

CONFRONTING THE RISE IN ANTI-SEMITIC
DOMESTIC TERRORISM

HEARING
BEFORE THE
SUBCOMMITTEE ON
INTELLIGENCE AND
COUNTERTERRORISM
OF THE
COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES
ONE HUNDRED SIXTEENTH CONGRESS
SECOND SESSION

JANUARY 15, 2020

Serial No. 116-58

Printed for the use of the Committee on Homeland Security



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

U.S. GOVERNMENT PUBLISHING OFFICE

41-310 PDF

WASHINGTON : 2020

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CONTENTS

	Page
STATEMENTS	
The Honorable Max Rose, a Representative in Congress From the State of New York, and Chairman, Subcommittee on Intelligence and Counterterrorism:	
Oral Statement	1
Prepared Statement	2
The Honorable Mark Walker, a Representative in Congress From the State of North Carolina, and Ranking Member, Subcommittee on Intelligence and Counterterrorism:	
Oral Statement	5
Prepared Statement	6
The Honorable Bennie G. Thompson, a Representative in Congress From the State of Mississippi, and Chairman, Committee on Homeland Security:	
Oral Statement	3
Prepared Statement	4
WITNESSES	
PANEL I	
Mr. Jonathan Greenblatt, CEO, Anti-Defamation League (ADL):	
Oral Statement	7
Prepared Statement	9
Mr. Nathan Diamant, Executive Director, Union of Orthodox Jewish Congregations of America:	
Oral Statement	20
Prepared Statement	22
Mr. Clifford D. May, Founder and President, Foundation for the Defense of Democracies:	
Oral Statement	25
Prepared Statement	27
Mr. Eugene Kontorovich, Professor of Law, Antonin Scalia Law School, George Mason University:	
Oral Statement	38
Prepared Statement	40
PANEL II	
Mr. John J. Miller, Deputy Commissioner of Intelligence and Counterterrorism, New York City Police Department:	
Oral Statement	63
Prepared Statement	66
General John R. Allen, USMC, Retired, Co-Chair, Homeland Security Advisory Council Subcommittee for the Prevention of Targeted Violence Against Faith-Based Organizations, and President, Brookings Institute:	
Oral Statement	70
Joint Prepared Statement	74
Mr. Paul Goldenberg, Co-Chair, Homeland Security Advisory Council Subcommittee for the Prevention of Targeted Violence Against Faith-Based Organizations, and Chairman and President, Cardinal Point Strategies:	
Oral Statement	70
Joint Prepared Statement	74

CONFRONTING THE RISE IN ANTI-SEMITIC DOMESTIC TERRORISM

Wednesday, January 15, 2020

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON INTELLIGENCE
AND COUNTERTERRORISM,
Washington, DC.

The subcommittee met, pursuant to notice, at 2 p.m., in Room 310, Cannon House Office Building, Hon. Max Rose [Chairman of the subcommittee] presiding.

Present: Representatives Rose, Jackson Lee, Langevin, Slotkin, Clarke, Rice, Thompson (ex officio); Walker, King, Green, and Rogers.

Also present: Representatives Deutch, Gottheimer, Raskin; and Zeldin.

Mr. ROSE. The Subcommittee on Intelligence and Counterterrorism will come to order. Before I begin, I made the mistake of acknowledging my counterpart, Congressman Walker, during this hearing that I did not realize was actually on the record. So I am going to repeat what I said previously because our friend, who is injured because he tried to wrestle me, he has made the decision to briefly pause his career in public service. I do not believe it is the last chapter by any sense of the word, but to say so definitively on the record, it has been one of the greatest honors of my life serving on this subcommittee with Mr. Walker, and I look forward to serving with you in many different capacities for many years to come, sir.

So this subcommittee is meeting today to receive testimony on Confronting the Rise in Anti-Semitic Domestic Terrorism.

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

Without objection, Members not on the committee shall be permitted to sit and question the witnesses.

I now recognize myself for an opening statement, and I will make it quick because I am very eager to hear the testimony of the experts before us.

Poway, Pittsburgh, Monsey, 1,800 anti-Semitic incidents in 2018 throughout the United States; 2,049 of these incidents carried out by extremists. Since December 23 over a dozen attacks on Jews across New York City, and after each and every one of these attacks, there is some elected official in America that says, "Our thoughts and prayers are with the victim and their families."

After each and every one of these attacks there is some elected official in America who says we must take action.

Well, today that is exactly what we have got to focus on, the why. Why is this happening? How is this happening? But most importantly, what do we do tomorrow and the next week and the next month?

Today in my community and communities across America, Jews are afraid to go outside with their kippah on, afraid to speak Hebrew in public, afraid to congregate amongst their friends and family, afraid to observe the High Holy Days.

Over 100 years ago, my great grandfather came to New York City fleeing anti-Semitism, and he came to New York City and he came to America because this country is not just a country. It stands for something. It has been a beacon that if you are fleeing hate, it has been a beacon for freedom.

Today we consider how can we ensure that our best days are not in our rearview mirror. We look forward to considering everything from appointing Federal officials, FBI, DHS Task Force. How do we regulate social media? How do we increase funding to make sure that no person is afraid to pray, whether at a church, a synagogue, a mosque?

Today we consider the rise of anti-Semitism across the political spectrum because we realize this is not a problem for any political party, and this is not certainly something that we should subject to the hyper-partisanship and divisiveness that has taken over this town.

Hopefully, for a few hours today we can be a body that considers a problem and solutions to that problem.

[The statement of Chairman Rose follows:]

STATEMENT OF CHAIRMAN MAX ROSE

JANUARY 15, 2020

Thank you to all of the witnesses for coming here today to testify on the topic of domestic terrorism motivated by anti-Semitism. This is an issue that has deeply affected my district, my community, and the whole New York City area. In 2018, the ADL identified over 1,800 anti-Semitic incidents throughout the United States. That number has been rising over the last several years. Disturbingly, 249 of these anti-Semitic incidents were carried out by extremists—the highest proportion of such attacks since 2004. Since December 23, there have been over a dozen attacks on Jews across New York City, after the terror attack in Jersey City that claimed 4 innocent lives. On December 28, during Hanukkah, an extremist stabbed 5 people at a Hasidic rabbi's home in Monsey, New York.

Recently, white nationalists put up posters in my neighborhood and had the audacity to hang a banner over a major highway, the Belt Parkway, in Brooklyn in my district. Jewish people have been coming to America since before it was even called America in order to freely practice their religion, escape persecution, and build a better life for their families. Yet now we are under assault by extremists, many of whom are emboldened to act and often encouraged by content on social media platforms. The time for thoughts and prayers has passed—the time now is for action.

Today's hearing is an opportunity for all of us to hear from experts on anti-Semitic violence and homeland security. I hope we will take this opportunity seriously and focus on the violence that is terrorizing the Jewish community. Democrats on this committee have led on this issue. In fact, this week, the President is expected to sign into law H.R. 2479, a bill led by Chairman Thompson, which I have cosponsored and fought for, that will authorize and fund the Nonprofit Security Grant Program to help secure synagogues and other houses of worship. I fought for funding for this program to be increased to \$90 million. It was increased, thanks to strong bipartisan support. But we also need to consider what measures lawmakers and law

enforcement can implement to make sure that anti-Semites and racists can't carry out acts of violence, and that domestic terrorism is seen as the crime that it is.

Government officials, at all levels, have a duty to protect Jewish individuals, communities, and institutions from anti-Semitic violence, and must put forth comprehensive strategies to address it. That includes meaningful and respectful outreach and partnerships with Jewish community institutions. In doing so, these strategies should protect and uplift the civil rights and civil liberties of all Americans. We cannot forget that Anti-Semitic violence in the United States is often linked to transnational networks of terror and hate, including global networks of white supremacist extremists in Europe and elsewhere. The Government must prioritize understanding and combating these networks in order to prevent anti-Semitic and racist violence. And, as we all know too well, anti-Semitic violence is too often linked to vitriolic discourse on-line. The Government should be encouraging social media companies to prioritize the removal of terrorist content—including violent anti-Semitic content—in order to prevent on-line hate from turning into real-life violence.

That's why I've introduced H.R. 5209, the Raising the Bar Act, that would direct DHS to establish a voluntary program to grade social media companies on their ability to moderate terrorist content by their own standards. I hope this bill will earn bipartisan support and move to the House floor as soon as possible. Today, we're going to hear from 2 panels of experts. On this first panel, we will hear from non-governmental experts about the issue of anti-Semitic domestic terrorism and their recommendations for Government on how to deal with violence affecting Jewish communities in America. On the second panel, we will hear about what the Government is currently doing, and what more they should be doing.

Mr. ROSE. So with that, ladies and gentlemen, again, thank you all for being here. I would like to acknowledge Chairman Thompson, who is, I think, the most extraordinary Chairman of a committee in the history of the U.S. Congress, and I defer to you if you would like to make an opening statement, sir.

Mr. THOMPSON. Thank you very much, Mr. Chairman.

I am not used to getting such nice comments from you.

[Laughter.]

Mr. THOMPSON. I thank you for convening this important hearing today.

This hearing is an opportunity for all Members of Congress to come together and condemn acts of domestic terrorism and targeted violence motivated by anti-Semitism. The issue has been a priority for a long time for this committee.

As many of you heard at our May 2019 full committee hearing, entitled "Confronting the Rise of Domestic Terrorism in the Homeland," we have seen a dramatic and disturbing rise in acts of right-wing domestic terrorism, including anti-Semitic violence in recent years.

Unfortunately, recent events have once again confirmed that anti-Semitic violence is an urgent and growing threat to the homeland.

Just last month, the Jewish communities in New York and New Jersey areas were subject to multiple violent, hateful acts. These acts have once again reminded us why it is so important for the Federal Government to work with its State and local partners to combat anti-Semitic domestic terrorism.

Across the country we have seen that houses of worship and other religious institutions have increasingly been targeted for acts of violence. That is why I was proud to introduce H.R. 2476, the American Nonprofit Organizations Against Terrorism Act of 2019, which authorizes the Nonprofit Security Grant Program for years to come.

The program provides grants to nonprofits and faith-based organizations in both urban and rural areas to help secure their families against a potential terrorist attack. I am pleased the bill passed both the House and Senate, and I hope that the President will sign it into law shortly.

While this is an important step, Congress must make sure that all precautions are taken to protect communities targeted by hate and violence. This includes reevaluating the grants program, funding levels and working with community groups and leaders to establish meaningful partnerships to attack this issue.

Separately, I am encouraged that DHS released the first-ever strategic framework for combatting terrorism and targeted violence. Although I still have many questions as to its implementation, this strategy appears to be a step in the right direction.

I look forward to continuing oversight over the Department on this issue and working together with stakeholders to suggest further improvements in this effort.

I hope to hear today additional suggestions as to how this committee can curb domestic terrorism while respecting and protecting the civil rights and civil liberties of all Americans.

Congress must continue to advocate for policies that protect the Jewish community and all communities impacted by acts of domestic terror.

I look forward to hearing testimony from the witnesses, and I again thank Chairman Rose for convening this hearing.

I yield back.

[The statement of Chairman Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

JANUARY 15, 2020

This hearing is an opportunity for all Members of Congress to come together and condemn acts of domestic terrorism and targeted violence motivated by anti-Semitism. This issue has been a priority for this committee. As many of you heard at our May 2019 Full committee hearing entitled “Confronting the Rise of Domestic Terrorism in the Homeland”, we have seen a dramatic and disturbing rise in acts of right-wing domestic terrorism, including anti-Semitic violence, in recent years. Unfortunately, recent events have once again confirmed that anti-Semitic violence is an urgent and growing threat to the homeland.

Just last month, the Jewish communities in the New York and New Jersey areas were subject to multiple violent, hateful acts. These acts have once again reminded us why it is so important for the Federal Government to work with its State and local partners to combat anti-Semitic domestic terrorism. Across the country, we have seen that houses of worship and other religious institutions have increasingly been targeted for acts of violence. That is why I was proud to introduce H.R. 2476, the American Nonprofit Organizations Against Terrorism Act of 2019, which authorizes the Nonprofit Security Grant Program (NSGP) for years to come. The program provides grants to nonprofits and faith-based organizations in both urban and rural areas to help secure their facilities against a potential terrorist attack.

I am pleased the bill passed both the House and Senate and I hope that the President will sign it into law shortly. While this is an important step, Congress must make sure that all precautions are taken to protect communities targeted by hate and violence. This includes reevaluating the Grant Program’s funding levels and working with community groups and leaders to establish meaningful partnerships to tackle this issue. Separately, I am encouraged that DHS released their first-ever *Strategic Framework for Combating Terrorism and Targeted Violence*. Although I still have many questions as to its implementation, this strategy appears to be a step in the right direction for the Department.

I look forward to continuing oversight over the Department on this issue and working together with stakeholders to suggest further improvements to its efforts.

I hope to hear today additional suggestions as to how this committee can curb domestic terrorism while respecting and protecting the civil rights and civil liberties of all Americans. Congress must continue to advocate for policies that protect the Jewish community and all communities impacted by acts of domestic terror.

Mr. ROSE. Thank you, sir.

The Chair now recognizes the Ranking Member of the subcommittee, the gentleman from North Carolina, Mr. Walker.

Mr. WALKER. Thank you, Chairman Thompson and Chairman Rose. I appreciate your genuine passion on this topic.

I want to thank you for scheduling this important hearing and for last week's subcommittee roundtable with nonprofit groups which provide important background information for today's hearing.

We could deny what we are seeing take place, but there is no question that the rise in anti-Semitic behavior has increased. The freedom of religion means freedom of belief and the freedom of expression of those beliefs.

This cornerstone Constitutional freedom is violated when people cannot gather safely in places of worship, community centers, or even their own house.

It is also violated if they are threatened at work, on a college campus, or during community activities. In the past 14 months since a white supremacist committed the most lethal attack targeting Jews in the United States at the Tree of Life Synagogue, there have been multiple deadly anti-Semitic attacks in the United States, including San Diego, Jersey City, Rockland County, New York.

In fact, no community is immune to the threat of anti-Semitism, and that, unfortunately, includes areas I represent. Last year, weeks before Rosh Hashanah, anti-Semitic propaganda was found at Temple Emanuel in Winston-Salem, North Carolina, and later a car was damaged by gunfire outside the Chabad Jewish Student Center at Elon University as services marking the end of Yom Kippur were taking place.

Unfortunately, anti-Semitic attacks in the United States have been rising, and the trends are similar across Europe. I can remember after the shooting at Pennsylvania on that Saturday morning, I found myself at Temple Emanuel in Greensboro just wanting to reach out to my friends there and could not have been more welcomed by Rabbi Fred Guttman and Rabbi Andy Koren.

Anti-Semitic incidents in the United States demonstrate a variety of ideological motivations. The attack on the Tree of Life Synagogue was motivated by white nationalist beliefs. The Jersey City attackers were connected to the Black Hebrew Israelite Movement. No clear ideologic motivation has been identified for several of the attacks and slurs against Jews in New York City during this past month of December.

An attack on any faith is an attack on the faithful. Violent attacks and hate crimes must explicitly and soundly be condemned. There is no one solution to combat faith-based attacks, but there is more that can be done by the Government, the private sector, and the faith-based community.

We have a very distinguished panel of witnesses here today who will offer a number of recommendations, including additional non-

profit security grant funding, a greater role for fusion centers, more information sharing, and an end to the anti-Semitic boycott, divestment, and sanctions, or BDS Movement.

