: "Those who feel like they can intimidate our fellow citizens to take out their anger don't represent the best of America. They represent the worst of humankind, and they should be ashamed of that kind of behavior."

Thank you for your time.

Mr. RASKIN. Thank you, Mr. Ricci.

Mr. Austin.

STATEMENT OF ROY L. AUSTIN, PARTNER, HARRIS, WILTSHIRE & GRANNIS, LLP

Mr. AUSTIN. Chair Raskin and Ranking Member Roy and honorable members of this committee and, Mrs. Bro, thank you so much for your words today.

As someone who has spent years prosecuting hate crimes, supervising those who prosecute hate crimes, and working on policy at the highest level to enhance hate crime prevention and reporting, I have very strong feelings about today's topic.

Disappointingly, we do not have the slightest idea how many hate crimes there are in America, and we have never known. The numbers currently kept by the FBI are largely useless. The majority of States and the vast majority of law enforcement agencies ei-

ther do not bother to report or do not bother to report accurate numbers.

The best inference that can be drawn from the current data is that the environment created by the current Presidential administration, things have gotten worse. Hate crimes have increased.

What is particularly shocking about this is that law enforcement agencies regularly speak about the importance of using data to perform better and keep this country safer. Increasingly, law enforcement agencies want to use artificial intelligence to engage in what they call predictive policing. But artificial intelligence with bad data is nothing more than junk science, also described as garbage in, garbage out.

If we as a country were serious about using science and data to stop crime, particularly hate crimes, we would fix our data tomorrow. It's not that hard.

The importance of collecting good data could hardly be overstated. While every crime is significant, the harm can be exponential when the subject targeted the victim based on hate. The pain or fear from hate crimes reaches a broader community. The act is an anathema to who we are as a Nation built on diversity.

While we and every Black church in America mourn the murder of nine Black people in Emanuel AME in Charleston, South Carolina, the congregation of every Black church asked whether they might be next. While we and every synagogue in America mourn the murder of 11 Jewish people at the Tree of Life synagogue in Pittsburgh, Pennsylvania, the parishioners of every synagogue in America asks whether they might be next. And sadly, the parishioners of Chabad of Poway synagogue in San Diego, California, know that that fear is justified. And it is just one example of the horrific reach of hate crimes.

Less than two weeks after 50 Muslims were murdered in New Zealand, someone tried to set fire to a mosque outside of San Diego, California, while people were inside. And the perpetrators vandalized that mosque, citing the New Zealand attack. Their fear is justified.

What exacerbates our hate crime data problem is the fact that the Federal Government does not even publish its own hate crimes numbers. None of the DOJ components that work on hate crimes regularly publish data about their work in an easily accessible location. How can the Federal Government expect State and local law enforcement to publish data when it does not do so itself? It only requires a quick look at the FBI hate crime statistics to realize just how unhelpful they are.

If you look, one might notice that the most up-to-date statistics are from 2017. We are now almost halfway through 2019, and we still do not have national statistics for 2018.

Second, there are approximately 18,000 law enforcement agencies in the United States, and around 2,000 agencies don't even bother to respond to the FBI, and they suffered no consequences for not doing so. And from the approximately 1,600 agencies, those that responded, there were only approximately 7,000 reported hate crime incidents. Of course, this is more than 1,000 more than there were in 2016 and more than 300 more than there were in 2015.

Now, the same Department of Justice that publishes the Uniform Crime Report, where those numbers come, from also publishes the National Crime Victimization Survey. According to the NCVS, there were over 200,000 hate crimes in 2017. Of those, the victims said they reported over 100,000 to the police, and of those, more than 1,500 victimizations they said the police actually acknowledged to them that it was in fact a hate crime. How do we get from 200,000 to 7,000? Only through intentional irresponsibility.

Eleven suggestions for how we could improve the current system. First, stop vilifying Muslims, LGBTQ individuals, and immigrants, and stop calling white supremacists fine people. This should be obvious, but sadly it needs to be said. Second, treat all crimes the same. It should not matter who the perpetrator is or who the victim is. Third, stop using bad data to make law enforcement policy and decisions. Fourth, encourage people to report. Fifth, instruct students in school about hate crimes, and teach kids how yesterday's hate-filled vandalism or Instagram rant becomes today's cross burning and becomes tomorrow's murder. Six, make reporting mandatory. Seven, actually audit the reports. Eight, publish the data quarterly. Nine, work with affinity groups to encourage reporting. Ten, get Federal agencies to report. Eleven, just plain better reports.

We cannot fully understand hate crimes without good data. We will also not be able to determine what works and does not work to end hate crimes if we do not improve the data.

Thank you very much.

Mr. RASKIN. Mr. Austin, thank you very much. Thank you.

And, Mr. Soave.

STATEMENT OF ROBBY SOAVE, ASSOCIATE EDITOR, REASON MAGAZINE

Mr. SOAVE. Thank you, Mr. Chairman, Ranking Member Roy, and committee members, for inviting me to speak. And thank you for convening a hearing on such an important subject.

I am humbled by this opportunity, not just to testify, but to learn from my fellow panelists. And thank you, Ms. Bro, for your courageous testimony.

My name is Robby Soave. I'm an editor at a magazine called Reason, and a member of the D.C. advisory committee to the U.S. Commission on Civil Rights. I am also the author of a book titled "Panic Attack: Young Radicals in the Age of Trump," which is the culmination of years of research on the tactics and goals of various political activist groups that have emerged on the right and the left. It includes a chapter about the rise of the white nationalist fringe group that we know as the alt-right.

As part of my research, I have interviewed alt-right activists and thought leaders, including their nominal leader, Richard Spencer, as part of an attempt to better understand where these ideas come from and how to combat them.

It is an indisputable fact that white nationalism and white supremacy are pernicious ideologies with a long history of terrorizing communities of color in the United States and that their current manifestation in the form of the alt-right should be confronted and condemned. However, as we begin our discussion today, I would

urge us not to overestimate the current threat posed by white nationalism.

It is all too easy to give them more attention than they deserve, because the sentiments they express are so abhorrent. But these violent extremists constitute a fringe group. While they are loud online, they are not numerous. With rare exception, their events are sparsely attended. And when they do organize, they are often vastly outnumbered by counter-protesters. Their visibility has decreased since the events in Charlottesville. Indeed, when I interviewed Richard Spencer for my book, he admitted that he didn't think anything like the Unite the Right rally would happen again in the foreseeable future.

While it's very important to be aware that there is still hate and violence in this country, some policymakers and media figures do cite the hate crime statistics that several of the people to my right talked about as evidence that hate crimes are certainly definitively rising.

The FBI reported, as you've heard, 7,175 crimes in 2017, versus 6,121 crimes in 2016, which represents a 17 percent increase. But it is important to note that nearly 1,000 additional municipalities submitted data to the Federal Government in 2017. This means the perceived increase in hate could partly be explained by the fact that we have more data.

As agencies involved in submitting data become more concerned with hate crimes, more knowledgeable about them, and more responsible about touting them, the numbers could appear to be going up. This wouldn't mean that the problem is getting worse, just that we were vastly undercounting them previously.

Bear in mind that the total number of hate crimes tallied by the FBI going back to the year 1996 was 8,759 from 11,000 agencies. In 2017, with 16,000 agencies reporting, the total was actually lower. The overwhelming majority of municipalities reported zero hate crimes, as you've heard.

Most incidents were classified as anti-Black or anti-Jewish. Anti-Semitism is a foundational belief of the white nationalists and of the alt-right. And a recent uptick in anti-Jewish hate should not be surprising. Even here, though, the numbers do not necessarily support the idea of what I would call a full-blown crisis. According even to the ADL's own research, a 57 percent spike in anti-Semitic incidents took place in 2017, but this was partly due to a series of bomb threats made against Jewish institutions by a single troubled teenager who lived in Israel. Anti-Semitic violence had, in fact, declined by 47 percent.

And while the following year—the past year has included some truly despicable acts of anti-Semitic violence, specifically the horrifying Tree of Life shooting in which a white nationalist murdered 11 Jewish worshipers, the total number of anti-Semitic incidents in 2018 was 5 percent lower.

Although violent acts disproportionately draw our attention, in reality, the alt-right's most prevalent and widespread form of abuse is online harassment, primarily on social media platforms like Facebook and Twitter. Hateful speech, disturbing though it may be, is in most circumstances, not all, but most, protected by the First Amendment. And thus, it is not the government's role to police this

behavior, but rather a decision that rests with the social media companies themselves.

Law enforcement can and should take seriously—should take action against threats of violence and of course violent acts such as those we witnessed in Charlottesville.

My goal in bringing a degree of nuance to these facts and figures is not to minimize the very real harm extremists have caused but to discourage the kind of alarmism that can prompt overreaction on the part of authorities. Law enforcement should receive the resources they need to combat violence, threats, and property defacement, whether or not these crimes are motivated by hate or impugn a specific group.

Thank you.

Mr. RASKIN. Mr. Soave, thank you very much.

Thank you all for your testimony.

I'm going to begin and do my questions, and then I will turn it over to Mr. Roy. I think votes are going to be called in about 10 minutes, so we'll have to break so the members can go and vote on the floor. We'll come back; we'll resume our hearing. We'll make sure that all the members who are here have an opportunity to ask questions.

Let's see. Mr. Ricci, let me start with you.

President Trump was asked if he believes White nationalism is a rising threat, and he said, "I don't really. I think it's a small group of people that have very serious problems."

The logic of that, essentially, is that this is basically just a law enforcement problem, and we should put police on it to go after this small group of troubled people. And that's in line with what the administration has been doing in terms of defunding the efforts to try to reach out to people who have been pulled into extremist White supremacist groups.