I look forward to hearing more about these and other recommendations from all the witnesses.

Finally, the broad range of ideologically-based hatred and our society's continued obsession with violence has left too many scars across our country. I remain fully committed to an open, bipartisan discussion about domestic terrorism, hateful ideologies, and meaningful recommendations for addressing these threats to our homeland.

We must continue to work in a bipartisan fashion to help solve the complex problems associated with not only anti-Semitism, but the proliferation of hate and intolerance.

I want to thank the witnesses, along with the Chairman, for appearing here today, and I yield back the balance of my time.

[The statement of Ranking Member Walker follows:]

STATEMENT OF RANKING MEMBER MARK WALKER

JANUARY 15, 2020

I want to thank Chairman Rose for scheduling this important hearing and for last week's subcommittee roundtable with nonprofit groups, which provided important background information for today's hearing.

Freedom of religion means the freedom of belief and the freedom of expression of those beliefs. This cornerstone Constitutional freedom is violated when people cannot gather safely in places of worship, community centers, or even their own homes. It is also violated if they are threatened at work, on a college campus, or during community activities.

In the past 14 months since a white supremacist committed the deadliest anti-Semitic attack in U.S. history at the Tree of Life Synagogue in Pittsburgh, there have been multiple deadly attacks against Jews in the United States, including in San Diego, Jersey City, and Rockland County, New York.

In fact, no community is immune to the threat of anti-Semitism, and that unfortunately includes areas I represent. Last year, weeks before Rosh Hashanah, anti-Semitic propaganda was found at Temple Emanuel in Winston-Salem and later, a car was damaged by gunfire outside the Chabad Jewish Student Center at Elon University as services marking the end of Yom Kippur were taking place. Unfortunately, anti-Semitic attacks in the United States have been rising and the trends are similar across Europe.

Anti-Semitic incidents in the United States demonstrate a variety of ideological motivations. The attacker at the Tree of Life synagogue was motivated by white nationalist beliefs, the Jersey City attackers were connected to the Black Hebrew Israelite movement, and no clear ideological motivation has been identified for several of the attacks and slurs against Jews in New York City during December 2019. An attack on any faith is an attack on the faithful. Violent attacks and hate crimes must be explicitly and soundly condemned.

There is no one solution to combat faith-based attacks but there is more that can be done by the Government, the private sector, and the faith-based community. We have a very distinguished panel of witnesses here today who will offer a number of recommendations, including additional nonprofit security grant funding, a greater role for fusion centers, more information sharing, and an end to the anti-Semitic boycott, divestment, and sanctions, or BDS, movement. I look forward to hearing more about these and other recommendations from all of the witnesses.

The broad range of ideologically-based hatred and our society's continued obsession with violence has left too many scars across our country. I remain fully committed to an open, bipartisan discussion about domestic terrorism, hateful ideologies, and meaningful recommendations for addressing these threats to our homeland. We must continue to work in a bipartisan fashion to help solve the complex problems associated with not only anti-Semitism but the proliferation of hate and intolerance.

I want to thank the witnesses for appearing here today and I yield back the balance of my time.

Mr. ROSE. Thank you, sir.

I welcome our panel of witnesses. Our first witness is Mr. Jonathan Greenblatt, the CEO of ADL, the Anti-Defamation League. Thank you for being here.

Next, we are joined by Mr. Nathan Diament, executive director, the Union of Orthodox Jewish Congregations of America.

If I could just say one thing, we have seen certainly the Orthodox community disproportionately suffering from a high rate of these anti-Semitic attacks. I have the luxury of stepping outside my home and people not necessarily knowing I am Jewish.

Our brothers and sisters in the Orthodox community do not have that luxury, and today we do acknowledge this problem, and we do thank you for your leadership, sir.

Next, we are joined by Mr. Eugene Kontorovich, and I apologize for what I am doing to all of your names, a professor of law at the Scalia Law School at George Mason University.

Finally, we have Mr. Clifford D. May, founder and president of the Foundation for the Defense of Democracies.

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

I now ask each witness to summarize his statement for 5 minutes, beginning with Mr. Greenblatt.

STATEMENT OF JONATHAN GREENBLATT, CEO, ANTI-DEFAMATION LEAGUE (ADL)

Mr. GREENBLATT. Chairman Rose, Ranking Member Walker, Chairman Thompson, and all the distinguished Members of the subcommittee, on behalf of ADL, thank you for the opportunity to testify today and share our perspective.

For more than a century ADL has been battling anti-Semitism and fighting to secure justice and fair treatment to all. We stand on the front lines of fighting hate in any form, and it is fair to say that the past few years have been the most challenging that we have seen in recent memory.

You have already mentioned some of the spots, from Pittsburgh to Poway, from Monsey to Jersey City, from El Paso to Orlando, from Charleston to Christchurch, and the list goes on.

But it is not just the high-profile violent attacks and lethal incidents that I want to talk about today. It is the kid who snaps a Heil Hitler salute for a gag. It is the swastikas scrawled on a garage door, the college campuses where Jewish students are ostracized for supporting Israel.

This moment is about women wearing wigs harassed as they ride the subway. It is about men in black hats assaulted as they cross the street. It is the idea that a person is not safe in their supermarket, in their synagogue, or in their home just because they are Jewish.

In fact, in ADL's most recent audit of anti-Semitic incidents, we recorded more than 1,800 acts in 2018, the third-highest total that we have seen in 40 years. The results came on the heels of our 2017 audit, which documented a 57 percent surge over the prior year, the largest on record.

In 2019, in New York City alone, there were more anti-Jewish hate crimes than all the other hate crimes put together.

Now, what may surprise you is that this increase is happening against a backdrop of steady, relatively low levels of anti-Semitic attitudes among the general population. That is, our fellow Americans are not hating more, but there is a growing group of people who are acting out on hate.

So why is that? First, we have leading voices in our Nation from both sides of the political spectrum, in academic institutions, in the media, in other stations in public life who are normalizing anti-Semitism.

They are using anti-Semitic myths and tropes about globalists controlling government, Jewish money destroying our borders, dual loyalty to Jewish citizens, or attacking the Jewish state with the same dangerous myths that were used throughout history to demonize the Jewish people.

All of this de-stigmatizes anti-Semitism and renders it routine. That is why it is so important that we call out anti-Semitism whenever it happens, but especially when it is uttered by our own allies and friends.

We need leaders to stop politicizing anti-Semitism and weaponizing it for partisan gain, no matter what their political affiliation. We need citizens to step up and demand more of people in public life, that they should insist on a zero-tolerance policy on intolerance, full stop.

That is where, Mr. Chairman, I will just acknowledge that you have shown real courage in speaking out, and I applaud you for it.

Now, a second reason is that we have on-line platforms that tolerate anti-Semitism and hate. I am not talking about just adults, but children can find horrific hate taking place on-line with just a click or a swipe 24–7, 365 days a year.

Now, as someone who has managed engineers and built software products in Silicon Valley, I know the culture there, and I know full well that tech can do good, but it is impossible to ignore the fact that it has become an amplifier, a connector, a catalyst for some of the worst types of hate in our society.

So it is long overdue for the social media companies to step up and shut down the Neo-Nazis on their platforms. Companies like Twitter and Facebook need to apply the same energy to protecting vulnerable users that they apply to protecting their corporate profits. That will take putting more pressure on these companies and perhaps even new regulations.

But today I want to follow up on what the Chairman said. This is not the time for thoughts and prayers. We need resources and action. So let me give you some ideas of what you can do right now across party lines.

No. 1, pass the Domestic Terrorism Prevention Act to ensure that law enforcement agencies deal with violent extremists on the home front.

Pass the No Hate Act to ensure local law enforcement is trained up on how to deal with this.

Pass legislation to hold the perpetrators of on-line hate accountable, the On-line Safety Modernization Act.

Fourth, pass the Never Again Holocaust Education Act so children are educated about the evils of prejudice unbound.

Fifth, fund, fully fund the Nonprofit Security Grants Program to shore up at-risk institutions and meet the needs of all faith groups, synagogues, their schools, their community centers. Do that today.

Last, I want to encourage the State Department to examine whether white—violent white supremacist organizations overseas, those frequently connecting with and inspiring equally violent hate groups here at home meet the criteria to be designated Foreign Terrorist Organizations. If these groups are a threat to our homeland and if Americans are supporting them, we can bring the full force of the law and society against them.

ADL stands ready to serve as your partner. I am grateful for the opportunity to be here and look forward to your questions.

[The prepared statement of Mr. Greenblatt follows:]

PREPARED STATEMENT OF JONATHAN GREENBLATT

JANUARY 15, 2020

Chairman Rose, Ranking Member Walker, and distinguished Members of the subcommittee: On behalf of ADL, thank you for the opportunity to testify before you today.

Anti-Semitic attacks, harassment, and on-line hate have each hit historically high rates in the last few years, and they are all interconnected. They are occurring in a polarized political and cultural environment in which hate, domestic terror, and specifically white supremacist violent extremism—which is responsible for the vast majority of extremist-related murders in the United States in recent years—are increasingly threatening all Americans. Anti-Semitism is an age-old form of hatred that plays on slanderous tropes about the Jewish people and finds its voice in every era. Yet, as Jews across the world know all too well, hate might begin with the targeting of one group of people, but it rarely stops with them.

Addressing anti-Semitism requires a whole-of-Nation approach. ADL's 25 regional offices stand on the front lines of Jewish communities, offering services, support, and expertise to anyone who experiences anti-Semitism. We also stand with our allies in other communities of faith and with those in all communities who have been targeted by hate. We must all speak out against such hate at every opportunity. We must also look at our education systems, at our law enforcement capacity and training, at our on-line social media platforms, and at changes to our laws to immediately and effectively combat anti-Semitic violence.

ADL'S ROLE IN COMBATING ANTI-SEMITISM

Since 1913, the mission of ADL has been “to stop the defamation of the Jewish people and to secure justice and fair treatment to all.” ADL fights against anti-Semitism and bigotry in many ways, beginning with monitoring and exposing extremist groups, individuals, and movements who spread hate and commit acts of violence. Today, ADL is the foremost non-governmental authority on domestic terrorism, extremism, hate groups, and hate crimes.

Through our Center on Extremism, whose experts monitor a variety of extremist and terrorist movements and individuals, ADL plays a leading role in identifying, exposing, and disrupting extremist movements and activities, while helping communities and Government agencies alike in combating them. ADL's team of experts—analysts, investigators, researchers, and linguists—use cutting-edge technologies and investigative techniques to track and disrupt extremists and extremist movements world-wide. And today our technology and tech policy experts are developing path-breaking tools to identify and measure on-line hate.

Indeed, ADL has worked to address hateful abuses of digital platforms since the 1980's, when extremists were using early electronic bulletin boards to organize and spread their repugnant ideology. In 2017, ADL formed the Center for Technology and Society, based in Silicon Valley. Through it, we work on unique ways to measure anti-Semitism and other forms of hate, leveraging the deep expertise of our researchers, working on tools to measure hate across platforms, and evaluating the effectiveness of the policies, tools, and enforcement efforts of tech platforms.

ADL is developing new tools to measure the incidence of hate on-line and off because it is not possible to effectively counter something unless it is identified and measured. Among the tools we are developing or continue to update: the Online

Hate Index, to measure anti-Semitism on-line;¹ the ADL Audit of Anti-Semitic Incidents;² ADL's Tracker of Anti-Semitic Incidents, a daily compilation of recent cases of anti-Jewish vandalism, harassment, and assaults reported to or detected by ADL;³ and our proprietary, interactive, and customizable H.E.A.T. MapTM,⁴ which provides details on extremist and anti-Semitic incidents Nation-wide that can be filtered by region and type.

ADL is also the country's largest non-Governmental provider of training for law enforcement on hate crimes, extremism, and terrorism. ADL provides law enforcement with information, expertise, and actionable intelligence to prevent, disrupt, and respond to those extremists who cross the line from espousing hateful ideologies to committing or inciting violent, criminal acts, thus protecting the Jewish community and all Americans. We also deliver training geared to building trust between police and the people and communities they serve. Each year, ADL experts deliver customized, in-depth training to more than 15,000 Federal, State, and local law enforcement personnel at a wide range of agencies.⁵

ADL's Education Department provides educational programs, training, and resources for grades PreK–12 and college/university settings. Our anti-bias and bullying prevention programs assist educators and students in understanding and challenging bias and building ally behaviors. Our work in confronting anti-Semitism empowers young people with constructive responses to combat anti-Semitism. We support mandatory Holocaust education and also have programs, resources, and award-winning curricula that can be used to train educators and enable students to explore and critically reflect on the lessons of the Holocaust and of other genocides.

ADL's Civil Rights and Government Relations, Advocacy, and Community Engagement (GRACE) Departments help draft and promote Federal and State legislation to address hate violence and domestic terrorism. ADL drafted an anti-paramilitary training statute adopted by more than a dozen States, the first model State hate crime legislation in 1981,⁶ and a model bullying prevention statute in 2009.⁷ ADL has filed amicus briefs in the Supreme Court and many lower courts defending the constitutionality of a number of hate crime and anti-terrorism laws.⁸

TRENDS IN ANTI-SEMITIC INCIDENTS

In recent years we have watched in horror as anti-Semitic incidents, and, in particular violent attacks, have been on the rise. Many of these have their most devastating impact on individual victims and those closest to them. Often these incidents also send shockwaves and even terror through the Jewish community and our allies. They reverberate through the media and are shared widely across the internet. They have come to shape the narrative of Jewish American self-perception.

Since 1979, ADL has published an annual Audit of Anti-Semitic Incidents—a tally and analysis of incidents of anti-Semitic harassment, vandalism, and assault in the United States which we have identified over the course of each year. These incidents include criminal and non-criminal expressions of anti-Semitism. The vast majority of the incidents in our Audit are reported to our regional offices by individuals or groups in the Jewish community; they are supplemented by media reports, information shared with us by law enforcement agencies, and reports on extremist activity by ADL experts working in the Center on Extremism. In addition to our annual audit, we just launched ADL's Tracker of Anti-Semitic Incidents this year in the face of increased daily incidents of anti-Jewish vandalism, harassment, and assault reported to or detected by ADL.⁹

ADL records anti-Semitic incidents in three major categories: Harassment (in which a Jewish person or group of people feel harassed by the perceived anti-Semitic words or images, spoken, or written, or actions of another person or group); Vandalism (in which property is damaged in a manner that indicates the presence of anti-Semitic animus or in a manner that attacks Jews for their religious affili-

¹ ADL, *The On-line Hate Index* (<https://www.adl.org/resources/reports/the-online-hate-index>).

² ADL, *Audit of Anti-Semitic Incidents: Year in Review 2018* (<https://www.adl.org/audit2018>).

³ ADL, *Tracker of Anti-Semitic Incidents* (<https://www.adl.org/adl-tracker-of-anti-semitic-incidents>).

⁴ ADL, *ADL H.E.A.T. Map: Hate, Extremism, Anti-Semitism, Terrorism* (<https://www.adl.org/heat-map>).

⁵ ADL, *Law Enforcement Trainings* (<https://www.adl.org/who-we-are/our-organization/signature-programs/law-enforcement-training>).

⁶ ADL, *Hate Crime Laws: The ADL Approach* (<https://www.adl.org/media/2143/download>).

⁷ ADL, *Chart of Bullying Prevention Laws* (<https://www.adl.org/media/12580/download>).

⁸ ADL, *Amicus Brief Database*, (<https://www.adl.org/education-and-resources/resource-knowledge-base/amicus-brief-database>).