I know one group called Life After Hate, which actually tries to engage with young people who are marginalized and vulnerable and get drawn into these groups the way that they might get drawn into a religious cult or something like that.

Do you agree with the President that, one, this is not a rising threat, and, two, essentially that we should just treat this as a law enforcement problem and not a question of public education and prevention?

Mr. RICCI. Thank you for your question.

I obviously think that it is a rising threat against not only Muslims but also Jews and African Americans and a rising threat for the country. The characterization of it by President Trump is one that we do not agree with, but it is something that we, as a community, are seeing a rise of. As a matter of fact, there are more attacks and more threats against at least our community, as borne out by a research study from Pew, than after 9/11.

Mr. RASKIN. Let's see. When there is a violent attack, something like Charlottesville, the FBI has got two branches that might be involved: the Counterterrorism Division, which handles terror, and the Criminal Investigative Division, which covers hate crimes. So these are two different ways that an investigation might go.

Mr. German, let me ask you, when there is an incident like Charlottesville, how does the FBI decide which side of the house

will handle it, the terrorism side or the hate crime side? And how should that decision be made?

Mr. GERMAN. Thank you for the question.

Unfortunately, it seems that they make that decision fairly arbitrarily. They don't seem to have a strategy that makes it very clear. There is an older civil rights policy that suggests, if an agent opens a hate crimes investigation that has any nexus to a White supremacist group, they should also open a parallel domestic terrorism case. But I've noted in recent attacks that the offices and their leadership are very direct about saying they're opening civil rights investigations and not calling them terrorism investigations.

So it's unclear whether that policy has changed since it was published through some ACLU FOIAs several years ago or whether they are continuing to do that. But it matters very much, because the scope of a domestic terrorism investigation is looking for people who either assisted with the attack or would continue to exist to continue the threat, where a civil rights hate crime investigation tends to be narrowly focused on proving the actual crime that occurred.

Mr. RASKIN. To followup on that, Mr. Austin, let me ask you, do you think it is important to label the mass murders that took place in Charleston or in Pittsburgh at the Tree of Life synagogue as forms of domestic terrorism? And what effect should that have on Department of Justice investigation?

Mr. AUSTIN. Thank you.

I think it's important to label it the same across the board regardless of who the victim is and who the perpetrator is. I think that you have to have consistent labeling. Whether you call it domestic terrorism or you call it a hate crime, as long as you're providing the resources to get the job done, to determine the perpetrator, to stop the hurt that follows from it, I think that is the most important thing.

If we are going to give more money to—if it's called domestic terrorism, then let's call it domestic terrorism. If we're going to give it—if we call it hate crimes, then let's call it hate crimes. I don't care what we call it, but we need to stop it.

Mr. RASKIN. Very good.

And, Mr. Selim, let me come to you. On the question of information-sharing at different levels of government, The New York Times reported that, when Richard Spencer, whose alt-right movement sparked the Charlottesville events, was scheduled to appear in Florida, local police in Gainesville tried to learn all that they could about the movement, but they were not able to get anything from the FBI or from the Department of Homeland Security. It was, as one police lieutenant put it, a Bermuda Triangle of intelligence.

Why would this be? And does this create a problem?

Mr. SELIM. Mr. Chairman, thank you for that question.

Part of the dynamic here that's at play is that a lot of the issues at play here are, in fact, First Amendment-protected activity. And ADL continues to be a staunch defender of the First Amendment. And so law enforcement has many restrictions at the Federal, State, and local level when it comes to collecting and retaining information.

That's why nongovernmental organizations like the ADL continue to lead the way on collecting and retaining this information and, in many cases, providing it to Federal, State, and local law enforcement that leads to open investigations and ultimately successful prosecutions. That's a loophole that I think needs to get looked at further.

Mr. RASKIN. Very good.

Mr. Roy, I'm going to come to you now for your questioning.

Okay. I recognize the gentlewoman from West Virginia for five minutes.

Mrs. MILLER. Thank you, Mr. Chairman.

And thank you all for being here today.

Mrs. Bro, I am very sorry. My heart, as a mother and grandmother, goes out to you, as probably everyone in this room does. We all share you in our prayers.

I agree with my colleagues; we must condemn White supremacy, hate crimes, and domestic terrorism on every level. Catastrophic events like what happened at the Boston bombing, the rally in Charlottesville, the Chabod Synagogue, the Emanuel AME Church, all of these things are abhorrent to me. There is no place in our society for such actions. And this isn't just going on in the United States; this is going on all over the world.

And I'm going to go out of my comfort zone just a little bit and probably off topic a little bit, but if you look at everyone in this room, like I am right now, what a beautiful composite of human beings. We are all human beings. We may look a little different. We may have blond hair, black hair, no hair, curly hair, blue eyes, brown eyes. We are all human beings. And the moment somebody points a finger at somebody else, there are four fingers pointing back at yourself. And that's all I've got to say.

Mr. Selim, how can we—is it possible that we can use data to equip and empower our State and our local governments to stop these terrible attacks? Is it possible?

Mr. SELIM. Congresswoman, thank you for that question.

It is, in fact, a possibility. But as many of my co-panelists have noted, the FBI and the Federal Government's own data is flawed on a number of levels. Making good policy starts with good data and good information.

It is, in fact, possible to get better policy, better programmatic results and incentivize and resource State and local law enforcement better specifically on hate crimes and bias-based reporting of incidents so it can get better and the Federal Government can do a better job with incentivizing and resourcing reporting on hate crimes.

Mrs. MILLER. Thank you.

Mr. Soave, can you speak to some of the shortfalls that you're seeing on the available data for these hate crimes?

Mr. SOAVE. Sure. As I talked about in my opening remarks and so many people have noted, the FBI data really is incomplete and doesn't actually give us a good picture of how things have changed from one year to another.

I mean, I think it really is the case that, as we become more aware of hate in our communities, we're paying attention to it, it's going to be reported, we're having national conversations about it.

I just want to counsel that it could look like it's getting worse just because we're paying more attention to it.

Similarly—and maybe I depart from some of the panelists on this—I'm a little less confident that better data will yield some positive policy result, because I haven't seen any evidence or any studies suggesting that the hate crime designations actually do help law enforcement catch more of these people or put more of them away or lead to any decrease in these kinds of crimes.

Again, you know, we're talking about things that are crimes regardless of whether they're designated as hate crimes. Murder is illegal. Assaults, property defacement, all of these things are crimes regardless of whether they're tallied as having been—the person doing it was doing it for some reason that we additionally criminalize, if you take my meaning.

Mrs. MILLER. And, Mr. Austin, I agree with you. I don't care what we call it; it's got to stop.

Thank you. I yield back my time.

Mr. RASKIN. Thank you.

The gentlelady yields back.

I come now to the gentlewoman from the 12th District of New York, Mrs. Maloney.

Mrs. MALONEY. Thank you, thank you, Mr. Chairman.

And, first, thank you, Mrs. Bro, for your very powerful testimony. I am sorry about the tragedy that brought you here today, but I hope that your testimony will serve as a wake-up call to everyone who hears it.

I am interested in hearing from you, Mrs. Bro, about how your perspective has changed since you lost your daughter. You have been thrust into the leadership, really, of the fight against hate crimes in the most tragic of ways. Do you feel like your insight into the problem of hate crimes has changed since this tragedy?

Ms. BRO. I don't think that my perspective has changed. I think that my platform has changed. I was a public school teacher, working with primarily fourth- and fifth-graders. I made that a priority in my classroom. I made sure that kids got to know kids that didn't look like them. I made sure that kids got to understand how their words had impact on other students. So, in some ways, my audience is older, my audience is bigger, but I'm still saying the same things.

I certainly have taken more pains to study, to show myself approved. I don't believe in BS'ing. I believe in either speaking truth or don't speak. So I have spent a great deal more time trying to study what's going on, trying to be aware, trying to think about it. Frankly, my husband can tell you that I'm up till midnight and later a lot of nights studying, learning, researching, thinking about, writing. So, in that way, my life has changed.

Mrs. MALONEY. What would you say to those who may not understand the scope of the challenge? What would you say to those members of our society who may not be confronting it with the same passion and commitment that you have? And they should have it. What would you say to get them off the sidelines and into the fight against hate crimes?

Ms. BRO. Well, this is actually what I mainly do in life, is go around talking to people and saying, you have to step up and you have to step out.

I say to them, get your head out of the sand. The fact that you can be unaware is definitely a form of White privilege. It's the key tenet of White privilege, is that we don't have to see it. We have to choose to see it. And as long as America tries to be nonracist, we're not going to accomplish anything. We have to be anti-racist. We have to step up and be aware of the problems that are around us.

And when I say "racist," I'm talking about religion, I'm talking about a variety of differences, sexual preference. But it encompasses being aware of each other as people, taking time to listen to one another, taking time to talk to one another, and actually thinking about what we have in common, finding points of connection. And from there, we can work through our differences.

As far as the reporting issue, I think I find myself somewhere between all of these. Because I know there's an increased problem. A doctor cannot diagnose a patient without knowing the full set of symptoms. I don't see how we're expecting you, as Congress Members, to know how to prescribe allocations of personnel and money without knowing the full set of symptoms.

So I think that we have to find some way to get a full look at this. Is it closer to what the gentleman from Reason Magazine says, or is it closer to what these other gentlemen are saying? We don't know.

Mrs. MALONEY. And, Mr. Austin, you talked about the need to get accurate data. And we heard from the Anti-Defamation League that the numbers are up not only for violence against Jews but African Americans, LGBTQ community. It's up in my district and, I assume, all across the country.

What are your recommendations for DHS to collect accurate data for its enforcement?

Mr. AUSTIN. Yes, and let me just be clear: They definitely are up. I would disagree with Mr. Soave on this point, because if you look at the actual numbers of population that is covered by these law enforcement agencies and you compare that to the number of hate crimes, year after year going into this administration, the numbers are clearly up.

As far as recommendations, I mean, the first thing is Congress can mandate, if you are going to spend Federal dollars as a law enforcement agency or you're going to get Federal—you're going to get law enforcement equipment, you must provide us with good and proper and accurate numbers.

It's not that hard. You tie your funding to so many other things. Tell them that, on their data, if you want that tank, then you have to provide us with data telling us how many people in your community are victims of hate crimes.

Mrs. MALONEY. My time is up.

Mr. RASKIN. Thank you.

I come now to the gentleman from North Carolina, Mr. Meadows.

Mr. MEADOWS. Thank you, Mr. Chairman.

Thank you, Ranking Member Roy.

Thank each of you for your testimony.

Mr. Austin, what I would like to do is come back really to you in terms of these numbers. It seems like that should be a pretty easy thing to fix. You know, candidly, one thing that Congress should be able to do is actually get good reporting.

So here's what I would ask from you, Mr. Austin, and you, Mr. German, if you would, is report back to this committee with three recommendations of maybe how we—what are the categories and specifically how we would define those categories.

Because I think, Mr. Austin, in some of your testimony, where you talked about, well, it could be in domestic terrorism or in a civil rights case, and yet many—when you go to classify it in a particular category, it could go in either one.

So I think if the two of you are willing to do that—I see Mr. German's shaking his head, nodding, Mr. Austin. And, with that, we'll look for that information, and I'm going to yield the balance of my time to Mr. Roy.

Mr. ROY. I thank the gentleman from North Carolina. I would echo some of the points that he was just making and inquiring of you, Mr. Austin, Mr. German, and, frankly, all of you who have expertise in the matter.

And I would add to that, I mean, I could kind of nerd out on the data side of this, as one of those degrees that I got in Charlottesville was a master's in management information systems. I have a degree in finance, an MIS, and somehow I'm sitting here when I could be out in the marketplace, you know? But, you know, those are the kinds of things—I think we need to have that kind of data.

But I would say this. One of the things and the complaints I hear from local law enforcement in Texas 21, in the Hill country—Kerrville, Boerne, and Austin-San Antonio—they often don't even apply for grants anymore because it's too cumbersome. There's too much stuff, too many hoops to go through.

And so I do think, at some point—this is just a side note for another day and another hearing, but on this kind of point, this is why we run into these kind of hurdles. Like, we kind of go, “Oh, why aren't we getting this data?” Well, he goes, “There's too much crud for me to go through to do it. I've got to go do my job.” So I do think there's some things like that we need to pay attention to.

But I would ask on that front—and to your point, Mr. Austin, there's a little bit of disagreement between you and Mr. Soave about the nature of the increase. And so I would ask you to maybe expand on that a little bit, and then you respond, Mr. Soave, obviously, in a civil back-and-forth, to give a little nature about your views and perspectives on the increase.

Mr. AUSTIN. So Mr. Soave is right that the number of law enforcement agencies that participated has grown over time. But if you look at the next number that the FBI has in its UCR report, it's the population covered. And if you divide the number of hate crimes by the population covered, as opposed to by the number of law enforcement agencies, you will see that from 2013 to 2017, each and every year, there is actually an uptick in the number of hate crimes.

And so, you know, by agency reporting—by population, we are, in fact, seeing an uptick in hate crimes. Now, again—

Mr. ROY. What's the relative level of that uptick?

Mr. AUSTIN. It is—you know, what I found is approximately about a hundredth of a percent. I mean, it's pretty small. I mean, but we're talking about a population of 306 million, and we're talking about a hate crime number that, at least according to the FBI, is 7,000.

Mr. ROY. So, statistically—and I'm not—I mean, this is important. And even if it's—look, one is too many, okay? Let's just start with that, okay? But we all have to allocate resources and figure out what to do.

And so, on this point, what I'm hearing is it's relatively flat, then, is what I'm hearing. If you're talking about, like, a hundredth of a percent, I mean, we're talking about statistically flat.

Mr. AUSTIN. Statistically flat, but I think you could probably say the same about all crime. I mean, you know, if we're talking about numbers of 7,000 to 200,000, we could call it all statistically flat.

Mr. ROY. Mr. German wants to get in on this, and then, Mr. Soave, if you'd jump in.

Mr. German?

Mr. GERMAN. And I would just say that we're still talking about a relatively small proportion of police agencies that actually report hate crimes.

Mr. ROY. Sure.

Mr. GERMAN. It's not that the other 87, 88 percent are reporting no crimes; they're not reporting. That's a very different thing. As the Justice Department has acknowledged, just because a region does not send us reports doesn't mean there aren't crimes happening there that fall under this category.

Mr. ROY. Mr. Soave, anything to add on this point?

Mr. SOAVE. Well, I largely agree with the position you were sort of talked into just there. So there might be a slight uptick or fluctuation from one year to the next. If you look in the long term, we're talking about it's up slightly one year, it's down slightly the next year. You know, these are small numbers.

And there could've been—you know, the municipalities that are reporting zero in previous years might have missed crimes in previous years that they should've reported, and then previous-year totals would be higher.

The overall crime rate has also, I think, been largely flat over this later term. But if you go all the way back to, for instance, I believe 1992 is when you start to see a massive—so there has been a massive decrease in virtually all—in murder, assaults from 1992. That was the high point in crime. I believe something like gun homicide has decreased, like, 50 percent from 1992 to probably 2010, something like that.

Mr. ROY. So let me ask one more question here in my remaining portion of this time, to any panelist who wants to jump in here.

It strikes me—and I'm sure some of my colleagues, maybe particularly my colleague from Brooklyn, would agree—that one of the things we see out here online, right, is what we colloquially refer to as trolls. And I just picture some, you know, kind of kid sitting in his, you know, parents' basement just, you know, writing out and spewing out a bunch of hate.

And trying to see how much the social media world is impacting what we're talking about and how much that is elevating the heightened, you know, existence of these hate groups and alt-right groups.

Mr. Soave, do you want to jump in on that? And anybody else jump in, and then—

Mr. SOAVE. I would just say on that that perhaps we are seeing an increase, because these formats for expressing these views, I mean, literally did not exist if you're going back a decade previously. There was no Twitter, no Facebook to engage in the kind of harassment that alt-right people do.

But, of course, we're talking now, in the majority of cases, about protected speech that the government is rightly kind of prevented from taking too aggressive steps to stop it.

Mr. GERMAN. And I would just add that it's really important that we be very careful about what we're talking about so that we're not including somebody saying something you don't like and equating that with murdering somebody, right?

I think Congress passed a definition of domestic terrorism that's facially neutral: illegal acts that endanger human life that are intended to intimidate or coerce a civilian population. A lot of hate crimes fall into that definition, particularly the most serious ones that involve acts that are dangerous to human life. So those are the ones that should be prioritized at the Federal level.

And the problem is, that's not how the Justice Department looks at it. You know, there are a number of States that don't have hate crime laws. There are a number of States that don't have hate crime laws that prosecutors can effectively put to use. So just deferring all of these crimes to States and locals that don't have the tools to address them is part of the problem, which is why we don't have accurate numbers, because they don't even have the tools.

Mr. RASKIN. Okay. Thank you for that clarifying point.

The gentleman's time has expired.

I'm going to come to the gentleman from Missouri's First District, Mr. Clay.

Mr. CLAY. Thank you, Mr. Chairman, and thank the ranking member, also, for holding this hearing.

You know, following reports that a suspect has been arrested and charged in connection to three recent church fires in Louisiana, I will state the obvious: Sinister efforts are still amiss to create fear, harm, and intimidate African Americans.

These church arsons resurrect painful memories of historic attempts to intimidate African Americans by targeting houses of worship. From the Mother Emanuel nine killed in Charleston to the four little girls killed in Birmingham, Alabama, in 1963 at the 16th Street Baptist Church, attacks on the Black church figure prominently in the efforts by White supremacists to promote racial violence in this country. I am hopeful that Federal law enforcement officials will take seriously the hate and racial animus that caused the targeting of these three peaceful places of worship.

Mr. Chairman, we can brand someone a terrorist easily when they have a different skin color or don't speak English or are from another country. But if it is your mission as a White nationalist here in America to spread fear, hate, and encourage the elimi-

nation of a particular group of people, then we also have to call them what they are: domestic terrorists, period.

Additionally, Mr. Chairman, I would like to introduce into the hearing record a Statement from the Lawyers' Committee for Civil Rights Under the Law on our hearing topic, confronting White supremacy.

The Lawyers' Committee is a civil rights organization founded in 1963. They are not new to the fight against hate and for racial justice on behalf of African Americans and other minorities.

Mr. RASKIN. Without objection, that will be entered into the record.

Mr. CLAY. Thank you, Mr. Chairman.

And I have a few questions.

Mr. German, do you believe Federal law enforcement dollars and resources are properly allocated to combat the rise and resurgence of White supremacy terrorism groups?

Mr. GERMAN. No, I don't.

Mr. CLAY. And why is that? Is that because of the culture inside of the FBI or Justice Department?

Mr. GERMAN. I think it's a complicated answer, and I think that that's going to take some real unpacking. But I think it's a matter of policy.

These policies the Justice Department could change tomorrow. You know, the idea that they're coming asking for new authorities is troubling to me, because when I look at how they're most aggressively using these authorities, it's not to target White supremacists. And, in fact, they ignore most of the White supremacist violence. So it's a change in policy that needs to happen.

Mr. CLAY. Right. And it's a culture too, because we know the history of how they targeted Dr. King, how they also instituted COINTEL probe and other ways to harass Black people.