⁹ ADL, *Tracker of Anti-Semitic Incidents* (<https://www.adl.org/adl-tracker-of-anti-semitic-incidents>).

ation); and Assault (in which people's bodies are targeted with violence accompanied by evidence of anti-Semitic animus).

In 2018, the last year for which we have complete numbers, we recorded 1,066 cases of harassment Nationally, an increase of 5 percent from 2017; 774 cases of vandalism, a decrease of 19 percent from 2017; and 39 cases of assault, an increase of 105 percent from 2017.

The ADL Audit's subcategory of physical assault on Jewish individuals is particularly concerning, because it is the one subcategory which we project will increase in 2019, from a total of 39 in 2018 to more than 50 incidents in 2019. Not only did the number of incidents increase, but the number of victims of these assaults also continues to climb: From a total of 21 victims in 2017, to 59 in 2018, and rising to an estimated 80 in 2019. That would be nearly a four-fold estimated increase in the number of victims of anti-Semitic assaults in the United States in over just 2 years.

ANTI-SEMITIC DOMESTIC TERRORISM

We have witnessed some particularly shocking high-profile deadly assaults on Jewish Americans, which have targeted Jews within Jewish institutions over the last 2 years. These incidents are part of a broader trend in the United States of mass-casualty attacks perpetrated by ideologically-inspired violent extremists. This trend requires a more concerted Federal response to combat the epidemic of domestic terrorism.

The October 27, 2018 assault against the 3 congregations that meet in the Tree of Life Synagogue in Pittsburgh was the deadliest known attack specifically targeting the Jewish community in the history of the United States. During this attack, an alleged white supremacist entered the synagogue and opened fire with semi-automatic weapons, killing 11 worshippers and injuring 2 others. An additional 4 law enforcement officers were injured while responding to the shooting. The perpetrator is reported to have yelled, "All Jews must die" during the assault, and subsequent investigations revealed that he had held strong white supremacist and anti-Semitic beliefs for years. The purported motivation for the attack in Pittsburgh was the alleged perpetrator's belief, widely shared by white supremacists and set forth in some of his on-line posts on Gab, that Jews are behind efforts to impose mass immigration on the United States, with the goal of harming or destroying the white race.

High-profile violent attacks on Jews and Jewish institutions continued in 2019. During this period, our community suffered a deadly assault on a synagogue in Poway, CA; a mass shooting at a kosher marketplace in Jersey City; and a violent stabbing attack at the home of a rabbi in Monsey, NY, during a Hanukkah celebration.

In Poway, on Saturday April 27, 2019, a 19-year-old individual allegedly opened fire inside the Chabad congregation, leaving 1 dead and 3 injured. The assault, which took place on the last day of Passover, occurred exactly 6 months after the deadly shooting rampage at Tree of Life Synagogue in Pittsburgh. According to reports, the gunman entered the synagogue armed with an AR-style rifle and a handgun and called 9-1-1 on himself as he drove away from the attack.

ADL's immediate research, within hours of the incident, determined that the alleged gunman may have posted a white supremacist letter/manifesto to the document-sharing site PasteBin on the morning of the attack.¹⁰ The post, in which a user identifies himself with the same name as the alleged gunman, details his hatred for Jews and all non-Christians, and refers admiringly to the alleged Pittsburgh shooter as well as the gunman who murdered over 50 people who were praying at two mosques in March 2019 in Christchurch, New Zealand. The letter includes a laundry list of anti-Semitic conspiracy theories, among them the long-standing white supremacist assertion that Jews are orchestrating non-white immigration which "threatens" the white race. "Every Jew is responsible for the meticulously planned genocide of the European race," the letter states, adding "for these crimes they deserve nothing but hell."

In Jersey City, on December 10, a kosher market was sprayed with gunfire, resulting in the death of 3 people: The store's co-owner, an employee, and a customer. On December 12, New Jersey Attorney General Gurbir Grewal held a press conference in which he stated that the shooting was being investigated as an act of domestic terrorism motivated by anti-Semitic and anti-law enforcement sentiments.

¹⁰ADL, *Deadly Shooting at California Chabad Highlights Threat to Jewish Houses of Worship* (<https://www.adl.org/blog/deadly-shooting-at-california-chabad-highlights-threat-to-jewish-houses-of-worship>).

One alleged shooter, who is also reported to have killed a police officer in an earlier incident, appears to have been an adherent of Black Hebrew Israelite ideology. Many proponents of this particular ideology harbor intense anti-Semitism and assert that Jews have stolen the mantle of the biblical tribes of Israel from indigenous peoples of Africa and the Americas.

In the days following the shooting, ADL's Center on Extremism uncovered more disturbing details of the alleged shooter's ideology through various social media accounts he appears to have used.¹¹ Numerous posts in a Facebook account illustrate his hatred for Jews, whom he sometimes refers to as Khazars—a reference to an anti-Semitic conspiracy theory that modern Jews are descendants of an Eastern European tribe from the eleventh century. In July 2015, he wrote, “Brooklyn is full of NAZIS—ASHKE-NAZIS (KHAZARS).” (“Ashkenazi” is the name of a Jewish ethnic group, which includes many Hassidic and ultra-Orthodox Jews.) He went on to allege that Jews were responsible for murdering black men because “the police are their hand now.”

This Jersey City suspect's potential for violence was presaged in a July 2015 post in which he wrote that he could not wait for “Yahawah” (God) to have “his angel blow that shufar [sic] and give the order to dash little edomites against the stones” because he had a “RIGHTEOUS vengefulness within” him waiting to be released and that he could use “all of his edomite military anti-terrorist [sic] training” against his enemies. In Black Hebrew Israelite theology, “Edomites” refer to the enemies of God, including white people, whom they believe to be descended from the biblical patriarch Jacob's brother Esau, who was also known as Edom. It is clear from his writing that this Jersey City suspect used this term to refer disparagingly to Jewish people.

In Monsey, NY, on December 28, 2019, a Hanukkah gathering was shattered when a man entered a local rabbi's home armed with a large knife and began stabbing people.¹² The attack left 5 injured, 1 critically. The following day, police in Ramapo, New York, charged the alleged assailant with 5 counts of attempted murder and 1 count of burglary. He pled not guilty at his December 29 arraignment. The next day, Federal prosecutors filed hate crimes charges against him, and authorities released a criminal complaint that may provide insight into the motivation for his Saturday night attack. While searching his home, police found handwritten anti-Semitic messages, a cryptic mention of Black Hebrew Israelites, references to Hitler and “Nazi Culture” and sketches of a swastika and a Star of David. He also reportedly used his phone to search for local “Zionist temples” and “German Jewish temples near me.”

While the terrorist incidents listed above were the most destructive to their victims, Jews in the New York metropolitan area are also still reeling from at least 30 incidents of harassment, vandalism, and assault in Brooklyn, Manhattan, and Queens. Moreover, during the 6-week period from December 1, 2019 through January 10, 2020, ADL has confirmed at least 46 anti-Semitic incidents across New York State, up from 32 during the same 6-week period a year ago.

ANTI-SEMITISM BY WHITE SUPREMACISTS

This growing anti-Semitic violence is happening at a time when domestic terrorism across the board is also disturbingly high and is primarily the result of white supremacist violent extremism. Three of the 5 deadliest years for murders by domestic extremists in the period between 1970 and 2018 were between 2013 and 2018. Of the 50 murders committed in the United States by extremists in 2018, 78 percent were tied to white supremacy. Between 2009 and 2018, domestic extremists of all kinds killed at least 427 people in the United States. Of those deaths, approximately 73 percent were at the hands of right-wing extremists such as white supremacists, sovereign citizens, and militia adherents.

Regarding violent anti-Semitism by white supremacists, since the deadly rampage at Pittsburgh's Tree of Life synagogue, at least 13 white supremacists were arrested for their alleged roles in terrorist plots, attacks or threats against the Jewish community specifically. Many of the arrested individuals cited—and apparently sought to mimic—previous anti-Semitic murderers.¹³

¹¹ ADL, *Center on Extremism Uncovers More Disturbing Details of Jersey City Shooter's Extremist Ideology* (<https://www.adl.org/blog/center-on-extremism-uncovers-more-disturbing-details-of-jersey-city-shooters-extremist>).

¹² ADL, *Stabbing Attack at Monsey Hanukkah Party Leaves Five Injured* (<https://www.adl.org/blog/stabbing-attack-at-monsey-hanukkah-party-leaves-five-injured>).

¹³ ADL, *Latest ADL Data: At Least 12 White Supremacists Arrested for Plots, Attacks & Threats Against Jewish Community Since the Deadly Pittsburgh Shooting* (<https://www.adl.org/blog/latest-adl-data-at-least-12-white-supremacists-arrested-for-plots-attacks-and-threats-against-jewish-community-since-the-deadly-pittsburgh-shooting>).

In our 2018 report, “New Hate and Old: The Changing Face of White Supremacy in the U.S.” we noted that the white supremacist “Unite the Right” rally in Charlottesville, Virginia, in August 2017 that tragically killed Heather Heyer attracted some 600 extremists from around the country.¹⁴ The movement is not as open about its true objectives as it was in the 1980’s and early 1990’s, when racist skinheads dominated white supremacists’ ranks. Today, many white supremacists seek to dress discreetly and use coded language. Within the white supremacist community, there is some disagreement on strategy. Some factions feel the need to consider “optics” and purposefully obfuscate their views in order to infiltrate mainstream politics, whereas others, arguing that “white genocide” could be imminent, seek “accelerationism,” hoping to purposefully spark a race war. With one approach involving secrecy and coded language, and the other sometimes including seemingly random acts of violence, both approaches are alarming in their potential to result in tragedy.

Of the 249 anti-Semitic incidents in our 2018 Audit attributable to hate groups or extremists, most of these were perpetrated by white supremacists. For example, 142 of them took the form of anti-Semitic fliers and/or banners, which are categorized as harassment. The flier distributions are designed not only to spread and normalize anti-Semitism, but also to recruit new members, draw media attention and, in the words of the Daily Stormer website, to “trigger the living hell out of Jews and their leftist acolytes.” The vast majority of these distributions were part of coordinated campaigns by white supremacist groups, particularly Daily Stormer Book Clubs and Loyal White Knights.

The Daily Stormer Book Clubs’ 2018 flier campaigns blamed Jews for: Justice Brett Kavanaugh’s fraught confirmation process and the allegations of misconduct that he faced; the de-platforming of right-wing conspiracy theorist Alex Jones on social media and other platforms; and the debate in Congress over gun control laws in the wake of the Marjory Stoneman Douglas High School mass shooting in Parkland, Florida.

The Loyal White Knights’ 2018 anti-Semitic fliers blamed Jews for orchestrating an “open border policy” and accused Jews of controlling the Government, the media, and the criminal justice system. Loyal White Knights is one of the country’s largest and most active Klan groups and is best known for distributing racist, anti-Semitic, anti-immigrant, homophobic, and Islamophobic propaganda.

ANTI-ZIONIST ANTI-SEMITISM

Anti-Semitism in the guise of anti-Israel sentiments spans the ideological spectrum. A number of anti-Semitic incidents in the 2018 Audit included references to Israel or otherwise targeted Jews for their purported connection to Israel.¹⁵ Israeli policies—like any other government’s policies, including those of our own country—can and should be robustly and publicly debated. Certainly, Israel’s policies are the subject of much debate and differing views among the Jewish community in the United States.

But at times this ostensible debate about Israeli policies crosses the line into anti-Semitism. ADL includes anti-Israel incidents in the Audit if they invoke or are accompanied by classic anti-Semitic stereotypes and tropes (such as alleging that Jews/Zionists control the government), if they target Jewish religious or cultural institutions, or if they are expressed by groups or individuals who consistently express anti-Semitic ideas. The Audit found 140 anti-Semitic incidents in 2018 that referenced Israel or Zionism. Ninety-five of those incidents related to white supremacist activity, including 80 robocalls in California from Scott Rhodes in support of neo-Nazi and former California Republican Senate candidate Patrick Little, in which Rhodes left individuals and synagogues alleging that, “nation-wrecking Jews,” including Senator Dianne Feinstein, are drawing the United States into “Middle East wars based on lies so that Israel can eventually expand its borders like it always planned.”

In addition, the steady drumbeat of extreme anti-Zionist sentiments which may be heard in some segments of the progressive left can have the effect of stigmatizing and traumatizing American Jews, the majority of whom feel that Israel and Zionism

www.adl.org/news/press-releases/latest-adl-data-at-least-12-white-supremacists-arrested-for-plots-attacks).

¹⁴ADL, *New Hate and Old: The Changing Face of American White Supremacy* (<https://www.adl.org/new-hate-and-old>).

¹⁵ADL, *Audit of Anti-Semitic Incidents: Year in Review 2018* (<https://www.adl.org/audit2018>).

play an important role in their Jewish religious or cultural identities.¹⁶ Many Jews, including those who are critical of Israeli government policies, consider Zionism to be a positive movement of Jewish self-determination, borne out of millennia of diaspora and of persecution in nearly every land in which they settled. Increasingly, rejection of Zionism and the Jewish state is imposed as a litmus test to determine whether individual Jews—or Jewish groups—exhibit sufficient progressive bona fides to warrant inclusion in progressive circles or initiatives. This singles out Jews and can exclude and discriminate against them in ways to which no other religious group faces. Although the rhetoric that moves from criticism of Israeli policies to wholesale rejection of the legitimacy of a Jewish state and those who support its right to exist is hard to quantify, its impact on some parts of the Jewish American community cannot be overstated.

When anti-Israel activity on campus specifically crosses the line and students are intentionally harassed or discriminated against and deprived of an equal educational opportunity because they are Jewish, ADL believes that it is first and foremost the responsibility of university leadership at the highest levels to address it. If the university is slow to respond or its response falls short of what is necessary to protect its Jewish students and faculty, the President’s Executive Order on Combating Anti-Semitism issued in December 2019 confirms that Federal agencies can investigate, which we believe to be an important backstop.

The Executive Order, as written, goes no further than the practice of the Department of Education under President Obama. It does not, and should not, give universities a license to silence voices on campus, including those that criticize the policies of the Israeli government. But by referencing the International Holocaust Remembrance Alliance (IHRA) definition of anti-Semitism, it does provide important guidance to help universities determine when advocacy crosses the line to targeted, discriminatory, unlawful anti-Semitic conduct, and it gives the Department of Education further recourse to protect Jewish American students and ensure a harassment-free education environment. The Executive Order is clear that the IHRA definition—established in 2016 by an organization made up of 34 member countries, including the United States—should be taken into consideration as evidence of anti-Semitic discriminatory intent.

ANTI-SEMITISM ON-LINE

The internet allows all types of anti-Semitism to spread faster than it ever has before. A meme that is generated by a dedicated anti-Semite on a toxic platform like Gab or Telegram can be disseminated almost instantly on more mainstream social media sites like Facebook, YouTube, Twitter, or Reddit, where it may spread faster than content moderators can catch. Podcasting and video-sharing sites like YouTube allow anti-Semites to broadcast their hateful ideology and speak directly to watchers—some of whom may have been “served” the hateful content by an algorithm that is trained to increase user engagement, which in some cases might mean recommending extremist content. Social media also offers community with like-minded individuals and groups: On-line forums allow isolated anti-Semites to become more active and involved in virtual campaigns of ideological recruitment and radicalization. Individuals can easily find sanction, support, and reinforcement on-line for their extreme beliefs or actions, and the internet offers a reading and viewing library of tens of thousands of anti-Semitic pieces of content. White supremacists, for example, can easily access sites and content that serve the role of a 24/7 neo-Nazi rally.