Mr. GERMAN. And keep in mind, the FBI is still overwhelmingly White and overwhelmingly male. So you have a very high percentage of White males who are making these decisions, both in the investigations and in policy.

Mr. CLAY. Thank you for that response.

And, Mr. Austin, do you agree that prosecuting and holding the perpetrators of racially motivated crimes accountable is critical to our Nation's efforts to combat the rise of White nationalist terrorism?

Mr. AUSTIN. I absolutely do.

But I also think that sometimes our criminal justice solutions, regardless of what area we're talking about, are inadequate. And we have to start talking about our schools, and we have to start talking about our other institutions, because criminal justice alone has not stopped crime.

Mr. CLAY. Let me ask Mr. Ricci, do you believe social media entities are doing enough to police the spread of hateful and dangerous racist content?

Mr. RICCI. Thank you for the question, Congressman.

I'm not an expert in social media, but I would tell you there has been an extraordinary increase of hate social media directed toward the Muslim community as well as the Jewish community and others.

And it is something that we've got to work with the social media companies, and I'm proud to say the Muslim Public Affairs Council is working with the likes of Google and Facebook along those lines. And so I think, yes, more can be done, more should be done.

Mr. CLAY. And I thank you all for your responses.

Mr. Chairman, I yield back.

Mr. RASKIN. Okay. Thank you very much.

And we're going to go quickly to Ms. Wasserman Schultz. After that, we are going to break.

Ms. Wasserman Schultz. Thank you, Mr. Chairman.

I want to begin by just going through, Mr. Selim, the Anti-Defamation League Center for Extremism audit of anti-Semitic incidents in 2018, which found that nearly 1,900 reported incidents of harassment, vandalism, and assault occurred against Jewish Americans just last year. That's the third-highest number, as I think you mentioned in your testimony, of anti-Semitic incidents since ADL began tracking anti-Semitic incidents four decades ago.

Seventy-six verified incidents of anti-Semitism occurred in my home State of Florida, the majority of those in south Florida, where I live. In Broward County, my home county, images of a student at a high school performing the Nazi salute on a school's Jewish student union sign circulated on Snapchat. I know the pain of this personally, because Nazi-obsessed trolls have viciously taunted my own children on social media.

So my question to you, Mr. Selim, is: Do you believe the administration is taking anti-Semitic threats and incidents, actually, or any of these types of incidents seriously enough? And what actions, either legislative or otherwise, does the Federal Government need to take to seriously address the rise in anti-Semitism, anti-Semitic incidents, and other bigoted acts of oppression?

Mr. SELIM. Congresswoman, thank you for that question. And I'm sorry to hear that this has happened to you and your family, but, unfortunately, you are not alone.

Ms. Wasserman Schultz. I know.

Mr. SELIM. Communities across the country, families across the country have been stricken by the scourge of anti-Semitism. And I can assure you that the team at ADL works daily to try to address these threats.

So you pointed to some of the statistics. Let me just add one or two more. Last year, the ADL counted over 1,800 anti-Semitic incidents across the United States. Those aren't things that appeared on websites or comments somewhere on a website somewhere. Those were actual incidents that happened somewhere in the country.

So when it comes to your question on what more can be done and who needs to say what, leaders at all levels need to stand up and speak out much more forcefully on this issue. Anti-Semitism is not something that's a Democrat or Republican issue. It's a people issue. It's a human issue. And leaders at all levels, whether you're the President of the United States or you're the president of the PTA in the district that you represent, need to stand up and forcefully speak out against the scourge of anti-Semitism.

Ms. Wasserman Schultz. Thank you.

Mr. German, I'm going to skip the preamble, because we've been through the parade of outrageous, unacceptable violence that has taken place in this country just very recently.

You wrote in December that Congress has given DOJ officials plenty of tools to attack far-right violence; they just require the will to use them. What tools do we have but are not using but should be using to address White supremacist violence, especially at places of worship?

Mr. GERMAN. So I think it's very important that law enforcement focus on the acts of violence and the most serious acts of violence.

I mean, one of the things that doesn't get acknowledged enough is that Charlottesville was about the seventh or eighth in a series of violent White supremacist riots that occurred all across the country involving many of the same people. And it wasn't until ProPublica actually wrote a story documenting the travels of one particular group that the FBI finally took notice and conducted an investigation and indicted eight individuals. And those individuals remain the only eight individuals indicted federally from the Charlottesville attack.

So law enforcement for some reason has lost the focus on these violent actors who should be known. Many of these people had criminal records.

Ms. Wasserman Schultz. Exactly.

Mr. GERMAN. And why they were able to travel around the country—and, again, Charlottesville, unfortunately, was not the last. There continue to be these kind of riots around the country, often led by people who have long criminal histories and yet are continuing to act violent.

Ms. Wasserman Schultz. Thank you.

Just in the remaining time I have, any of you that feel compelled to answer this question:

We've all spoken today about how our Federal Government defines and tracks hate crimes and the severe underreporting that has taken place. My district, for example, includes the town of Southwest Ranches, which is home to the Sikh Society of Florida. Sikh members of my community have spoken out about increasing harassment since 9/11, but crimes against Sikhs were not counted by the FBI until 2015.

And I want to bring attention to the fact that, in the ADL's report, 2,040 of the 16,149 reporting agencies, less than 13 percent, reported one or more hate crimes to the FBI. That means that about 87 percent of all participating police agencies affirmatively reported zero hate crimes to the FBI. Ninety-two of those cities, including five in Florida, have a population over 100,000 people.

And I could go on, but for anyone on the panel, what are some of the most egregious gaps in how the FBI currently collects and reports hate crime data that should be immediately corrected?

Mr. RASKIN. And let's just take one answer to that.

Mr. German, were you motioning?

Mr. GERMAN. Sure.

So, again, just because an agency isn't reporting doesn't mean that there aren't hate crimes. In 2000, Northeastern University did a study and found 5,000 hate crimes that had been reported inter-

nally within State governments but were not reported to the Federal Government. So it's key to understand that.

And what the Federal Government can do is follow the Hate Crime Statistics Act and actually go out and find these crimes and report them rather than relying on the States to do it.

Ms. Wasserman Schultz. Thank you.

And before I yield back, Ms. Bro, I just want you to know and I hope you take at least some comfort in knowing that this chairman and our majority takes this issue of White supremacy and the rise of horrific bigotry in this country very seriously and that we keep your daughter in our heart and our mind every single day and we fight and will continue to fight in her memory. And thank you for standing up and being her champion.

Ms. BRO. Thank you.

Mr. RASKIN. Thank you, Ms. Wasserman Schultz. And you speak for all of us there.

What we're going to do now is we're going to have a final set of questions from Ms. Tlaib from Michigan. And I'm going to ask my friend Congresswoman Eleanor Holmes Norton to take the chair. At that point, she will declare the subcommittee in recess until we finish our voting, and we'll come back. So, if you don't mind, please, everybody, hang out here, and we have several more members who are going to continue the questioning.

Ms. Norton?

And I now recognize Ms. Tlaib for five minutes.

Ms. TLAIB. Thank you so much, Chairman.

Ms. Bro, I want to thank you so much for your courage. Every time you spoke today, I mean, you really are very sincere and genuine about combating hate in our country, and I appreciate it, as a mother raising two Muslim boys in this country. I want you to know I'm going to teach them about your daughter, Heather. I'm going to talk about her and hopefully create a legacy of continuing to be able to speak truth to power, as you said. Thank you so much, again, for your courage.

I want to go ahead and talk about the rise—obviously, the rise of supremacy. That's why we're here. But we're looking, as Members of Congress, at the dramatic reduction in resources that have been designated to address and prevent this.

And this issue hits very close to me. You know, this man, Nicholas Diedo or something, a White male, recently was charged with arson and hate crimes in Dearborn Heights in my district because he targeted Arab-American business owners, continued to target them. So this is very, very important to me, that my families at home feel safe in our country.

And so my question is really direct. And, Mr. Selim, I know that you are very, very intimate in regards to looking at this. But we saw that DHS reassigned personnel in the Department's intelligence and analysis unit tasked to tracking and combating violent White supremacy. The primary purpose of that team was to share information, as you talked about.

I think you said 71 percent of these White supremacists are actually successful. Is that correct?

Mr. SELIM. The statistic was kind of a two-sided coin in the sense that, of Islamist-inspired terror attacks, the data out of University

of Michigan said that over 70 percent of them were interdicted in the planning phase, while, on the White supremacist side, over 70 percent of them were successful in committing actual acts of violence.

Ms. TLAIB. Absolutely. And we want to prevent massacres like the Tree of Life in Pittsburgh and Mother Emanuel Church in Charleston.

So I'm going to be really frank, and I'm a person—I'm new, four months here. And I'm going to ask you directly, all of you, and I want you to answer honestly. Has this administration blatantly failed to acknowledge the problem of White supremacy and, in fact, made decisions to cover it up?

Ms. BRO. I will not give you my personal opinion, but I will tell you what David Duke, Richard Spencer, and Matthew Heimbach, Jason Kessler have all thanked the current administration for giving them support, for giving them a platform that they have been missing for many years.

Mr. SELIM. Congresswoman, as you know, I am intimately familiar with these issues. And the way that I'd answer your question is that, if you look at the budget requests that have come to Congress from the Department of Homeland Security over the course of the past three years, you will see that the resources dedicated to the point that the chairman made on community partnerships, on supporting locally based efforts to prevent and intervene in instances of radicalization and violence, those budgets and those personnel counts have been decimated.

And that's what the budget numbers tell. That's not analysis. That's not opinion. Those are facts.