Quantifying on-line anti-Semitism is a major challenge which academics, activists, and watchdog organizations like ADL have been working on for years. Sometimes it appears as if anti-Semitism is an endemic part of the background environment of on-line spaces.

For example, we released a report which found that approximately 4.2 million tweets from 3 million accounts expressed anti-Semitic sentiment during 2017.¹⁷ The report, *Quantifying Hate: A Year of Anti-Semitism on Twitter*, included week-by-week breakdowns of how anti-Semitism percolated through the platform and provided qualitative assessments of 8 anti-Semitic themes. Of course, a dataset of 4.2 million tweets is a very small number compared to the trillions of tweets sent on the platform each year. But that does not negate the impact this has on the lived experience of Jews, many of whom have found Twitter to be a toxic environment.

¹⁶American Jewish Committee, *AJC 2019 Survey of American Jewish Opinion* (<https://www.ajc.org/news/survey2019>).

¹⁷ADL, *Quantifying Hate: A Year of Anti-Semitism on Twitter* (<https://www.adl.org/resources/reports/quantifying-hate-a-year-of-anti-semitism-on-twitter>).

Further study of anti-Semitism on Twitter found that, in the lead up to the 2018 midterm elections, tactics of disinformation were being used to spread anti-Semitism on the platform.¹⁸ In November 2018, we released a report from one of ADL's Belfer Fellows and University of Texas Professor Samuel Woolley, who studies how automation and algorithms are used over social media and other digital technologies to enable both democracy and civic control. The report, entitled "Computational Propaganda, Jewish-Americans and the 2018 Midterms: The Amplification of Anti-Semitic Harassment Online," found that nearly 30 percent of accounts engaging in anti-Semitic behavior were in fact bots, and that those bots made up over 40 percent of the anti-Semitic content in that time period. The qualitative results found that for the Jewish public figures who participated in the study experiencing threats of violence and deluges of anti-Semitism had become part of their internal calculus for engaging in public life.

More recently, we conducted a study of anti-Semitism on YouTube.¹⁹ For years, YouTube has officially prohibited content which promotes or condones violence or incites hatred against individuals or groups based on core characteristics such as ethnicity, gender and sexual identity, and religion. In June 2019, it updated that policy with specific prohibitions against ideologies like white supremacy, which asserts the superiority of one group in order to justify discriminating against or persecuting other groups. For the first time it also prohibited content which denied the existence of violent events like the Holocaust or certain mass shootings like that at the Sandy Hook elementary school.²⁰

Despite these policies, ADL's August 2019 study of YouTube identified a significant number of channels on YouTube's platform that continued to disseminate anti-Semitic and white supremacist content. We conducted more focused analyses of 5 overtly anti-Semitic channels, which promulgated a variety of slanderous allegations and tropes that have been used for generations to stoke fear and hatred of Jews. Altogether, the videos on these 5 anti-Semitic channels had been viewed more than 81 million times as of July 2019. To date, 4 of the 5 channels remain active on YouTube. These and many more channels that have not been closely studied continue to pump anti-Semitic poison into our on-line ecosystem.

Anti-Semitism festers in other, less well-known on-line spaces. ADL's Center on Extremism has performed deep dives into such platforms, among them Gab,²¹ 8chan,²² Telegram,²³ VK,²⁴ and Fascist Forge.²⁵

This anti-Semitism on-line can have major impacts on Jews who must navigate those spaces for work or recreation. The experience of being attacked on the internet for being Jewish has repercussions far beyond the on-line environment. Its effects can spill over into the real world in the form of social anxiety and exclusion, financial loss, depression and thoughts of self-harm, and these effects can last for months, if not years.

In 2019, we published a collection of in-depth qualitative interviews that revealed the emotional pain and financial loss experienced by victims of on-line abuse. In one incident, a Jewish business owner was targeted through anti-Semitic posts in an attempt to drive away business and that campaign resulted in months of lost potential income. In another study that was based on a Nationally-representative survey of video gamers, ADL's Center on Technology and Society found that 19 percent of Jewish respondents experienced hate and harassment based on their identity as a Jew. More worrisome is that between 8 and 23 percent of respondents across the spectrum of identities confessed to adjusting how they socialize, considering self-

¹⁸ ADL, *Computational Propaganda, Jewish-Americans and the 2018 Midterms: The Amplification of Anti-Semitic Harassment Online* (<https://www.adl.org/resources/reports/computational-propaganda-jewish-americans-and-the-2018-midterms-the-amplification>).

¹⁹ ADL, *Despite YouTube Policy Update, Anti-Semitic, White Supremacist Channels Remain* (<https://www.adl.org/blog/despite-youtube-policy-update-anti-semitic-white-supremacist-channels-remain>).

²⁰ Donie O'Sullivan, "YouTube says it'll ban accounts that promote Nazism or deny Sandy Hook massacre," *CNN*, June 5, 2019. (<https://www.cnn.com/2019/06/05/tech/youtube-nazi-ban/index.html>).

²¹ ADL, *When Twitter Bans Extremists, Gab Puts Out the Welcome Mat* (<https://www.adl.org/blog/when-twitter-bans-extremists-gab-puts-out-the-welcome-mat>).

²² ADL, *Gab and 8chan: Home to Terrorist Plots Hiding in Plain Sight* (<https://www.adl.org/resources/reports/gab-and-8chan-home-to-terrorist-plots-hiding-in-plain-sight>).

²³ ADL, *Telegram: The Latest Safe Haven for White Supremacists* (<https://www.adl.org/blog/telegram-the-latest-safe-haven-for-white-supremacists>).

²⁴ ADL, *VK.com: Linking American White Supremacists to International Counterparts* (<https://www.adl.org/blog/vkcom-linking-american-white-supremacists-to-international-counterparts>).

²⁵ ADL, *Fascist Forge: A New Forum for Hate* (<https://www.adl.org/blog/fascist-forge-a-new-forum-for-hate>).

harm, or taking precautions to ensure physical safety because of their experience with on-line hate and harassment. Alarming, nearly 23 percent of on-line gamers were exposed to white supremacist ideology through in-game social interactions. Anti-Semitic rhetoric seems to exist in every category of on-line social space.

In the past several months, new anti-Semitic trolling efforts by white supremacists have weaponized lists of Jews by variously posting their images, personal information such as names, places of employment, and schools they attend, as well as links to the targets' social media accounts. Lists of Jews in any form on white supremacist platforms are alarming, especially given the on-going threats of anti-Semitic violence and the targeting of synagogues and Jewish organizations. While some trolling tactics do not explicitly call for violence against Jews, it is impossible to know who might interpret the lists and photographs as a call to action.²⁶

ANTI-SEMITIC HATE CRIMES

Hate crimes are another element of the anti-Semitic incidents that we track, and they underline the rise in hate in our country. The most recent data about hate crimes made available by the FBI is for 2018.²⁷ The FBI has been tracking and documenting hate crimes reported from Federal, State, and local law enforcement officials since 1991 under the Hate Crime Statistics Act of 1990 (HCSA). Though clearly incomplete, the Bureau's annual HCSA reports provide the best single National snapshot of bias-motivated criminal activity in the United States. The Act has also proven to be a powerful mechanism to confront violent bigotry, increasing public awareness of the problem and sparking improvements in the local response of the criminal justice system to hate violence—since in order to effectively report hate crimes, police officials must be trained to identify and respond to them.

The FBI found that, including the 11 murders at the 3 congregations in the Tree of Life Synagogue building in Pittsburgh, 2018 saw the highest number of hate crime murders on record, with 24 victims. The FBI documented a slight decrease in overall reported hate crimes—from 7,175 in 2017 to 7,120 in 2018—after 3 consecutive years of increases. But the FBI HCSA report also documented the highest number of personal attacks in the past 15 years, and the largest number of incidents involving personal attacks since 2001. Further:

- While religion-based hate crimes decreased by 8 percent from 2017, nearly 60 percent of reported religion-based hate crime attacks were targeted against Jews or Jewish institutions in 2018.
- Race-based hate crimes were once again the most common type of hate crime, as in every previous year. Nearly 50 percent of race-based hate crimes were directed against African-Americans.
- Anti-Hispanic hate crimes increased 14 percent, the third straight year of increased reporting.
- Crimes directed against LGBTQ people increased 5.7 percent, from 1,130 in 2017 to 1,196 in 2018.
- 2018 also saw a significant 42 percent increase in crimes directed against transgender individuals, up from 119 in 2017 to 168 in 2018.

The FBI data is based on voluntary local law enforcement reporting to the Bureau, and a serious reporting gap remains. One hundred and ten fewer law enforcement agencies participated in the HCSA program in 2018, meaning that they failed to report any data, following record-high participation in 2017. In addition, at least 85 cities with populations exceeding 100,000 residents either did not report any data to the FBI or affirmatively reported zero hate crimes. Alabama and Wyoming reported zero hate crimes for 2018. Based on our experience, these reports of zero hate crimes are not credible.

Moreover, we need to remember that these are only the crimes reported to authorities. For a variety of reasons, many communities and individuals do not feel comfortable going to law enforcement in the first place, leading ADL's experts and other experts to conclude that there is certainly an undercount of hate crimes resulting from unwillingness to report.

POLICY RECOMMENDATIONS TO CONFRONT THE RISE OF ANTI-SEMITIC DOMESTIC TERRORISM

Effectively confronting the rise in anti-Semitic domestic terrorism requires us to combat anti-Semitism in all of its forms and wherever it emerges. It also requires

²⁶ ADL, *New Trolling Efforts Target Jews' Appearance, Attempt to Sow Political Division* (<https://www.adl.org/blog/new-trolling-efforts-target-jews-appearance-attempt-to-sow-political-division>).

²⁷ FBI, *2018 Hate Crime Statistics, 2018* (<https://ucr.fbi.gov/hate-crime/2018>).

us to combat all forms of bigotry and bias-motivated criminal conduct, since the demonization of Jewish people thrives when vulnerable groups are being unfairly singled out as scapegoats. Anti-Semitism thrives during times of economic, social, or political upheaval, when scapegoats are sought. And, as noted in the beginning of this testimony, that may start with the Jews, but it never ends with the Jews.

The following are measures that, taken together, can help combat the rise in anti-Semitic domestic terrorist incidents as well as anti-Semitic attitudes and incidents in general:

1. Use the Bully Pulpit

a. The President, Cabinet officials, and Members of Congress must call out anti-Semitism and bigotry at every opportunity. The right to free speech is a core value, but the promotion of hate should be vehemently and consistently rejected. Simply put, you cannot say it enough: America is no place for hate.

b. In this environment, the importance of ensuring that the fight against anti-Semitism not be politicized, all the more so during an election year, cannot be overstated. To try to weaponize the fight against anti-Semitism to divide the Jewish community or to divide it from its allies in other vulnerable communities is destructive and morally indefensible. For example, tacking on legislation to combat anti-Semitism with the intent to kill other, unrelated legislation, must be identified and rejected by legislators on both sides of the aisle. Attempts by the Executive branch to politicize the fight against anti-Semitism should be identified and rejected by legislators on both sides of the aisle. Necessary hearings about the threat of white supremacy in the United States should not be derailed because “left-wing” anti-Semitism isn’t being given equal time. And the fact that right-wing extremism has posed the most violent threat against Jews and other vulnerable communities in the United States in recent years should not be allowed to obfuscate the fact that anti-Semitism can also be expressed as anti-Zionism and anti-Israel activity when it seeks to single out and delegitimize the Jewish state and all those who support its existence. To be aware and to fight these manifestations of hate, divisiveness, and bigotry not just when they appear in their most egregiously hateful form, but when they appear coded or obfuscated or in disingenuous form, must be a priority for all in Congress.

That is why I sent a letter to Congressional leadership in March 2019 urging them to work together to stop the growing partisan weaponization of anti-Semitism, and instead work together to combat this scourge. The House and Senate Bipartisan Task Forces for Combating Anti-Semitism are good models for working across the aisle and I urge you all to join the House task force.

2. Improve Federal Hate Crime Data Collection, Transparency, and Support

a. The Department of Justice should incentivize and encourage State and local law enforcement agencies to more comprehensively collect and report hate crimes to the FBI, with special attention devoted to large underreporting law enforcement agencies that either have not participated in the FBI Hate Crime Statistics Act program at all or have affirmatively and not credibly reported zero hate crimes. More comprehensive, complete hate crime reporting can deter hate violence—including anti-Semitic hate crimes—and advance police-community relations.

b. The Federal Government should provide funding for criminal investigations and prosecutions by State, local, and Tribal law enforcement officials, as authorized by Section 4704 of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009.

3. Fully Fund Programs Supporting Community Security

a. ADL supports the right of non-profit religious institutions objectively deemed to be at high risk of attack to participate in Federal, State, and local government programs providing funding for security, provided adequate church-state separation and anti-discrimination safeguards are in place. These grants should fully fund the actual need. While ADL remains deeply committed to our longstanding position in support of the separation of church and state, we also believe that religious freedom requires Americans to feel free and safe to pray in our houses of worship and to gather in our schools and cultural centers without fear of violent attacks.

Narrowly-tailored Government grants to nonprofits for security enhancements should be permitted as part of a broader, more holistic education and community engagement program to prevent these attacks.

4. *Pass Legislation to Address Anti-Semitism, White Supremacy, and Domestic Terrorism*

a. *Pass the Domestic Terrorism Prevention Act*

This legislation would enhance the Federal Government's efforts to prevent domestic terrorism by authorizing into law the offices addressing domestic terrorism, and requiring Federal law enforcement agencies to regularly assess those threats and then resource to the threats. The bill would also provide training and resources to assist non-Federal law enforcement, requiring DOJ, DHS, and the FBI to provide training and resources to assist State, local, and Tribal law enforcement in understanding, detecting, investigating, and deterring acts of domestic terrorism.

b. *Pass the Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality (NO HATE) Act of 2019 (H.R. 3545/S. 2043)*

This legislation would authorize incentive grants to spark improved local and State hate crime training, prevention, best practices, and data collection initiatives—including grants for State hate crime reporting hotlines to direct individuals to local law enforcement and support services.

c. *Pass the Never Again Education Act (H.R. 943/S. 2085)*

This bill would create a new grant program at the U.S. Department of Education to provide teachers across the country with the necessary resources to teach about the Holocaust in their classrooms. ADL supports this bipartisan legislation because we believe strongly that learning about the Holocaust and lessons of unchecked anti-Semitism and racism is one of the best ways to fight prejudice and discrimination, and to help ensure that genocide and such atrocities never happen again.

5. *Address On-line Hate and Harassment Through Legislation and Training*

a. *Strengthen Laws Against Perpetrators of On-line Hate*

Hate and harassment translate from on-line spaces to the real world, but our laws have not kept up. Many forms of severe on-line misconduct are not consistently covered by cyber crime, harassment, stalking, and hate crimes law. Congress has an opportunity to lead the fight against cyber hate by increasing protections for targets as well as penalties for perpetrators of on-line misconduct. Congress should pass legislation addressing cyber crimes such as doxing, swatting, and non-consensual pornography with legislation along the lines of the On-line Safety Modernization Act, which was introduced in the 115th Congress.

b. *Improve Training of Law Enforcement*

Law enforcement is a key responder to on-line hate, especially in cases when users feel they are in imminent danger. Increasing resources and training for these departments is critical to ensure they can effectively investigate and prosecute cyber cases and that targets know they will be supported if they contact law enforcement. This includes on-going anti-bias training, hate crimes training, and training regarding technology and the internet landscape, as all of these issues are perpetually changing.

6. *Urge Social Media Platforms to Institute Stronger Measures to Address On-line Hate and Harassment*

a. Government officials have an important role to play in encouraging social media platforms to institute robust and verifiable industry-wide self-governance. This could take many forms, including Congressional oversight or passing laws that require certain levels of transparency and auditing. The internet plays a vital role in allowing for innovation and democratizing trends, and that should be preserved. At the same time, the wide-spread exploitation of social media platforms for hateful and severely harmful conduct needs to be effectively addressed.

Some of these measures should include:

1. *Strong Terms of Service.*—Every social media and on-line game platform must have clear terms of service that address hateful content and harassing behavior, and clearly define consequences for violations. These policies should state that the platform will not tolerate hateful content or behavior based on protected characteristics. They should prohibit abusive tactics such as harassment, doxing, and swatting. Platforms should also note what the process of appeal is for users who feel their content was flagged as hateful or abusive in error.

2. *Responsibility and Accountability.*—Social media and on-line game platforms should assume greater responsibility to enforce their policies and to do so accurately at scale. They should improve the complaint and flagging process so it is as user-friendly as possible and provides a more consistent and speedy resolution for tar-

gets. They should lessen their reliance on the user complaint process, and instead proactively, swiftly, and continuously address hateful content using a mix of artificial intelligence and human monitors who are fluent in the relevant language and knowledgeable in the social and cultural context of the relevant community. Additionally, given the prevalence of on-line hate and harassment, platforms should offer far more services and tools for individuals facing or fearing on-line attack. They should provide greater filtering options that allow individuals to decide for themselves how much they want to see likely hateful comments. They should consider the experience of individuals who are being harassed in a coordinated way and be able to provide aid to these individuals in meaningful ways. They should allow users to speak to a person as part of the complaint process in certain, clearly-defined cases. And they should provide user-friendly tools to help targets preserve evidence and report problems to law enforcement and companies.

3. *Governance and Transparency.*—Perhaps most importantly, social media and on-line game platforms should adopt robust governance. This should include regularly-scheduled external, independent audits so that the public knows the extent of hate and harassment on a given platform. Audits should also allow the public to verify that the company followed through on its stated actions and assess the effectiveness of company efforts over time. Companies should provide information from the audit and elsewhere through more robust transparency reports. Finally, companies should create independent groups of experts from relevant stakeholders, including civil society, academia, and journalism, to help provide guidance and oversight of platform policies. Beyond their own community guidelines, transparency efforts and content moderation policies, features available on social media and on-line gaming platforms need to be designed with anti-hate principles in mind. Companies need to conduct a thoughtful design process that puts their users first, and incorporates risk and radicalization factors before, and not after, tragedy strikes.

7. *Consider the Appropriateness of Foreign Terrorist Organization (FTO) Designations for White Supremacist Organizations Abroad*

a. The State Department should examine whether certain white supremacist groups operating abroad meet the specific criteria to be subject to sanctions under its designated Foreign Terrorist Organization (FTO) authority. It is possible that a white supremacist terrorist group might meet these criteria, and the State Department should determine whether the evidence is there to do so. None of the current 69 organizations on the FTO list is a white supremacist organization. However, while the possibility of designating white supremacist organizations under the State Department's FTO authority holds promise, there are some critical Constitutional considerations that Congress should consider. Civil liberties and civil rights consequences must be carefully considered.

8. *Consider the Necessity and Feasibility of a Criminal Domestic Terrorism Statute*

a. Our Federal legal system currently lacks the means to prosecute a white supremacist terrorist as a terrorist. Perpetrators can be prosecuted for weapons charges, acts of violence (including murder), racketeering, hate crimes, or other criminal violations. But we cannot legally prosecute them for what they are: Terrorists. Many experts have argued that, without being so empowered, there is a danger that would-be domestic terrorists are more likely to be charged with lesser crimes and subsequently receive lesser sentences. Others have argued that there are a sufficient number of criminal provisions already on the books that can be used to cover this gap. Congress should immediately consult with legal and policy experts, marginalized communities, and law enforcement professionals on whether a rights-protecting domestic terrorism criminal charge is needed—and whether it is possible to craft such a statute.

CONCLUSION

Thank you for the opportunity to testify and for calling this important hearing. ADL data clearly indicates that anti-Semitism and hate are rising across America and that domestic terrorism poses a significant threat to our communities.

This is a time for leaders to lead. We urge everyone with a bully pulpit to speak out against anti-Semitism and hate. We also must also look at our education systems, at our law enforcement capacity and training, and at our laws to ensure we are addressing today's threats holistically.

On behalf of the ADL, we look forward to working with you as you continue to devote your urgent attention to this and related issues.

Mr. ROSE. Thank you, sir.

We now recognize Mr. Diament to summarize his statement for 5 minutes.

**STATEMENT OF NATHAN DIAMENT, EXECUTIVE DIRECTOR,
UNION OF ORTHODOX JEWISH CONGREGATIONS OF AMERICA**

Mr. DIAMENT. Thank you, Chairman Rose, Ranking Member Walker, Chairman Thompson, and Members of the subcommittee.

As I mentioned, my name is Nathan Diament, and I am the executive director for public policy for the Union of Orthodox Jewish Congregations of America.

We are the largest Orthodox Jewish umbrella organization in the United States, representing hundreds of synagogues and Jewish parochial schools around the country. We are a nonpartisan charitable organization.

In the year 1790, in his famous letter to the Jewish community of Newport, Rhode Island, George Washington ended his letter with a prayer. It reads, "May the children of the stock of Abraham who dwell in this land continue to merit and enjoy the goodwill of the other inhabitants, while everyone shall sit in safety under his vine and fig tree, and there shall be none to make him afraid."

I have been asked to testify here before your subcommittee to describe the problem uniquely faced by the Orthodox Jewish segment of the American Jewish community, and that problem is simply this: Now in the year 2020 in the United States of America, the children of Abraham are afraid in a way we have never been before. We are under threat of violence as we walk down the city street or enter our synagogues to pray or shop in a supermarket for kosher groceries.

In the United States even though there has been discrimination against Jews for many years, as there has been in other places around the world, in the United States it was not predominantly of a violent kind, but now it is. As was mentioned, as you well know, Jews were gunned down at prayer at synagogues in Pittsburgh and Poway and shopping for groceries in Jersey City.

Visibly identifiable Orthodox Jews and Hasidic Jews have been assaulted on the streets of New York, Miami, and elsewhere, and indeed, it is the most visible Jews, those of us who wear a hat or a shtreimel or a kippah or who may have peyos at the sides of our heads or the long beard who have been subject most to these verbal and physical assaults.

Anxiety about this new reality is present in Orthodox Jewish communities in all your districts and across the entire country. In the American Orthodox Jewish community, there is a wide-spread belief that this wave of physical attacks on outgrowth of many years of expressions of not only anti-Semitic bias in general, but anti-Orthodox Jewish bias in particular that have long gone unreported and unrepudiated.

In recent years, in too many localities around the country, Government officials and community leaders have felt comfortable making anti-Orthodox statements, in particular, and undertaking anti-Orthodox actions. In multiple towns in New Jersey, Ocean Township, Jackson, and Mahwah, local leaders sought to use zoning and land use regulations to try to prevent Orthodox Jews from moving into their towns.

In the course of doing so, those local officials referred to Orthodox Jews as, “invading the community” as, “dirty” or as, “religious zealots.”

It took the intervention of the U.S. Department of Justice or the State Attorney General’s Office to resolve those disputes.

In Chester, New York, upstate in the Hudson Valley, the town supervisor and leadership have openly spoken about blocking housing developments to prevent Hasidic Jews from moving in, saying, “If there is any way for us to choose who could live there, we will.”

In Jersey City, days after the shooting which killed 2 Orthodox Jews as well as a police officer and wounded others, a member of the local Board of Education referred to Jews, “as brutes who could wave bags of money” and asked if people in the community at large are brave enough to “explore the message the shooters were trying to send.”

This person still sits on the Jersey City Board of Education.

Finally, in Rockland County, New York, where the Chanukah celebration attack occurred last month, the Rockland County Republican Party released a video advertisement last summer criticizing an incumbent county official who is an Orthodox Jew and supports housing development that would allow more Orthodox families to move into that area.

The video accused the identifiably Orthodox county legislator as, “plotting a takeover of the community” that “threatens our way of life.” The video was eventually taken down after a flood of criticism.

These are just a few of many examples and incidents in which Orthodox Jews are portrayed as some kind of “other” and not part of American society. It is important to realize that these offensive incidents targeted at Orthodox Jewry are amplified and accelerated by the broader surge in anti-Semitism we are experiencing in the United States, which Jonathan and the ADL have well documented.

It is in this context, Orthodox Jews being explicitly slandered and Jews generally being subjected to classical anti-Semitic accusations, that visible recognizable Jews are being targeted for assault and abuse and suffering this reality in an unprecedented way in this country.

Mr. Chairman, I will conclude these opening remarks by saying that even in the face of all of this, I am not without hope. The fact that elected leaders from President Trump to Governor Cuomo, to Governor Murphy, and many others have not only spoken out against the surge of anti-Semitic and anti-Orthodox attacks, but have started to undertake concrete action to have our Federal, State, and local governments respond and begin to make our communities safe gives me hope.

The fact that you, Chairman Rose, and your colleagues have convened this hearing to confront this problem and look for more effective ways that we can stop it gives me hope.

The fact that I, as an Orthodox Jew representing my community, was able to join with people of many different faiths to serve on the Department of Homeland Security Advisory Committee, chaired by General Allen, who you will hear from in the next panel, and make recommendations for how our Federal Government can

protect not only America's synagogues, but also churches and mosques and temples, this, too, gives me hope.

I am hopeful that we can all work together to keep President Washington's prayer alive both for my community and for all faith communities. To effectuate that, I think we need to join with it the prayer that was presented in Albany, New York last week by Rabbi Chaim Rottenberg, whose home in Monsey was the site of the attack.

He delivered the prayer last week in Albany at the Governor's State of the State Address and included in his prayer Rabbi Rottenberg said, "Merciful God, bless us all with the courage to overcome tragedy, heal the wounds of hatred, and bless us with solidarity to promote tolerance and brotherhood among all our communities."

That is a recipe for action, and that is a recipe for success in this fight. We must all join in that prayer and its effort because if America slides further into the swamp of anti-Semitism, it means our beloved United States is losing an essential element of its founding identity, to be a beacon of religious freedom in the world.

I thank you again for holding this hearing today, and I thank you in advance for the actions you will take. As a member of that advisory committee, I obviously join in that list of recommendations, which you will discuss as this hearing goes on.

Thank you for working with us to combat this terrible situation.
[The prepared statement of Mr. Diament follows:]

PREPARED STATEMENT OF NATHAN J. DIAMENT

JANUARY 15, 2020

Chairman Rose, Ranking Member Walker, and Members of the subcommittee, my name is Nathan Diament and I am the executive director for public policy for the Union of Orthodox Jewish Congregations of America (also known as the Orthodox Union)—the Nation's largest Orthodox Jewish umbrella organization.

The Orthodox Union represents more than 1,000 synagogues across the United States and more than 500 Jewish day schools which educate hundreds of thousands of K-12 children. We are a nonpartisan charitable organization.

In the year 1790, in his famous letter to the Jewish community of Newport, Rhode Island, President George Washington prayed:

"May the Children of the Stock of Abraham, who dwell in this land, continue to merit and enjoy the goodwill of the other inhabitants; while every one shall sit in safety under his vine and fig tree, and there shall be none to make him afraid."

Now, in the year 2020, in the United States of America, the Children of Abraham are afraid in a way we have never been before. We are under threat of violence as we walk down a city street or enter our synagogues to pray. Jews have faced such threats for centuries, and still face them today, in Europe and elsewhere around the world. But in the United States, even if there was discrimination against Jews, it was not predominantly of this violent kind. But now it is.

Jews were gunned down at prayer in synagogues in Pittsburgh and Poway and shopping for kosher groceries in Jersey City. Visibly identifiable Jews—Orthodox Jews and Chassidic Jews—have been assaulted on the streets of New York, Miami, and elsewhere.

And indeed, it is the most visible Jews—those of us who wear a hat or streimel or kippah, who may have peyos (side-locks) or a long beard—who have been subject most to these physical and verbal assaults. Anxiety about this new reality is present in Orthodox Jewish communities across the United States.¹

¹See *We Are Not Going to Cover*, USA Today, January 6, 2020. <https://www.usatoday.com/story/news/nation/2020/01/04/anti-semitism-attacks-increase-orthodox-jews-vulnerable-resilient/2809960001/>.

In the American Orthodox Jewish community, there is a wide-spread belief that this wave of physical attacks are the outgrowth of many years of expressions of not only anti-Semitic bias, but anti-Orthodox Jewish bias in particular that have long gone unreported and un-repudiated.

In recent years, in too many localities around the country, Government officials and community leaders have felt comfortable making anti-Orthodox Jewish statements and undertaken anti-Orthodox actions.

In multiple towns in New Jersey—Ocean Township, Jackson, and Mahwah—local leaders sought to use zoning and land use regulations to try to prevent Orthodox Jews from moving into their towns. In the course of doing so, those local officials referred to Orthodox Jews as “invading” the community, as “dirty” or as “religious zealots.”² It took the intervention of the U.S. Department of Justice³ or State Attorney General’s office⁴ to resolve these disputes.

In Chester, New York—up-State in the Hudson Valley—the town supervisor and leadership have spoken openly about blocking housing developments to prevent Chassidic Jews from moving in saying “if there’s any way for us to choose who could live there, we would.”⁵

In Jersey City, days after the shooting which killed 2 Orthodox Jews (as well as a police officer and wounded others) a member of the local Board of Education referred to Orthodox Jews as “brutes” who “waved bags of money” and asked if people in the community at large are “brave enough” to explore the “message” the shooters were trying to send.⁶ This person still sits on the Jersey City Board of Education.

Finally, in Rockland County, New York—where the Chanukah celebration attack occurred last month—the Rockland County Republican Party released a video advertisement last summer criticizing an incumbent county official who is an Orthodox Jew and supports housing developments that would allow more Orthodox families to move into the area. The video accused the identifiably Orthodox county legislator as “plotting a takeover” of the community that “threatens our way of life.” The video was eventually taken down after a flood of criticism.⁷

These are just a few of many examples and incidents in which Orthodox Jews are portrayed as some “other”—as not part of the American community.

It is important to realize that these offensive incidents targeted at Orthodox Jewry are amplified and accelerated by the broader surge in anti-Semitism we are experiencing in the United States. As the ADL has documented, there was a dramatic increase in anti-Semitic incidents in general and physical assaults upon Jews in particular last year.⁸ This too comes in the context of anti-Semitic tropes and slanders being spread by some local and National politicians.⁹

It is in this context—Orthodox Jews being explicitly slandered and Jews generally being subjected to classical anti-Semitic accusations—that visible, recognizable Jews are being targeted for physical assaults and verbal abuse and suffering this reality in an unprecedented way in this great country.

Mr. Chairman, I will conclude these opening remarks by saying that even in the face of all of this, I am not without hope.

The fact that elected leaders from President Trump to Governor Cuomo and Governor Murphy and many others have not only spoken out against this surge of anti-Semitic and anti-Orthodox Jewish attacks—but undertaken concrete actions to have our Federal, State, and local governments begin to respond and begin to make our communities safer gives me hope.