Mr. GERMAN. And I would add that there's also a problem with the lack of law enforcement around these issues, not just at the Federal level but at the State and local level. So it's not just the messaging that's coming down from the White House but, rather, the fact that there's not response that needs to happen to make sure that these people know they're not allowed to come into our communities and cause harm.

Mr. RICCI. Thank you for the question, Congresswoman.

As a Muslim American, I think I can say that, with President Trump being in office, there is a collective pit inside the Muslim stomach, meaning that, by what he has said and what he has done, the promise of America, what it can be, the experiment of America, what it should be, what we're heading toward, is something that has caused doubt in the Muslim mind. Are we going to be able to get there? Are Muslims going to be part of that equation?

Mr. AUSTIN. Undoubtedly. With the rhetoric, the resources, there is no doubt that this administration has this completely backward.

Mr. SOAVE. I'll just say, I can't speak to the allocation of law enforcement funding.

I do think there is perhaps too much direct causal blame being assigned to Trump or the administration for the rise of the alt-right. There, of course, the alt-right has also talked about how they hate Trump for some members of his family marrying Jewish people, I mean, is the kind of insane things they think.

So I'd be a little bit more cautious. I don't know that there's good direct evidence that it is fueled by something Trump has done.

Ms. TLAI. I'm going to just end with, I understand what you were trying to say. My whole thing is, I'm saying, has this administration failed to acknowledge the problem? I'm not saying—I mean, I'm looking at resources, and, as a Member of Congress, what do I need to do is get the facts, create the whole doctor-versus-patient relationship that Ms. Bro was talking about. And that's what we need to be able to stop the violent attack on communities of color and various diverse ethnic and religious backgrounds.

Thank you so much, Chairwoman. I yield the rest of my time.

Ms. NORTON.

[Presiding.] Thank you very much for those questions.

I'm going to continue the hearing. And I certainly wouldn't begin without thanking Ms. Bro, particularly in light of the tragedy she experienced, for your work now as an emissary for all of us in a way that will capture the attention of the American people, as needs be. You are very brave.

My question is about the FBI statistics. I must say that I am very concerned about the kinds of incidents that get missed. Now, I understand that in another hearing we're having, we'll have Department of Homeland Security and the FBI. But I'd be very interested in, those of you who follow these issues, about what it means to have perhaps some confusion about what the statistics now report.

Remember, the FBI is supposed to be the gold standard. Well, I have some examples here that show that that gold standard is tattered because of the failure of the FBI to pick them up.

And, by the way, Mr. Soave, you suggest—and I can understand that statistically it's not unheard of to suggest that there may be other reasons why these stats appear to be going up, as the number rises, that they may have been underreported, and you suggest other reasons as well. There are organizations, Mr. Soave, like the ADL, for example, where even when the numbers are smaller than they are today, would've been keeping track. So I really do doubt that the failure is to notice that these statistics were beginning to rise.

I, for example, can point out instances which I was sure would be in the FBI's data. For example, in Irving, Texas, a gay high school student was beaten so badly that he had to have reconstructive surgery—broken teeth, eye socket fractured. That report wasn't even included in the hate crime statistics for that year.

Another example. February 2017, in Kansas City, a man—you would think this would not have been missed—yelled “get out of my country” as he murdered an Indian American man. How could that have been overlooked as a hate crime?

And, of course, we know that Heather Heyer's murder in Charlottesville was also omitted from those statistics, as were the attacks on others on that same day.

Look, some of these were in plain sight, whether or not the FBI is capturing them.

By the way, Ms. Bro, were you aware that the statistics may not have captured what happened in Charlottesville?

Ms. BRO. Yes, ma'am, I have been aware of that.

If I may, part of the problem with that is it's simpler for people to prosecute the actual crime rather than the hate crime, because

with the hate crime you have to go much deeper and prove the intent. So, many times, law enforcement will choose to simply prosecute and report the actual crime as a crime, say, the homicide, vandalism, or whatever, rather than make the extra—

Ms. NORTON. Yes.

Ms. BRO [continuing]. allocations of their own resources—

Ms. NORTON. And I understand that, Ms. Bro. That's why I gave you three incidents that nobody could've missed—

Ms. BRO. Right.

Ms. NORTON [continuing]. it seems to me, but the FBI did. And suggesting that even that system—the FBI gold standard system is deeply flawed.

And here are some other statistics. The FBI reported 6,121 hate crimes in 2016, but the Federal Government's own National Crime Victimization Survey estimates 200,000 hate crimes each year, on the average. I must say, I never expected those kinds of disparities and discrepancies.

Mr. German, what is your understanding of, first, the FBI's explanation for these deficiencies and any understanding you have as to how we could have such differences—

Mr. GERMAN. Thank you.

Ms. NORTON [continuing]. in two official crime statistics?

Mr. GERMAN. Exactly. And if you look at the numbers, they actually track. So we know that, of the 200,000 victim reports that they say were hate crimes, half of them were not reported, so we cut down to 100,000. And we know that the FBI's numbers from the Uniform Crime Reports are actually only 12 percent of law enforcement agencies reporting. So if you add that other 87 percent, you would create a number that's up around 70,000. So 100,000 to 70,000 then look like numbers that are somewhat more closely aligned.

But it's the fact that we have this Federal policy of deferring to State and locals, who don't necessarily have the tools or the interest in trying them, some for practical reasons, as Mrs. Bro suggests. Sometimes it's hard to prove what was in somebody's mind when they committed an act. But we should still acknowledge that crime for what it is and prioritize its investigation in a way—

Ms. NORTON. You know, there's a difference between prosecution and acknowledging that—

Mr. GERMAN. Exactly.

Ms. NORTON [continuing]. an incident has occurred. So the failure to acknowledge—in fact, I wouldn't put the two in the same bouquet at all. Because the incidents, the ones I offered, could not be missed and I don't think were missed, but they weren't reported. So I do understand what you're saying, Mr. German.

But, Mr. Austin, I'd be interested in your view, particularly given the discrepancies I just indicated, what actual effect on law enforcement—because Ms. Bro made that distinction—actual effect on law enforcement it has to have such underreporting by the official agency, the FBI, of the Federal Government.

Mr. AUSTIN. I mean, I think the effect is that law enforcement doesn't know what to do with those numbers and largely just ignores them. I mean, they don't take action.

Where you have something that's telling you that you don't have a problem, you're not likely to take action to try to solve that problem. And you're not looking for solutions in the way that you would look if you actually had good data telling you: Here's what's happening, here's where it's happening, here's when it's happening, here are the perpetrators, here are the victims. Then law enforcement can actually take that data and do something with it. But when you have silly numbers, you don't do anything with them.

Ms. NORTON. So do you think that not being able to do anything with them because you don't have accurate numbers could have an effect on the growth, the increase in hate crimes?

Mr. AUSTIN. Absolutely. Absolutely. I mean, if we don't base it on data and facts, then we're just guessing. Those are our two options here. And I'd prefer not to keep guessing.

Ms. NORTON. Yes.

Yes, Mr. Selim.

Mr. SELIM. Madam Chair, if I may just chime in with two points here, that this is an important conversation about the quality of data and what the statistics show, but there's also another very important point that I want to make sure is introduced as part of this conversation. Hate crimes, by their definition, are intended to sow fear in the perpetrated, the victim, and the communities that they represent.

And so Ranking Member Roy made the point earlier, one is too many. The most important number here really is one. When individuals, when victims or families of victims are victimized by hate crimes or hate-related incidents, those tear at the fabric of the communities that we live and work in on a day-to-day basis.

And the second point is, as we're wrapping our brains around how to best address this, it really boils down to two buckets: training and data. We must make sure that local law enforcement officials are prepared to identify, report, and respond to hate crimes. And better data, at the end of the day, will mean or could mean a better allocation of resources and prevention strategies. And those two things in combination ultimately need to be a substantive part of this conversation.

Ms. NORTON. Yes.

Well, look, we have a Federal system, and these crimes are mostly dealt with at the local level. Do we need some way to get a national reporting system, regardless of whether the State agencies involved move on it? And if so, how do you think that should be handled? What should we do to make these statistics jibe with one another and both help law enforcement and help the public know what is happening?

Yes, Ms. Bro?

Ms. BRO. I don't think localities are going to be interested in reporting at all as long as they don't have to, unless they really need the help with money for prevention. Because, otherwise, it's not to their advantage to report that they have a problem. It's to their advantage to look like that we have no problem here, we're a wonderful place to live, y'all come.

Ms. NORTON. Uh-huh. So you would need a compulsion like a Federal law that says you must report?

Ms. BRO. But I hate to have an unmandated—I mean, an unfunded mandate. I can tell you from working in government and secretarial work and also as a schoolteacher for many years, we get a lot of those.

We're going to have to probably dangle a carrot of some sort for localities to even be interested in reporting. If the Feds are going to take that over, then money is going to have to be allocated that way. Money is going to have to follow it one way or the other.

Ms. NORTON. But you do agree that we need a uniform system?

Ms. BRO. Well, we need something fixed, because we have a mess right now.

Ms. NORTON. Uh-huh.

All right. The committee will be in recess. And I thank the witnesses for their patience during this recess on the floor. Now there's a series of votes, but the full committee will reconvene shortly.

[Recess.]

Mr. RASKIN.

[Presiding.] The subcommittee resumes its proceedings now. Thank you for your patience for us.

The ranking member of the subcommittee is going to reserve his time, and I'm going to call on the gentlelady from Illinois.

And I'm also having to absent myself just to go over to Judiciary, and I'm going to turn it over to the vice chair of the committee, the distinguished Representative from the 14th District of New York, Ms. Ocasio-Cortez, who will preside.

And I would now recognize Ms. Kelly.

Ms. KELLY. Thank you, Mr. Chairman.

And thank you to our witnesses for this important hearing.