The fact that you—Congressman Rose and your colleagues—have convened this hearing to confront this problem and look for more effective ways we can stop it and roll it back gives me hope.

²See *Anti-Orthodox is the New Anti-Semitism*, The Forward, February 7, 2018. <https://forward.com/opinion/393858/anti-orthodox-is-the-new-anti-semitism/>.

³<http://www.eruvlitigation.com/jackson/breaking-doj-investigation-discriminatory-zoning-jackson-nj/>.

⁴<https://www.jewishlinknj.com/community-news/bergen/26897-the-eruv-stays-new-jersey-ag-settles-mahwah-s-lawsuit>.

⁵See <https://www.nytimes.com/2019/08/14/nyregion/jews-discrimination-lawsuit.html>.

⁶<https://www.jta.org/2019/12/17/united-states/jersey-city-official-refers-to-jewish-brutes-asks-if-residents-are-brave-enough-to-explore-shooters-message>.

⁷See <https://abc7ny.com/politics/rockland-county-gop-pulls-video-over-claims-of-anti-semitism/5501061/>.

⁸See <https://www.adl.org/audit2018>. See also https://www.adl.org/adl-tracker-of-anti-semitic-incidents?field_incident_location_state_target_id=All&page=1.

⁹See brief summary contained in M. Gerson, *Rising Anti-Semitism is a Sign of America’s Declining Health*, The Washington Post, January 9, 2020. https://www.washingtonpost.com/opinions/the-level-of-anti-semitism-is-a-test-of-our-nations-health-were-failing/2020/01/09/193830f2-3326-11ea-9313-6cba89b1b9fb_story.html.

And the fact that I, an Orthodox Jew, was able to join with people of many different faiths to serve on the DHS advisory committee chaired by General Allen and make recommendations for how our Government can protect not only America's synagogues but also our churches and mosques and temples¹⁰—this too gives me hope.

I am hopeful that we can all work together to keep the prayer of President Washington the reality for the American Orthodox Jewish community.

To effectuate George Washington's prayer, I will join to it the prayer of Rabbi Chaim Rottenberg, whose home in Monsey, New York was invaded during Chanukah by a machete wielding anti-Semite. Rabbi Rottenberg delivered the prayer last week in Albany at the Governor's State of the State Address.

The rabbi prayed:

“Merciful God, bless us all with the courage to overcome tragedy, heal the wounds of hatred and bless us with solidarity to promote tolerance and brotherhood . . . among all our communities.”

Chairman Rose, Ranking Member Walker—all Americans must join in this prayer and in this effort. If America slides further into the swamp of anti-Semitism it means our beloved country is losing an essential element of its founding identity—to be a beacon of religious freedom to the world.

I thank you for holding this hearing today and I thank you, in advance, for the actions you will take¹¹ in the coming days and weeks to protect my community and all communities of faith and thereby protect our Nation and fulfill its promise for us all.

ATTACHMENT.—HERE'S WHAT CONGRESS CAN DO TO COMBAT ANTI-SEMITISM

JANUARY 2, 2020

by *Allen I. Fagin and Nathan J. Diament*

For the American Jewish community, 2019 was a year of enormous trauma. The second fatal attack ever on synagogue worshippers took place in Poway, California—making the prior one at Pittsburgh's Tree of Life no longer an isolated event. Assaults upon Jews walking the streets of Brooklyn increased in violence and frequency. Patrons of a kosher grocery store in Jersey City were murdered. And the year ended with last Saturday night's attack by a machete-wielding terrorist invading the home of a rabbi in Monsey during a Chanukah celebration.

Federal, State, and local governments have responded to these events in varying degrees. But we are now in the midst of what can only be called a crisis, and government leaders at all levels must do much more to protect Americans in their places of worship and their communities. We need our elected officials to move beyond statements of support and sympathy and take concrete action that will eliminate the ever-increasing threat to our community. There are several critical measures that Congress can and must enact as soon as possible to protect Jewish institutions as well as America's churches, mosques, and temples, which also endured violent attacks in recent months.

First, we must dramatically increase the funding for the Nonprofit Security Grant Program administered by the Department of Homeland Security. Most synagogues and churches in the United States do not have the resources to install adequate security measures or hire security guards. Our organization and a coalition of faith community partners worked with bipartisan leaders to create the Nonprofit Security Grant Program (NSGP) more than a decade ago.

We did so out of a sense of concern and an abundance of caution. We did not anticipate the nightmare our community is currently confronting. The NSGP makes grants to houses of worship and other non-profits deemed to be at risk of attack. The funds are used for things such as installing hardened doors, shatterproof glass, and surveillance cameras, as well as for hiring security guards. Congress responded to the greater need by increasing the funding level to \$90 million for FY'20.

But even that higher level of funding is insufficient to meet the needs of vulnerable synagogues and churches, especially in the wake of last week's attacks. That is why we stood yesterday with Senator Chuck Schumer as he called for quadrupling the funding for the NSGP to \$360 million. This is something that Congress ought to enact right away and not wait for the end of the standard appropriations

¹⁰ <https://www.dhs.gov/publication/prevention-targeted-violence-against-faith-based-communities-subcommittee-membership>.

¹¹ See A. Fagin & N. Diament, *Here's What Congress Can Do to Combat Anti-Semitism*, The Hill, January 2, 2020. <https://thehill.com/opinion/civil-rights/476556-heres-what-congress-can-do-to-combat-anti-semitism?rnd=1577993749> appended hereto.

cycle in September. The need is emergent, and it is the fundamental obligation of the government to ensure the safety and security of all its citizens.

Second, local police departments don't have the necessary resources to increase their presence and patrols in our communities. The Department of Justice provides millions of dollars of Federal assistance to local police departments for various purposes. Congress should authorize some of those grants specifically to support the deployment of police protection to houses of worship.

Third, the FBI and other law enforcement agencies need stronger tools to enable them to open investigations and prosecute the perpetrators of anti-Semitic and other hate crimes. Leaders of law enforcement have told us that the lack of a Federal domestic terrorism statute is a real impediment to their work. They are unable to open investigations into individuals for lack of such a statute. Bipartisan proposals are pending in Congress and should be considered at hearings and voted on right away.

In his famous 1790 letter to the Jewish community of Newport, Rhode Island, President George Washington prayed:

"May, the Children of the Stock of Abraham, who dwell in this land, continue to merit and enjoy the goodwill of the other Inhabitants; while every one shall sit in safety under his vine and fig tree, and there shall be none to make him afraid."

Now, in the United States of America, the Children of Abraham are afraid in a way we have never been before. We are under threat of violence as we walk down a city street or enter our synagogues to pray. All Americans should be fearful of this crisis, too, for it means our beloved country is losing an essential element of its founding identity—to be a beacon of religious freedom to the world. Congress must act in the first months of the new year to protect the American Jewish community and all communities of faith to sustain President Washington's promise to us all.

Allen I. Fagin is executive vice president, and Nathan J. Diamant is director of public policy for the Union of Orthodox Jewish Congregations of America (the "Orthodox Union")

Mr. ROSE. Thank you, sir.

We now recognize Mr. May to summarize his statement for 5 minutes.

STATEMENT OF CLIFFORD D. MAY, FOUNDER AND PRESIDENT, FOUNDATION FOR THE DEFENSE OF DEMOCRACIES

Mr. MAY. Thank you.

Chairman Rose, Chairman Thompson, Ranking Member Walker, and distinguished Members of the committee, thank you. Thank you for the opportunity to testify.

I commend you for holding this hearing. I am going to talk about international anti-Semitism and anti-Semitic terrorism and strongly suggest that these expressions of bigotry and violence are making a significant contribution to the rise in anti-Semitic domestic terrorism.

Jew hatred is as old as the Judean Hills, predating even the ancient rebellions of the Jewish nation against the Roman imperialists and colonialists who had conquered their lands.

Over the centuries, Jews have been persecuted, attacked, and murdered based on their religion and what used to be called their race. They have been despised for being rich and poor, as capitalists and communists, as ruthless cosmopolitans and in Israel as nationalists.

Jew haters may be white supremacists, Islamic supremacists or self-proclaimed social justice warriors. You cannot reason people out of anti-Semitism because no one was ever reasoned into it, which should be apparent, an important point, I think.

In the 20th Century, anti-Semitism culminated in the extermination of the European Jew. In the 21st Century, anti-Semitism is meant to culminate in the extermination of the Jewish state.

Hamas, Palestinian Islamic Jihad, Hezbollah, and the Islamic Republic of Iran, which supports those and other terrorist groups, are candid about their genocidal intentions. Supreme Leader Ali Khamenei has called Israel a “malignant cancerous tumor that must be removed and eradicated.”

Hassan Nasrallah, Hezbollah’s leader, has said—I am quoting again—“If Jews all gather in Israel, it will save us the trouble of going after them world-wide.”

It is often forgotten or ignored that more than half of the Jews in Israel descend from families that lived for centuries in Arab or Muslim lands in such formerly diverse cities as Cairo, Tripoli, Aleppo. Baghdad, circa 1945, was as much as one-third Jewish.

In the aftermath of World War II, Jews were driven out, not because they supported Israel. No, they were driven out because they were Jews.

You will hear people say, “I am not anti-Semitic. I am just anti-Zionists.” Prior to 1948, the Zionist mission was to reestablish a Jewish nation-state in part of the ancient Jewish homeland. One could oppose that for any number of reasons.

Since 1948, Zionism has come to mean support for Israel’s survival, for its right to exist. So if you are an anti-Zionist today, you are at best indifferent to the fate of the only viable Jewish community remaining in the Middle East. In other words, to an anti-Zionist, Jewish lives do not matter.

If anti-Semitism is a disease, what we are experiencing today is a global epidemic. Jew hatred has become not just widely acceptable but edgy, even fashionable in some quarters, in lands even where there are virtually no Jews.

One example, Malaysia’s Prime Minister, Mahathir Mohamad, is outspokenly anti-Semitic. Last fall at Columbia University, there was a Global Leaders Forum where he was invited to speak, and he instructed his audience, “When you say ‘you cannot be anti-Semitic’, there is no free speech.”

He added, “Why can I not say something about the Jews when people say nasty things about me and about Malaysia?”

Would Columbia University have honored, as a global leader, a Christian or a Jew who spoke that way about Muslims, Salvadorans, or members of the LGBT community?

In France, Sarah Halimi, a retired physician and director of a nursery, was stabbed and thrown to her death from her balcony by a neighbor screaming, “Allahu Akbar.” A French court has now dismissed all charges against her killer on grounds that he was not responsible because he had been smoking marijuana.

In Argentina 5 years ago, Alberto Nisman, a prosecutor investigating the bombing of a Jewish community center, was shot in the head hours before he was to present evidence of a plot involving then President Cristina Kirchner and officials of the Islamic Republic of Iran. The current president says he has no idea who is responsible. Another cover-up of an alleged cover-up?

In Great Britain recently, there was a serious chance that an anti-Semite would be elected Prime Minister.

I could go on, but I want to take one moment to remind you that the United Nations is a veritable volcano of anti-Israeli rhetoric and resolutions. The U.N. Human Rights Council is that organization's most prolific enemy of the Jewish state. American tax dollars support it.

Mainstreaming and in some instances condoning Jew hatred both abroad and at home may not cause anti-Semitic domestic terrorism, but it is self-evidently a major contributing factor.

My time is up. In my written testimony, I elaborate. I offer additional information based on the research of FDD scholars and provide 14 specific recommendations. My colleagues and I can come up with many more and we would be glad to help you a lot with those.

Chairman Rose, Ranking Member Walker, Chairman Thompson, let me again commend you for shedding light on this issue, and, again, thank you for the opportunity to testify.

I look forward to your questions.

[The prepared statement of Mr. May follows:]

PREPARED STATEMENT OF CLIFFORD D. MAY

Chairman Rose, Ranking Member Walker, distinguished Members of the subcommittee, on behalf of FDD, thank you for the opportunity to testify.

I commend you for holding this hearing. I am going to talk about international anti-Semitism and anti-Semitic terrorism, and strongly suggest that these expressions of bigotry and violence are making a significant contribution to "the rise in anti-Semitic domestic terrorism."

Jew-hatred is as old as the Judean Hills, pre-dating even the ancient rebellions of the Jewish nation against the Roman imperialists and colonialists who had conquered their lands.

Over the centuries, Jews have been persecuted, attacked, and murdered based on their religion and what used to be called their race.

They have been despised for being rich and poor, as capitalists and communists, as rootless cosmopolitans and—in Israel—as nationalists.

Jew-haters may be white supremacists, Islamic supremacists, or self-proclaimed social justice warriors. You cannot reason people out of anti-Semitism, because no one was ever reasoned into it.

What should be apparent: In the 20th Century, anti-Semitism culminated in the murder of the European Jew. In the 21st Century, anti-Semitism is meant to culminate in the murder of the Jewish state.

Hamas, Palestinian Islamic Jihad, Hezbollah, and the Islamic Republic of Iran—which supports all the terrorist groups I have just named—are candid about their genocidal intentions.

Supreme Leader Ali Khamenei has called Israel a "malignant cancerous tumor" that must be "removed and eradicated."¹ Hassan Nasrallah, Hezbollah's leader, has said: "If Jews all gather in Israel, it will save us the trouble of going after them world-wide."²

It is often forgotten—or ignored—that more than half the Jews in Israel descend from families that lived for centuries in Arab or Muslim lands, in such formerly diverse cities as Alexandria, Cairo, Tripoli, Beirut, and Aleppo. Bagdad, circa 1945, was as much as one-third Jewish.

In the aftermath of World War II, Jews were driven out—not because they supported Israel, but because they were Jews.

You will hear people say: "I'm not anti-Semitic. I'm just anti-Zionist." Prior to 1948, the Zionist mission was to reestablish a Jewish nation-state in part of the ancient Jewish homeland. One could oppose that for many reasons. Since 1948, however, Zionism has come to mean support for Israel's survival, its right to exist.

¹Tamar Pileggi, "Khamenei: Israel a 'cancerous tumor' that 'must be eradicated,'" *The Times of Israel* (Israel), June 4, 2018. (<https://www.timesofisrael.com/khamenei-israel-a-cancerous-tumor-that-must-be-eradicated/>).

²Elena Lappin, "The Enemy Within," *The New York Times*, May 23, 2004. (<https://www.nytimes.com/2004/05/23/books/the-enemy-within.html>).

So if you are an anti-Zionist today you are, at best, indifferent to the fate of the only viable Jewish community remaining in the Middle East. In other words, to an anti-Zionist, Jewish lives don't matter.

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Would Columbia have honored as a "Global Leader" a Christian or a Jew who spoke similarly about Muslims, Salvadorans, or members of the LGBT community?

In France, Sarah Halimi, a retired physician and director of a nursery, was stabbed and thrown to her death from her balcony by a neighbor screaming "Allahu Akbar." A French court has now dismissed all charges against her killer, on grounds that he was "not responsible" because he had been smoking marijuana.⁴

In Argentina 5 years ago, Alberto Nisman, a prosecutor investigating the bombing of a Jewish community center in Buenos Aires, was shot in the head hours before he was to present evidence of a plot involving then-President Cristina Kirchner and officials of the Islamic Republic of Iran. The current president says he has no idea what happened or who was responsible. Will there be yet another cover-up of an alleged cover-up?

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Mainstreaming and in some instances condoning Jew-hatred, both abroad and here at home, may not cause "anti-Semitic domestic terrorism," but it is self-evidently a major contributing factor.

The following testimony will offer additional information based on the research of FDD scholars and provide specific recommendations.

BACKGROUND

"Anti-Semitism" is a term coined in 1879 by Wilhelm Marr, a German Jew-hater who wanted to make clear that even Jews who convert and/or assimilate should be regarded as enemies conspiring against the German nation and the Aryan race.

In 1882, Leo Pinsker, a Jewish physician in Poland, came up with a different term: Judeophobia, which he called a "psychic aberration." He added: "It is hereditary, and as a disease transmitted for two thousand years it is incurable."⁵

In 1919, Hitler outlined "rational anti-Semitism," a doctrine whose "final objective must unswervingly be the removal of the Jews altogether."⁶ After coming to power in 1933, he initiated an economic boycott under the slogan: "Don't buy from Jews."⁷ The cattle cars, concentration camps, gas chambers, and ovens would come later.

Today, we have the Boycott, Divestment, and Sanctions (BDS) campaign. Its implicit slogan: "Don't buy from the Jewish state." Its explicit goal: To de-legitimize and demonize Israel, to prepare the ground for Israel's eventual annihilation. If it also can damage Israel's economy, its proponents will be doubly pleased.

Many BDS advocates insist they only want Israel to change its policies, in particular to withdraw from the "occupied territories." But after Israelis withdrew from Gaza in 2005—a territory seized from Egypt, not Palestinians, in the defensive war of 1967— Hamas fought a civil war against its rival, Fatah. Once in power, Hamas began attacking Israelis with missiles, terrorist tunnels, and incendiary kites.

³ Clifford D. May, "Columbia University celebrates anti-Semitism," *The Washington Times*, October 1, 2019. (<https://www.washingtontimes.com/news/2019/oct/1/columbia-university-celebrates-anti-semitism/>).

⁴ "Paris Protest Rally and March for Sarah Halimi 'Murder of Jews carries no judicial penalty when the perpetrator is high on narcotics.'" *Simon Weisenthal Center*, January 6, 2020. (<http://www.wiesenthal.com/about/news/paris-protest2.html>).

⁵ "Texts Concerning Zionism: 'Auto-Emancipation' by Leon Pinsker (1882)," *Jewish Virtual Library*, accessed January 13, 2020. (<https://www.jewishvirtuallibrary.org/quot-auto-emancipation-quot-leon-pinsker>).

⁶ "Holocaust," *Encyclopedia Britannica*, accessed January 13, 2020. (<https://www.britannica.com/event/Holocaust#ref716460>).

⁷ Clifford D. May, "The anti-Israel lobby," *The Washington Times*, August 20, 2019. (<https://www.washingtontimes.com/news/2019/aug/20/anti-israel-lobby/>).

Were Israel to withdraw from the West Bank—known as Judea and Samaria prior to the Jordanian conquest in 1948 and occupation till 1967—without guarantees of peace and security, Hamas almost certainly would take over there as well and launch more attacks, from closer proximity than Gaza, against Tel Aviv, Jerusalem, and Israel’s international airport.

Israelis would have no choice but to respond militarily. In the battle that would ensue, both Jews and Palestinians would be killed. BDS advocates appear untroubled by that eventuality.

Another demand of BDS advocates is that Israel grant a “right of return” to the 5 million or so Palestinians who claim to be descended from refugees of Israel’s War of Independence and the Six-Day War of 1967. Were that to happen, Jewish Israelis would become a minority. Is it possible that they would enjoy equal rights in what would become an Arab- and Muslim-majority state?

There are 22 states in the Arab League. Fifty-seven states belong to the Organization of Islamic Cooperation. In none of these countries do any minorities enjoy equal rights.

By contrast, about 20 percent of Israel’s population are minorities. The largest: Israel’s Arab and Muslim communities. They enjoy more freedom, more rights, than do Arabs and Muslims in any Arab- or Muslim-majority nation. Worth noting: The only growing Christian community in the Middle East is in Israel.

I mentioned above the case of Sarah Halimi, whose killer was let off, apparently because in France crimes against Jews are treated less seriously than crimes against others. In this, France is not alone.

In January 2017, a court in Wuppertal, Germany, upheld a lower court’s ruling in the sentencing of 3 Germans of Palestinian descent to probation for setting fire to a synagogue in July 2014—the same synagogue the Nazis had burned during Kristallnacht, the 1938 pogrom that presaged Hitler’s “final solution” for the Jews of Europe. The court decided that since the perpetrators were incensed about Israel’s actions in the Middle East, their act of arson did not constitute anti-Semitism.⁸

In Belgium last year, Mehdi Nemmouche, identified by the BBC as a “French-born jihadist,” was found guilty of murdering an Israeli couple and 2 staffers at a Jewish museum in Brussels 5 years ago.⁹ His lawyer had claimed the attack was actually “a targeted execution” by agents of the Mossad, Israel’s foreign intelligence agency. He did not bother to present any evidence.

The BBC reported: “At one point the defense even argued that Nemmouche could not be considered anti-Semitic because he wore Calvin Klein shoes—an apparent reference to Mr. Klein’s Jewish heritage.”¹⁰

Also in Belgium, less than a year ago, the annual Carnival parade included floats carrying oversize effigies of religious Jews, snarling men with big noses, sitting atop bags of money, one with a rat perched atop his shoulder.¹¹

The United Nations Educational, Scientific, and Cultural Organization, or UNESCO, an agency ostensibly devoted to “the intellectual and moral solidarity of humanity,” recognized the parade as a cultural heritage event and declined to offer criticism.¹²

In Ireland, the parliament has passed legislation, not yet enacted into law, to criminalize a range of business transactions with Jews in the West Bank, the Golan Heights, and even the Jewish Quarter of the Old city of Jerusalem.¹³

In the following sections, I will provide additional examples of international anti-Semitism, anti-Zionism, and anti-Israelism based on the research of FDD’s scholars. I hope you will agree that this clearly establishes that ill winds from around the

⁸ Clifford D. May and Tenzin Dorjee, “My view: Holocaust Remembrance Day: Europe must fight anti-Semitism,” *Deseret News*, January 27, 2017. (<https://www.deseret.com/2017/1/27/20604853/my-view-holocaust-remembrance-day-europe-must-fight-anti-semitism>).

⁹ “Brussels Jewish Museum murders: Mehdi Nemmouche guilty,” *BBC* (UK), March 7, 2019. (<https://www.bbc.com/news/world-europe-47490332>); “The Latest: Guilty verdict in Belgian Jewish museum killings,” *Associated Press*, March 7, 2019. (<https://apnews.com/473204c180004ad5a27c60096d45d2b6>).

¹⁰ “Brussels Jewish Museum murders: Mehdi Nemmouche guilty,” *BBC* (UK), March 7, 2019. (<https://www.bbc.com/news/world-europe-47490332>).

¹¹ Milan Schreuer, “Jewish Caricatures at Belgian Carnival Set Off Charges of Anti-Semitism,” *The New York Times*, March 8, 2019. (<https://www.nytimes.com/2019/03/08/world/europe/belgium-carnival-anti-semitism.html>).

¹² United Nations Educational, Scientific, and Cultural Organization, “UNESCO in brief—Mission and Mandate,” accessed January 13, 2020. (<https://en.unesco.org/about-us/introducing-unesco>).

¹³ Clifford D. May, “Ireland’s surprise attack,” *The Washington Times*, January 29, 2019. (<https://www.washingtontimes.com/news/2019/jan/29/new-irish-legislation-threatens-israelis-palestini/>).

world are fanning the flames of the current “rise in anti-Semitic domestic terrorism.”

Following that, I will offer recommendations based on the conviction that while anti-Semitism cannot be cured, it can be treated and its impact mitigated and managed.

EXAMPLES OF INTERNATIONAL ANTI-SEMITISM

Turkey

Since February 2017, Turkey’s state-funded broadcaster TRT has sponsored and aired “The Last Emperor,” an anti-Semitic revisionist historical series that reached its 100th episode last December. The drama peddles anti-Semitic conspiracies and has been documented to trigger anti-Semitic hate speech and hate crimes. This Turkish Government-sanctioned anti-Semitic content is not only available in the United States via satellite, but also available with English, French, Spanish, Urdu, and other subtitles on YouTube, providing Turkey’s Islamist strongman Recep Tayyip Erdogan with the capacity to disseminate anti-Semitic content and incite diaspora communities in the United States.¹⁴ In commenting about the conspiracy theories propagated in the series, Erdogan said, “The same schemes are carried out today in the exact same manner . . . What the West does to us is the same; just the era and actors are different.”¹⁵

Qatar and Al Jazeera

Since its founding, Al Jazeera, the Doha-based satellite television network, has consistently given airtime to anti-Semitic perspectives. The network, which is funded by Qatar’s royal family,¹⁶ has disseminated anti-Semitic material on its Arabic-language television channel as well as on AJ+, its on-line channel, which is available on Twitter, Instagram, YouTube, and Facebook.¹⁷

One of the channel’s best-known promulgators of anti-Semitism is Yusuf al-Qaradawi, an Egyptian Muslim Brotherhood ideologue widely considered the spiritual guide of Hamas, the Palestinian branch of the Brotherhood.¹⁸ In 1996, Al Jazeera gave Qaradawi, a long-time resident of Doha and a citizen of Qatar,¹⁹ a weekly show titled *Religion and Life* on its Arabic-language channel, which Qaradawi used to amplify his anti-Semitic messages. Indeed, Jeffrey Goldberg, editor-in-chief of *The Atlantic* magazine, has suggested Qaradawi as “a role model for the new generation of Jew-haters.”²⁰

In 2009, for example, Qaradawi delivered a sermon, broadcasted on Al Jazeera, in which he claimed, “Allah has imposed upon the Jews people who would punish them for their corruption. The last punishment was carried out by Hitler. By means of all the things he did to them—even though they exaggerated this issue—he managed to put them in their place.”²¹ Qaradawi concluded that “this was divine punishment.”²²

Qaradawi also has used his TV platform to incite violence. In an April 2004 episode of the show, he praised God for giving Palestinians “human bombs.”²³ In a January 2009 sermon broadcasted by Al Jazeera, he called upon Allah to “take this oppressive, Jewish, Zionist band of people . . . do not spare a single one of them. Oh

¹⁴ Aykan Erdemir and Oren Kessler, “A Turkish TV blockbuster reveals Erdogan’s conspiratorial, anti-Semitic worldview,” *The Washington Post*, May 15, 2017. (<https://www.washingtonpost.com/news/democracy-post/wp/2017/05/15/a-turkish-tv-blockbuster-reveals-erdogans-conspiratorial-anti-semitic-worldview/>).

¹⁵ “Erdogan degerlendirdi: Dirilis mi, Payitaht mi? (Erdogan Evaluates: Dirilis, or Payitaht?),” *Yeni Akit* (Turkey), April 14, 2017. (<https://www.yeniakit.com.tr/video/erdogan-degerlendirdi-dirilis-mi-payitaht-mi-17715.html>).

¹⁶ Jonathan Schanzer and Varsha Koduvayur, “Qatar’s Soft Power Experiment” in *Digital Dictators: Media, Authoritarianism, and America’s New Challenge*, Ed. Ilan Berman (Lanham, MD: Rowman & Littlefield, November 2018), page 5.

¹⁷ “AJ+,” *AJ+*, accessed January 10, 2020. (<https://www.ajplus.net/>).

¹⁸ Jonathan Schanzer and Varsha Koduvayur, “Qatar’s Soft Power Experiment” in *Digital Dictators: Media, Authoritarianism, and America’s New Challenge*, Ed. Ilan Berman (Lanham, MD: Rowman & Littlefield, November 2018), page 5.

¹⁹ “Professor Yousef A. Al-Qaradawi,” *King Faisal Prize*, accessed January 10, 2020. (<https://kingfaisalprize.org/professor-yousef-a-al-qaradawi/>).

²⁰ Jeffrey Goldberg, “New Chapter, Old Story,” *The New York Times*, October 11, 2013. (<https://www.nytimes.com/2013/10/13/books/review/daniel-jonah-goldhagens-devil-that-never-dies.html>).

²¹ *Ibid.*

²² *Ibid.*

²³ “Sheik Yusuf al-Qaradawi: Theologian of Terror,” *Anti-Defamation League*, May 3, 2013. (<https://www.adl.org/sites/default/files/documents/assets/pdf/anti-semitism/arab-world/Sheik-Yusuf-al-Qaradawi-2013-5-3-v1.pdf>).

Allah, count their numbers, and kill them, down to the very last one.”²⁴ Qaradawi’s program ran until 2013 and reached an estimated 60 million viewers world-wide.²⁵

Qaradawi was not confined to Al Jazeera’s airwaves. In 1999—the same year he was banned from entering the United States—Qaradawi launched his website, IslamOnline, with backing from the Qatari royal family.²⁶ As the Anti-Defamation League notes, the website “enabled Qaradawi to reach the American public despite being banned from the country.”²⁷ IslamOnline ran several news stories that described Zionism as a “cancer,” and also featured fatwas from Qaradawi that endorsed violence.²⁸

While Qaradawi serves as a particularly notable case of Al Jazeera’s purveying of anti-Semitism, he is, unfortunately, not the only one. In May 2019, the network came under fire for airing a Holocaust-denying video on AJ+ Arabic, which Haaretz describes as Al Jazeera’s “youth-focused, on-line current-events channel.”²⁹ The video, titled “How Did Israel Benefit from the Holocaust?” claimed that Israel was the “biggest winner” and that the estimation that 6 million Jews who perished in the Holocaust was overblown and had been “adopted by the Zionist movement.”³⁰ In the 7-minute-long video, the narrator, Muna Hawwa, agrees that the Holocaust happened but was “different from how the Jews tell it.”³¹ Hawwa goes on to question why “does the world focus so much on Jews,” when the Nazis also killed “Gypsies [Roma], the disabled, homosexuals, and Arabs and Christians too.”³²

The other claims made in the video are similarly horrific—as is the way AJ+ marketed the video on its Arabic social media platforms: Using the caption, “gas ovens killed millions of Jews . . . so goes the narrative. What is the truth behind the #Holocaust and how did the Zionist movement benefit from it?”³³

AJ+ pulled the video from its platforms,³⁴ but it had already garnered 1.1 million views on Twitter and Facebook. Al Jazeera also suspended 2 journalists (an action it never took in relation to Qaradawi’s anti-Semitism) and claimed that the video had been “produced without due oversight.”³⁵

In Europe and other markets outside the Arab world, Al Jazeera reaches much of its audience via Al Jazeera English, which claimed in 2013 to reach over 270 million households in over 140 countries.³⁶ Since it seeks a broader audience, Al Jazeera English generally avoids the excesses of its Arabic progenitor. Mohammed Fahmy, a former Al Jazeera employee, describes Al Jazeera’s Arabic and English channels as “entirely different animals,” since the Arabic channel serves as a “mouthpiece for the Qatari government which owns Al Jazeera 100 percent.”³⁷

Yet the politics and ideology behind the Arabic channel sometimes become visible, as became clear in June 2017, when the Twitter account of Al Jazeera English was caught sharing an anti-Semitic meme. Known as the “Happy Merchant,” the meme shows “a hook-nosed Jew in a yarmulke rubbing his hands together.”³⁸ Al Jazeera’s

²⁴ P. David Hornik, “The Ten Worst Purveyors of Antisemitism Worldwide, #2: Sheikh Yusuf al-Qaradawi,” *PJ Media*, November 24, 2013. (<https://pjmedia.com/lifestyle/2013/11/24/the-ten-worst-purveyors-of-antisemitism-worldwide-2-sheikh-yusuf-al-qaradawi/1/>).