I am troubled by the lackadaisical response of the FBI and DHS, considering the frequency at which these acts have occurred in recent months and the threats they obviously present to Americans.

As we have talked about already, just within the last two months, there have been several significant crimes based on race, religion, and ethnicity: the churches, the synagogues, the two Jewish men attacked in New York City, in Brooklyn, as the assailants yelled "we hate Jews." A car rammed into a group of eight people crossing at an intersection in Sunnyvale, California. They were intentionally targeted based on their race and the belief they were of the Muslim faith. The response to each of these horrific acts seems little better than, "Let us get back to you on that."

Mr. German, as you are aware—are you aware of any other similar delays, where an immediate threat has been identified, yet the issue isn't being addressed because the office hasn't been organized?

Mr. GERMAN. It's hard to tell why there's a lack of attention to this. And I think if you look at these underserved communities, whether it's Native Americans, whether it's migrants, whether it's LGBT communities, that a lot of the violence against them somehow falls into an accountability void.

And I think it's very important that Congress compel the FBI to take the Hate Crime Statistics Act seriously and go out and collect this data. They know how many bank robberies happen in every FBI field office's territory. How is it they don't know how many vio-

lent crimes against people of color and other communities are occurring? It's something that they should have available to them.

Ms. KELLY. Thank you.

While I understand the need for a structural approach to this problem, the administration needs to have a short-term plan, one that will serve to protect those from these acts of terrorism now. We don't have any time to waste.

Mr. Selim, based on your experience, what steps could the FBI and DHS take in the interim to address this threat?

And before you answer the question, I wanted to let you know I'm a diversity trainer and first trained by the Anti-Defamation League.

Mr. SELIM. Oh, great. Thank you for offering that.

And in my role overseeing all our national programs, it's so important to note that, as we talk about addressing the root causes of not just anti-Semitism but all forms of bias, bigotry, and intolerance, it's so important to note that this work where we're talking about hate crimes, we're talking about adults, but our work and the work that I have the privilege to oversee in K through 12 classrooms and with teachers across the United States is really addressing this at the earliest possible stage. And there's really no greater thing that can be done when we're talking about prevention.

Congresswoman, when it comes to your question on what more can be done, I've outlined a number of things in my written Statement. I'll offer two specific comments here to be brief.

First is the resources that we've continued to talk about, when it comes to analytics, when it comes to analyses on these issues, and when it comes to publicly available reports by the Federal Government, irrespective of the department or agency, on the threat of White supremacist violence not just made available to the American public but to State and local law enforcement across the country.

The second is, I am not aware in this administration of an overarching policy to specifically address these issues. It's been addressed in the National Counterterrorism Strategy as a priority, but the resources and the actionable policy that need to follow those notations have not been made.

Ms. KELLY. So you feel that that's a role, really, Congress can play, actually, is making sure they have the adequate resources to deal with this problem.

Mr. SELIM. And the mandate to create the policy that will direct its programs.

Ms. KELLY. Okay.

Anybody else have anything to say about that?

Mr. GERMAN. I would just add that they need to have a strategy, right? I mean, right now, everything is arbitrary. A crime that occurs in one district is ignored in a different district. Rather than understanding that, okay, we have States that aren't stepping up and enforcing the law in these areas, so let's put resources there—there are States that don't have hate crime laws. Let's put these resources in those areas that aren't getting served to make sure that at least the Federal Government is acknowledging that these crimes are occurring when the State government isn't.

Ms. KELLY. Okay.

Mr. Austin, what impact does a delay in immediately addressing this threat have on communities most affected by these acts?

Mr. AUSTIN. I think you have fear. These communities are worried. These communities, their children are worried. The parishioners are worried. That prevents people from going out and enjoying their communities and spending time with their communities and participating.

When you don't address these problems—and this is what we saw in this space and why it was so important to involve the communities, is that you're turning kids against the government. They're going to do things because they learn their lessons based on how they're treated. So every day that we kind of sit around and allow the White supremacy to flourish, we're hurting our young people. And, you know, these are going to be problems that we're going to have to deal with later.

Ms. KELLY. When I listen to you speak, it reminds me, I represent—my district is in the Chicagoland area. And what you're saying is what our kids that are in the gun violence space, what they face every day. And if you don't—it's like, if you don't do anything, the trauma that comes along with that and growing up with that.

Thank you both.

While we certainly need to look for long-term solutions, we can't afford to wait to address the issue now. People are dying. I expect to hear from the FBI and DHS next month precisely what they are doing in the short term to address this frightening rise in hate violence.

And I yield back the balance of my time.

Ms. Ocasio-Cortez.

[Presiding.] Thank you.

The ranking member and the chair reserve their time, and the chair now recognizes the gentlelady from Massachusetts, Ms. Pressley.

Ms. PRESSLEY. Thank you, Madam Chair.

There is not a single doubt in my mind that the growing number of hate crimes taking place in this country are a byproduct of the hateful rhetoric being spewed regularly by the current occupant of our White House.

This administration has emboldened White nationalism, White supremacy, and far-right extremism, including anti-Semitism and Islamophobia, all while suggesting these groups do not present a growing threat to our communities and national security. We know otherwise, and the witness testimony we've heard today is further proof that this is not the case.

I want to thank the witnesses for being with us today. And I want to extend my deepest condolences to Mrs. Bro and the countless other families who have lost loved ones due to intolerance, hate, and bigotry.

Mrs. Bro, your courage to come before us today and to stand up for what is right is a testament to the love that guided Heather's life in her quest for racial and social justice.

Although there is no hierarchy of hurt, throughout our Nation's history, hate crimes have disproportionately impacted the Black community. Since 1995, Black Americans have been victims of 66

percent of all racially motivated hate crimes. The numbers don't lie: Black Americans continue to find themselves at the greatest risk.

This year marks 400 years since the first African slaves arrived on the shores of Jamestown in the hull of ships, robbed of their freedom, culture, and humanity. Racism against Black Americans is entrenched in the enslavement of our African ancestors and has manifested in our Nation's institutions and policies.

And despite the progress we've made as a country, Black Americans are still treated as second-class citizens, disproportionately targeted for driving while Black, walking while Black, lunching while Black, organizing while Black, literally existing while Black.

In 2017, an FBI intelligence assessment leaked, identifying, quote/unquote, "Black identity extremists" as a prime threat to law enforcement officers. To be clear here, the FBI was tracking peaceful protesters while advising local law enforcement agencies that these groups were a violent threat.

This is the same agency that secretly spied on Dr. King and civil rights activists for their pursuit of equality for Black Americans—a movement that at the time, if we're telling the truth, was vilified and yet today we celebrate.

Mr. Austin or German, yes or no, since I have limited time, do you believe that so-called Black identity extremists are a significant threat to law enforcement? Yes or no?

Mr. AUSTIN. The name "BIE" is a made-up term that is reckless and that is something that is simply going to continue the problems that we are seeing right now, where 1,000 people die at the hands of law enforcement every year. It should've never been put out, it should've never been given to State and local, it should've never been done.

Mr. GERMAN. And I agree with that Statement.

Ms. PRESSLEY. Okay. So, again, for the record, do you believe that so-called Black identity extremists are a significant threat to law enforcement?

Mr. GERMAN. No, I don't believe there's a such thing.

Ms. PRESSLEY. Thank you.

Mr. German, are you aware of any data that would justify the FBI's focus on that issue or surveillance of groups like Black Lives Matter?

Mr. GERMAN. No, not data that would justify that. I don't believe there is data that would justify that kind of surveillance.

Ms. PRESSLEY. Are you aware of the agency's use of face recognition technology to survey and target groups like Black Lives Matter?

Mr. GERMAN. I am aware that facial recognition technology is being used in law enforcement broadly and by the FBI as well.

Ms. PRESSLEY. And at a time when Black Americans are three times more likely to be killed by police, a document like the FBI's intelligence assessment is not just misleading, it is reckless and dangerous.

Mr. German, what do you see as the danger posed by the FBI's messaging on so-called Black identity extremists?

Mr. GERMAN. Well, if you look at that intelligence assessment, it has a lot of information very poorly analyzed, putting things that

are not related together in a way that poses a scary message to law enforcement without any advice about what to do about it. So all that they can do is be afraid that Black activists pose a threat to them.

So when any kind of group goes out to engage in its First Amendment rights, the way the police are going to respond to them is as if they are a physical threat to law enforcement. And that can be very dangerous.

Ms. PRESSLEY. All right.

And since I'm running out of time, Madam Chair, I ask unanimous consent to include a Statement for the record from Rabbi Jason Kimelman-Block, director of Bend the Arc: Jewish Action.

Ms. OCASIO-CORTEZ. Without objection, so ordered.

Ms. PRESSLEY. Thank you.

One of Heather's last Facebook posts shared was, and I quote, "If you're not outraged, you're not paying attention," unquote. I hope this conversation sparks the outrage that we need to finally shed light on the evils of White nationalism and far-right extremism and invokes the will and the courage to tackle it head-on.

Thank you, and I yield.

Ms. OCASIO-CORTEZ. Thank you.

I will now recognize myself for five minutes of questioning.

Ms. Bro, I want to take the time to truly thank you for coming in today. And for so many of us, with the most painful moments in our entire lives, it's—we all deal with it in different ways. And for so many people, we need to internalize that and try to move on and bury that pain. And I just want to commend you for being willing to relive this moment in order to enact change in our country in recognizing the danger of White supremacy. So I just want to take that moment to recognize you and your heroism here today.

Ms. BRO. Thank you so much.

And I would like it, as part of the record, stated that Heather was killed primarily because Mr. Fields was aiming to kill someone who he thought was Black. He drove into a crowd to kill people in support of Black Lives Matter.

I have been given a huge platform across the country, in some forums even around the world, because I'm White. And many Black parents lose their children, many Muslim parents lose their children, Jewish parents lose their children, and nobody pays attention. And because we have this myth of the sacredness of the White female, I've been given a platform.

So I'm going to use that platform to keep drawing attention back to where the issues are.

Ms. OCASIO-CORTEZ. Thank you, Ms. Bro.

And I'm moved in hearing you speak about these issues so eloquently. And in your experience in living through this country and recognizing the privilege that you have, what was that process like for you? How did you come to be able to articulate these points? How did you see it? How did you experience it? And how do you educate others?

Ms. BRO. Always with the mindset of a teacher. I believe in learning what I need to learn and then putting it back out as simply and straightforward as possible for the listener. I am still doing that.

I find a lot of people have no clue of the privilege that they have nor how they should be using that privilege. As I mentioned before, many people think being nonracist is okay and that's enough to solve our country's problems. And, instead, we need to be actively anti-racist.

Ms. OCASIO-CORTEZ. What is the distinction between being non-racist and anti-racist?

Ms. BRO. Nonracist is saying, "I don't recognize anybody's color. I think that we're all equal and we all be treated fairly." And that's kind, to a point. I understand what they're trying to say, and it comes from a place of good intention.

However, we need to recognize our differences, and we need to rejoice in our differences. America is stronger for all of our differences brought together. And we need to accept that and go out of our way to stand up against racism when we see it. To be anti-racist means to take an active stance of "I am not going to tolerate that in my presence."

Ms. OCASIO-CORTEZ. Thank you. Thank you so much, Ms. Bro.

Ms. BRO. Thank you.

Ms. OCASIO-CORTEZ. Mr. Ricci, the San Bernardino attack of December 2, 2015, was labeled as a domestic terrorist incident. Is that correct?

Mr. RICCI. I believe so.

Ms. OCASIO-CORTEZ. Mr. Austin, do you know, the June 12, 2016, Pulse nightclub shooting was also labeled as a domestic terrorist incident, correct?

Mr. AUSTIN. That's my understanding.

Ms. OCASIO-CORTEZ. Mr. Selim, when Dylann Roof, a 21-year-old White supremacist, entered the Emanuel African Methodist Episcopal Church and murdered nine African American worshipers, was that labeled as an incident of domestic terrorism?

Mr. SELIM. I don't believe that it was. But there's no question that it was.

Ms. OCASIO-CORTEZ. So in your belief as a leader in this space, it was an incident of domestic terrorism but it was not labeled as such?

Mr. SELIM. That's correct.

Ms. OCASIO-CORTEZ. Was the White supremacist shooting at Pittsburgh Tree of Life synagogue labeled as a domestic terrorist incident?

Mr. SELIM. I'm not aware that it was, although then-Attorney General Sessions came out and called it that. But the charges that have been brought to bear and are currently playing out in court are not ones of terrorism.

Ms. OCASIO-CORTEZ. So, despite all of that rhetoric that we were hearing, they weren't actually labeled—these White supremacist incidents were not labeled as domestic terrorist incidents.

And, you know, I really dug into some of these distinctions, what was labeled as domestic terrorism, what was labeled as a hate crime. And I could not help but—as much as I tried to dig in and explain, I could not help but feel and see that attacks committed by Muslim Americans were almost automatically labeled as domestic terrorist incidents, yet White supremacist shooting after shooting after shooting is not.

And I can't help but come to the conclusion that these labels—what's being labeled as terrorism is almost exclusively coming down to the identity. And it seems as though White men invoking White supremacy and engaging in mass shootings are almost immune from being labeled domestic terrorists in their violence.

Do you find similar patterns, Mr. Selim?

Mr. SELIM. I think when we look at—and I'll just call it what it is—the terrorism that has been perpetrated against not just Jewish communities but against Muslim communities, against Christian communities in Charleston, against Sikh communities in Oak Creek, Wisconsin, and a range of other communities that organize based on race, national origin, ethnicity, color, et cetera, like, these acts that take lives, I don't know how you can label these actions in the eyes of the victims or the families or the communities that are affected anything other than acts of terrorism.

Ms. OCASIO-CORTEZ. Thank you. Thank you very much.

And one last line of questioning.

Mr. German, in your 16-year career as an FBI special agent, you spent a great deal of time undercover in White supremacist organizations. Is that correct?

Mr. GERMAN. Yes.

Ms. OCASIO-CORTEZ. And what were some of the impacts or effects that you saw, if any, with some of these groups that were not being recognized as White supremacist groups, some violence or acts you see committed, that they kind of get off without being labeled as White supremacist incidents? Does that affect the dynamic of those groups? Does it embolden them? What did you see?

Mr. GERMAN. It certainly emboldens them, and it deprives law enforcement of crucial intelligence.

There was one particular group that, when we started engaging with them, they were bragging about certain bombings they had committed, and we struggled to try to find evidence that those bombings actually occurred. And it turned out they had all been treated as vandalism.

Fortunately, nobody had been physically hurt in those bombings, but it was a progression toward a more violent plan. And had there been more focus on actually identifying these incidents and calling them what they are, I think that could have been interdicted much sooner.

Ms. OCASIO-CORTEZ. All right.

The chair will now recognize the gentleman from Texas, Mr. Roy, for five minutes.

Mr. ROY. I thank the chairwoman.

And, again, thank you all for your continued patience as we go through voting. And it makes for a long afternoon, so thank you all for doing that.

A couple of quick questions. We've had a lot of great back-and-forth today and, I think, some helpful information. I know we have some assignments on trying to figure out how we can improve some of the data collection. I know that my colleague from North Carolina threw some of that out. I would agree.

And would ask, by the way, in those recommendations, particularly those with expertise, Mr. Austin, Mr. German, and others, I think Mr. Selim as well, about how we can encourage local law en-

forcement to participate when we know the burdens on local law enforcement. So, you know, that's a difficult question, right? I mean, we've run into some of that.

An observation, though, just to make some clarity—and I alluded to this in my opening Statement—about why we have the issues we have with respect to domestic terrorism versus how we approach international terrorism, and then how we deal with the branches of international terrorism we have in the United States. In other words, these are distinct things for distinct reasons.

And so one of the questions I want to point out, I mean, you look at—there's a Forbes article talking about deadliest terrorist groups in the world today. Of the 18,814 deaths caused by terrorists around the world last year, well over half are due to the actions of just four groups: the Islamic State, the Taliban, Al Shabaab, and Boko Haram.

And we can go around and we can go through a bunch of data on that, and that's not really the purpose of this hearing, so I don't want to digress, except to say that's a real issue that we've been confronting, you know, for the better part of 20 years. And many of you, or at least several of you, have been a part of that. And thank you for dealing with that.

But we deal with, for example, the Islamic State in America. Like, it's a real thing. We have to deal with it. It's not a prejudicial thing to recognize the reach of the Islamic State in America. I've got data here that says 182 individuals have been charged in the United States with offenses related to the Islamic State, also known as ISIS and ISIL, since the first arrest in March 2014. And it goes through, and we could—again, we could go through that data.

But would you agree, Mr. German, for example, that that is a problem and that that is a distinction worth making, with respect to how we deal with domestic terrorism or what we label as domestic terrorism, in light of what I mentioned earlier?

American citizens don't really want to be surveilled. We've got our own issues right now trying to figure out how to conduct surveillance on foreign nationals when it then impedes and then overlaps with American citizens. And that's a very real concern. And I know that would be a bipartisan share of a concern about how we deal with that.

And so these things are real. Could you comment on that just for a little bit? And then I want to go to another question.

Mr. GERMAN. Sure. You know, part of the problem is we create these categories to organize our response to particular kinds of violence—

Mr. ROY. Sure.

Mr. GERMAN [continuing]. but those categories don't accurately describe what's going on.

And I think the New Zealand attack showed many people for the first time that this is not a—you know, Naziism wasn't invented in the United States of America, and it isn't confined to the United States of America. It's always been a broad, international phenomenon.

So, you know, part of it is making sure that our laws are designed to focus on the most violent actors and to focus there. And

where we see problems is where we start to go beyond the people who are actually committing violence and try to silence entire communities or engage in surveillance activities of—

Mr. ROY. Sure.

Mr. GERMAN [continuing]. people who are not directly involved in committing violent acts.

Mr. ROY. And the only I would add to that is that I agree with, I think, a comment I think it was Mr. Austin made—it might have been Mr. Ricci; I think it was Mr. Austin—that whatever you label it, whatever you call it, hate crime, domestic terrorism, whatever, let's just get the bad guys, right? Let's just stop what's happening.

And so that is what would be my calling here to do, is whatever we need to do, tools-, resources-wise, to have a collective effort between state, local, and Federal to accomplish the goal, I think there is universal agreement that we want to accomplish that objective.

And let me move on because I have one minute left, and I know everybody has been here a long time. I would actually, without objection, ask to insert that into the record.

Ms. OCASIO-CORTEZ. Without objection, so ordered.

Mr. ROY. Thank you, Chairwoman.

Mr. Soave, just a question here. I just want to ask this hypothetical. Assuming a broad view of what would constitute, for example, a hate crime or a perspective on anti-Semitism—and it's one of the things we've been focusing on a lot here today, for good reason. If a, you know, White individual or somebody that was part of White groups, alt-right groups, one of these hate groups we've been talking about, for good reason, some similar group, were to come forward and describe and suggest that, for example, that, due to a view of history, that a particular group of people were helpful to Jews looking to reclaim their home in Israel, while purposely ignoring that group's coordination with Nazis to actually harm Jews or block their move to Israel, would that be anti-Semitism for purposes of classifying one of these White supremacy groups who are so often Holocaust deniers or anti-Jewish?

Mr. SOAVE. Yes, I would think so. I mean, what you're alluding to, I think, is a truth that anti-Semitism is certainly not confined to the right or the alt-right. There has been anti-Semitism on the left as well. We often see this on college campuses.

Now we're not talking about hate crimes; we're talking about speech. And, again, I urge the government to take the most, you know, cautious approach possible, and I think you—

Mr. ROY. Agreed.

Mr. SOAVE [continuing]. agree as well.

Mr. ROY. Agreed.

Mr. SOAVE. But it is true, for instance, university campuses report bias incidents. Again, these things are not—they provide a facility, a means for students and professors and administrators to report things that are not crimes but that makes people uncomfortable for some reason. And certainly there are incidents there that have been classified as anti-Semitic that are coming from a different ideological direction.

Mr. ROY. I appreciate that. Thank you.

No more questions.

Ms. OCASIO-CORTEZ. Thank you so much.

The chair now recognizes Mr. Gomez.

Mr. GOMEZ. Thank you, Madam Chair.

Before I start, I want to acknowledge Susan Bro for just being here and sharing your story and the story of your daughter, Heather Heyer. She was an inspiration because she was fighting for all of us when she was down in Charlottesville. So thank you so much.

I want to draw your attention to the TV screen. This is a glimpse of, I believe, what is Trump's America for people who look like me. And I would like to share some of these few hateful comments I receive on a weekly basis.

Post one says: Go back home and quit destroying my country.

Post two says: Little prick Jimmy Gomez, more than likely another anchor baby.

Post three says: Were you even born here? If not, you should not be in office. But it would explain why you do not value America or American citizens, you piece of—fill in the rest.

These are just a few of the hundreds of messages I receive on a weekly basis on Facebook, Twitter, through email. They're hateful, they're racist, and they're meant to marginalize the community that I represent and the communities like mine.

They also echo the President's sentiments, embody his policies, and also reflect a dangerous desire for White nationalism and also embody the philosophy of White supremacy. And the only thing I find more disgusting than this hateful speech is the public figures who endorse it, the silence of the leaders who normalize it, and the cowardice of those who fail to condemn it.

And we know that the facts are on our side, that the hate crimes are on the rise, and more than half of the 4,100 hate crimes are perpetrated by far-right extremists that occurred in 2017. We know the facts. White supremacist attacks are on the rise. White nationalists are mobilizing like never before, and they are finding a safe haven on social media platforms.

But I also want to point out another fact: that hate also sometimes leads to policy, and policy sometimes reinforces that hate, as well as the rhetoric of our President.

I want to enter into the record an article from The Washington Post that says, "Trump sees immigrants as invaders. White nationalist terrorists do too."

Ms. OCASIO-CORTEZ. Without objection, so ordered.

Mr. GOMEZ. I found this article interesting because it also states: "From the January 2017 mass murder of 6 Canadian Muslims at a Quebec City mosque to the mass murder of 11 Jewish congregants at Tree of Life synagogue in Pittsburgh, there was one theme that tied together all of the terrorists in these cases: The suspected gunmen in all these attacks saw immigrants as invaders of their countries."

Mr. Selim, as well as Mr. George, can you talk about the connection between White supremacists and White supremacy ideology and anti-immigrant rhetoric?

Mr. SELIM. Congressman, thank you for that question.

So White supremacist world view or White supremacist philosophy is often rooted in a number of core pillars. Anti-immigrant, xenophobic, anti-Semitic, and a number of other kind of hateful and bigoted ideologies are part of what make up the notion that

the White race, quote/unquote, is under attack and shrinking and action needs to be taken more immediately.

We've seen these patterns and trends. If you look at the manifesto of the Poway shooter and you look at what he wrote on these issues, if you look at the comments written that were publicized and brought out in many media reports after innocent Muslims were killed worshipping in a mosque in New Zealand, there is a direct correlation between xenophobic actions and ideologies and those that are executed—violent actions that are executed at the hands of White supremacists.

Mr. RICCI. If I may jump in, Congressman—

Mr. GOMEZ. Yep.

Mr. RICCI [continuing]. the reality is that the statistics that we've talked about that are so poorly collected or poorly tracked, they are not, certainly, going to track the fact that I get a text message every time an occurrence like this happens from a worried parent or from a worried constituent. They are not going to track the fact that a parent will be concerned about their child going to school tomorrow in fear of being attacked. They will not track the fact that immigrants to this country who believe in what this country's promise is, that that dream of what America is is somehow now tarnished.

And the work that we're doing here, the policies that we're creating, that we're talking about creating, and the statistics that we're talking about tracking, all of the good work that we're doing can be wiped out in a tweet. It can be wiped out in a tweet.

Mr. GOMEZ. Thank you.

I know I'm out of time. And I don't want people to walk away thinking I'm saying all immigration policy is meant to implement a White supremacist agenda. That's what I don't want people to walk away with. But the negative rhetoric that's backed up by policy, if the motivation is racist, then that policy can be skewed and not based on facts.

Madam Chair, I yield back.

Ms. OCASIO-CORTEZ. Thank you.

As we wrap up today's hearing, I want to thank each and every one of you as witnesses.

This hearing is the first in a three-part series on how we are going to approach policy changes to ensure that White supremacy is acknowledged in our law enforcement procedures. As a result, in our next hearing, we will be having the FBI and the Department of Homeland Security representatives and witnesses from those two agencies come in.

And, you know, one of questions that we just have, briefly, as we close out today, is—I'm interested in hearing from each of you, if there is one question that you think needs to be asked of either the FBI or the Department of Homeland Security going into our second hearing, what should that question be? What should the question be that we are asking in our second panel?

So I'll start, perhaps, with Ms. Bro.

Ms. BRO. First off, let me state that there is an act under consideration right now named after two young people who died as a result of hate crime. The Khalid Jabara and Heather Heyer Hate Crime Reporting Act is something that you should consider.

What I would ask of the FBI is: Why? What is your reason for what has been termed a lackadaisical attitude? Why are you not fulfilling that dream of being the gold standard? Why are you allowing your edges to become tattered?

Ms. OCASIO-CORTEZ. Thank you.

Mr. Selim?

Mr. SELIM. On the legislative side, I want to echo Ms. Bro's point. The act has—I think it's—I don't know if it's out of committee yet, but—has been referred to as the NO HATE Act as well.

This is a concrete legislative action that can be taken that the Congress should strongly consider and I would urge this committee to consider as well, in addition to Representative Schneider and Senator Durbin's work on the Domestic Terrorism Prevention Act. Those are two things that the Congress can look at and take immediate steps on.

When it comes to asking questions to departments and agencies—Homeland Security, the Department of Justice, the FBI, specifically on DHS—why was there a reduction in dollars and personnel working on terrorism prevention, and what is being done instead of that?

I think it's as simple as that. And we'd be happy to work with you and other committee staff to unpack those numbers and understand what that means.

Ms. OCASIO-CORTEZ. Thank you very much.

Mr. German?

Mr. GERMAN. My question would focus on information that was requested in the Domestic Terrorism Prevention Act that was introduced in 2017. And very specific information would have been requested—or was requested through that act that is still in process: looking on one side of the ledger, about the number of attacks broken down by each category the domestic terrorism program was divided to; and then on the other side of the ledger, the resources devoted to the investigation of those particular groups.

And the FBI has recently reorganized its categorization to change those significantly. And what I would ask is whether they ran those numbers when they saw the act and whether those numbers had an impact on whether they decided to change them, to hide the disparity in that.

Ms. OCASIO-CORTEZ. Thank you, Mr. German.

Mr. Ricci?

Mr. RICCI. Congresswoman, I would say that we should ask the FBI and our Federal agencies, are we truly engaged, are they truly engaged with the communities that that he serve? Do they understand those communities? Do they understand what is motivating them, what their fears are, where they come from?

That lack of understanding maybe breeds a lack of approach. And in service to those communities, I think it would be much more—it would be better if they did engage, if they did engage at a much more substantial level.

Ms. OCASIO-CORTEZ. Thank you.

Mr. Austin?

Mr. AUSTIN. Yes. I would ask them, if you claim to be an evidence-based organization, why won't you actually start gathering good evidence and stop wasting your resources on vilifying people

who are rightfully concerned with excessive use of force by law enforcement?

Ms. OCASIO-CORTEZ. Thank you.

And Mr. Soave?

Mr. SOAVE. Sure. I will just say, you know, I would hope that, when you speak to the law enforcement, FBI, you know, keeping in mind that this is a civil rights but also civil liberties subcommittee, you know, bringing up—I appreciate some of the things Representative Pressley talked about, about how law enforcement has in the past surveilled activists of color, things of that nature, all Americans. So that when we talk to the FBI, we make sure they're keeping in mind, you know, what are we going to do to combat some of this hate, but with keeping in mind the civil liberty rights that all people, even very vile people, have to express their views as long as it's not violence they're engaged in.

Thank you.

Ms. OCASIO-CORTEZ. Thank you very much.

I'd like to thank all of our witnesses for testifying today. This is an extraordinarily difficult subject to broach in broader conversation. It raises questions of what is White supremacy, what is anti-Semitism, what is anti-Black racism, what is Islamaphobia. And those conversation are hard to have. And I commend each and every one of you for the role that you are playing in making sure that we move forward as a country.

Without objection, all members will have five legislative days within which to submit additional written questions for the witnesses to the chair, which will be forwarded to the witnesses for their response. I ask our witnesses to please respond as promptly to any written requests as you are able.

Ms. OCASIO-CORTEZ. This hearing is now adjourned. Thank you very much.

[Whereupon, at 5:03 p.m., the subcommittee was adjourned.]