²⁵ “Yusuf al-Qaradawi,” *Counter Extremism Project*, accessed on January 10, 2020. (<https://www.counterextremism.com/extremists/yusuf-al-qaradawi>).

²⁶ “Sheik Yusuf al-Qaradawi: Theologian of Terror,” Anti-Defamation League, May 3, 2013. (<https://www.adl.org/sites/default/files/documents/assets/pdf/anti-semitism/arab-world/Sheik-Yusuf-al-Qaradawi-2013-5-3-v1.pdf>).

²⁷ *Ibid.*

²⁸ *Ibid.*

²⁹ “Al Jazeera Pulls Video Claiming Holocaust Was ‘Different From How the Jews Tell It,’” *Haaretz* (Israel), May 19, 2019. (<https://www.haaretz.com/middle-east-news/al-jazeera-pulls-video-claiming-holocaust-was-different-from-how-the-jews-tell-it-1.7255111>).

³⁰ “Al Jazeera suspends journalists for Holocaust denial video,” *BBC News* (UK), May 20, 2019. (<https://www.bbc.com/news/world-middle-east-48335169>).

³¹ “Al Jazeera Pulls Video Claiming Holocaust Was ‘Different From How the Jews Tell It,’” *Haaretz* (Israel), May 19, 2019. (<https://www.haaretz.com/middle-east-news/al-jazeera-pulls-video-claiming-holocaust-was-different-from-how-the-jews-tell-it-1.7255111>).

³² *Ibid.*

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ “Al Jazeera suspends journalists for Holocaust denial video,” *BBC News* (UK), May 20, 2019. (<https://www.bbc.com/news/world-middle-east-48335169>).

³⁶ “Al Jazeera English,” *Al Jazeera*, accessed on January 10, 2020. (<https://www.aljazeera.com/>).

³⁷ Mohammed Fahmy, *The Marriott Cell: An Epic Journey from Cairo’s Scorpion Prison to Freedom* (Toronto: Random House Canada, 2016) page 115.

³⁸ Sam Kestenbaum, “Al Jazeera Sorry For ‘Mistakenly’ Tweeting Anti-Semitic Meme,” *Forward*, June 1, 2017. (<https://forward.com/fast-forward/373513/al-jazeera-sorry-for-mistakenly-tweeting-anti-semitic-meme/>).

post featured the caption “my global warming, uh, I mean, climate change scam is working out perfectly for our long-term Talmudic plan of world domination!”³⁹ Al Jazeera English quickly deleted the meme and claimed that the image was not an Al Jazeera English original, “but a reply to an old thread that was mistakenly linked.”⁴⁰

The Islamic Republic of Iran

When I was foreign correspondent covering the Islamic Revolution in Iran in 1979, the 3,000-year-old Jewish community in that nation numbered about 100,000. I recall visiting Iran’s chief rabbi. Above his desk, he had a portrait of Ayatollah Ruhollah Khomeini, whom he praised—effusively, though by no means convincingly.

Over the years since, Iran’s Jewish population has dwindled. Today it is estimated at under 10,000. Under the Islamist regime they are and will remain—at best—second-class citizens. Other minorities, including Christians, and especially Baha’i, suffer even more brutal persecution.

Anti-Semitism constitutes a defining feature of Tehran’s radical Islamist ideology. The clerical regime routinely calls for Israel’s destruction, with the supreme leader, Ayatollah Ali Khamenei, regularly leading crowds in chants of “Death to Israel!” And while the regime often attempts to draw a distinction between anti-Semitism and anti-Zionism, claiming that it opposes Israel but not Jews,⁴¹ its rhetoric and behavior tell a different story. The regime embraces classic anti-Semitic conspiracy theories, demonizes Jews in official state media, and promotes Holocaust denial.⁴² On the eve of the 1979 Islamic Revolution, Iran’s Jewish population numbered 80,000 to 100,000. Today, estimates of Iran’s Jewish population range from 5,000 to 10,000.⁴³

Iran’s view of Israel and Jews resembles the thesis of *The Protocols of the Elders of Zion*, the infamous anti-Semitic forgery published in the early 20th Century. According to the Islamist regime, Israel and Jews not only seek to dominate their neighbors, but also lie at the root of all the problems facing the Muslim world. Jews, in this conspiratorial view, secretly control Western governments, spurring them to advance policies that weaken the Muslim world and corrupt it with anti-Islamic ideas.

Last year, for instance, a state-run Iranian television station broadcasted a music video portraying the Statue of Liberty with a Jewish menorah in place of its torch; the singer described it as “a flame straight from hell.”⁴⁴ Iranian President Hassan Rouhani said the Trump administration’s harsh rhetoric against Tehran was “written by Zionists word for word.”⁴⁵ A headline in the state-run Press TV declared, “The Zionists Tighten Their Stranglehold on British Politics”; the story proceeded to argue that Britain “is unable to assert an independent foreign policy in respect to major foreign policy issues, notably with regards to Iran.”⁴⁶ Iran’s state-run media broadcast and disseminate world-wide, reaching millions of viewers in Persian, Arabic, English, and Spanish.

The anti-Semitism of Iran’s rulers and State-run media has a long history. In his landmark book, *Islamic Government*, Ayatollah Ruhollah Khomeini, the regime’s founding father and first supreme leader, wrote: “From the very beginning, the his-

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ “Not anti-Semitic”: Khamenei defines Iran’s goal of ‘wiping out Israel,’” *The Times of Israel* (Israel), November 15, 2019. (<https://www.timesofisrael.com/khamenei-when-iran-speaks-of-wiping-out-israel-it-refers-to-regime-not-jews/>); “Iran rejects anti-Semitism allegation by Pence,” *Reuters*, February 16, 2019. (<https://www.reuters.com/article/us-usa-eu-iran/iran-rejects-anti-semitism-allegation-by-pence-idUSKCN1Q50IA>).

⁴² “Holocaust Denial and Distortion from Iranian Government and Official Media Sources, 1998–2016,” *United States Holocaust Memorial Museum*, accessed January 9, 2020. (<https://www.ushmm.org/antisemitism/holocaust-denial-and-distortion/holocaust-denial-antisemitism-iran/2016-holocaust-cartoon-contests-in-iran/timeline>).

⁴³ Karmel Melamed, “40 years after Iranian Revolution, LA’s Persian Jews are still feeling the pain,” *The Times of Israel* (Israel), March 1, 2019. (<https://www.timesofisrael.com/40-years-after-iranian-revolution-las-persian-jews-are-still-feeling-the-pain/>); Roya Hakakian, “Why They Stay,” *Tablet*, January 14, 2019. (<https://www.tabletmag.com/jewish-news-and-politics/278355/iranian-revolution-jews>).

⁴⁴ David Andrew Weinberg, “Tehran Spreads More Anti-Semitism as Military Tensions Increase,” *Anti-Defamation League*, August 21, 2019. (<https://www.adl.org/blog/tehran-spreads-more-anti-semitism-as-military-tensions-increase>).

⁴⁵ “Zionists’ Writing White House Speeches on Iran ‘Word for Word,’ Rouhani Alleges,” *Algemeiner*, May 23, 2019. (<https://www.algemeiner.com/2019/05/23/zionists-writing-white-house-speeches-on-iran-word-for-word-rouhani-alleges/>).

⁴⁶ “The Zionists Tighten Their Stranglehold on British Politics,” *Press TV* (Iran), July 13, 2019. (<https://www.presstv.com/Detail/2019/07/13/600825/UK-Israel-Stranglehold-on-British-Politics>).

torical movement of Islam has had to contend with the Jews, for it was they who first established anti-Islamic propaganda.”⁴⁷

Ayatollah Ali Khamenei, the current supreme leader, has repeatedly described Israel as a “cancerous tumor” as well as the Middle East’s biggest problem.⁴⁸ This view, he said, constitutes a theological imperative. “Palestine is not a strategic but a belief issue,” he contended. “It is about a heart connection. It is a religious issue.”⁴⁹ Israel, he said, constitutes “a painful wound on the body of Islamic society” that “is annoying the heart of the prophet. The heart and soul of the prophet in paradise is full of sadness. What is the solution, then? Jihad is the solution.”⁵⁰

Holocaust denial also features prominently in the regime’s rhetoric. Last month, Khamenei tweeted his support for the late French philosopher Roger Garaudy, whose book denying the Holocaust was banned in France.⁵¹ The regime has also held multiple Holocaust denial cartoon contests as well as Holocaust denial conferences.⁵² This conduct stems in part from its goal of delegitimizing the state of Israel.

Europe

The extraordinary spike in lethal Jew-hatred and in contemporary antisemitism targeting Israel has led to intensified security, new tracking methods, resolutions, executive orders, and legislation to combat “the oldest hatred.”

Hezbollah, Proxy of the Islamic Republic of Iran

In December, Germany’s Bundestag passed a resolution urging Chancellor Angela Merkel’s administration to ban Hezbollah’s activities in the Federal Republic. Merkel has declined to authorize her interior ministry to enact a ban, however. The 1,050 Hezbollah operatives in Germany spread a lethal anti-Semitic ideology and promote the BDS campaign against Israel.

Over the years, U.S. Ambassador to Germany Richard Grenell, Secretary of State of Mike Pompeo, the Israeli government, and Germany’s nearly 100,000-member Jewish community have appealed to Merkel to outlaw Hezbollah.

The United Kingdom proscribed Hezbollah’s entire organization as a terrorist entity in February 2019.⁵³ In doing so, it joined the Netherlands as the second European country to ban Hezbollah in its entirety. After Hezbollah operatives blew up an Israeli tour bus in 2012 in Burgas, Bulgaria, the European Union classified Hezbollah’s “military wing” as a terrorist organization in 2013. The bombing killed 5 Israeli tourists and their Bulgarian Muslim bus driver.

The notion of a split between Hezbollah’s alleged military and political wings is risible. The organization itself denies any distinction, but the fiction serves a political purpose for the European Union.⁵⁴

Anti-Semitic Murders in Germany

After a right-wing extremist sought to massacre Jews praying in a synagogue in the eastern German city of Halle on Yom Kippur in October 2019, the state of Saxony-Anhalt, where Halle is located, posted armed officers outside synagogues during

⁴⁷ Imam Khomeini, *Islamic Government* (Tehran: The Institute for Compilation and Publication of Imam Khomeini’s Works, 1991), page 7. (<https://kyleorton1991.files.wordpress.com/2017/11/ruhollah-khomeini-1970-islamic-government-governance-of-the-jurist.pdf>).

⁴⁸ Tamas Pileggi, “Khamenei: Israel a ‘cancerous tumor’ that ‘must be eradicated,’” *The Times of Israel* (Israel), June 4, 2018. (<https://www.timesofisrael.com/khamenei-israel-a-cancerous-tumor-that-must-be-eradicated/>); Greg Tepper, “Israel a ‘cancerous tumor’ and Middle East’s biggest problem, Iranian supreme leader says,” *The Times of Israel* (Israel), August 19, 2012. (<https://www.timesofisrael.com/khamenei-israeli-a-malignant-zionist-tumor/>).

⁴⁹ Ben Cohen, “Global Anti-Semitism Now Has a Leader,” *The Tower*, September 2015. (<http://www.thetower.org/article/global-anti-semitism-now-has-a-leader>).

⁵⁰ *Ibid.*

⁵¹ Rachel Wolf, “Iran’s Khamenei praises French Holocaust-denier,” *The Jerusalem Post* (Israel), December 17, 2019. (<https://www.jpost.com/Middle-East/Iranian-Ayatollah-Ali-Khamenei-praises-French-Holocaust-denier-611189>).

⁵² “Holocaust Denial and Distortion from Iranian Government and Official Media Sources, 1998–2016,” United States Holocaust Memorial Museum, accessed January 10, 2020. (<https://www.ushmm.org/antisemitism/holocaust-denial-and-distortion/holocaust-denial-antisemitism-iran/2016-holocaust-cartoon-contests-in-iran/timeline>).

⁵³ “Hezbollah to be added to UK list of terrorist organisations,” *BBC News* (UK), February 25, 2019. (<https://www.bbc.com/news/uk-47359502>).

⁵⁴ Mark Dubowitz and Benjamin Weinthal, “Europe’s Delusions on Hezbollah,” *New York Post*, March 11, 2019. (https://www.fdd.org/analysis/op_ed/2019/03/11/europes-delusions-on-hezbollah/).

times of prayer.⁵⁵ The 27-year-old neo-Nazi Stephan Balliet, after failing to breach the synagogue's door, murdered 2 non-Jews nearby before he was arrested.

In addition to Balliet's right-wing anti-Semitism, including Holocaust denial, he was wedded to a contemporary anti-Semitic worldview, including the idea of a "Zionist-occupied government" controlling Germany. In short, he desired to end Israel's existence and rid the world of Zionism.⁵⁶ In the aftermath of the Halle attack, the German state of Hesse will provide police at every synagogue and Jewish institution during Jewish holidays. Germany's Interior Minister Horst Seehofer, who has declined to ban Hezbollah, said the authorities will "take a closer look at the gamers' scene," because Balliet was heavy user of on-line gaming platforms.⁵⁷

Bundestag Resolutions and City Council Laws against BDS

The German parliament passed a non-binding anti-BDS resolution in May declaring BDS to be anti-Semitic.⁵⁸ The resolution noted that the BDS campaign recalls the Nazi-era economic boycott against German Jews that is considered a precursor to the Holocaust. Merkel's administration has declined to implement the Bundestag's anti-BDS resolution. In contrast, the German cities of Frankfurt, Berlin, and Munich have either city council laws or executive orders barring the use of public space and funds for BDS activities.⁵⁹

Visa Restrictions for Visitors from the Disputed Territories

In January, Andreas Geisel, Berlin's senator for the interior—the city's equivalent of an interior minister—travelled to Israel to receive briefings on counter-terrorism and exchange information with Israel's public security minister. Geisel went to the German consulate office in Ramallah to sensitize the staff about issuing visas to Palestinians who promote terrorism and lethal Jew-hatred. The Ramallah consulate had greenlighted visas for Palestinians to visit Berlin who glorify terrorism against Jews and Israel.⁶⁰

France and Lethal Anti-Semitism and Anti-Zionism

The French government finances the security of Jewish institutions at the cost of \$1.2 million a day.⁶¹ The intensified French security measures followed the Islamic State's deadly attacks in Paris in 2015 on Charlie Hebdo magazine cartoonists and 4 Jews at a kosher supermarket. The enhanced security, according to French observers, has turned Jewish organizations and institutions into fortresses.

In December 2019, France's National Assembly passed a resolution largely equating anti-Zionism with anti-Semitism. The resolution also endorsed the International Holocaust Remembrance Alliance's definition of anti-Semitism and urged other nations to accept it.⁶²

Argentina

Five years ago this week, Alberto Nisman, an Argentine prosecutor investigating an act of terrorism against Argentine Jews, was shot in the head. The murder came hours before he was slated to present evidence of a plot between major figures in the Argentine government and Iranian representatives to provide immunity to Iran

⁵⁵ Cnaan Liphshiz, "How Germany is rethinking security for its Jewish community following the Yom Kippur synagogue attack," *Jewish Telegraphic Agency*, October 18, 2019. (<https://www.jta.org/2019/10/18/global/how-germany-is-rethinking-security-for-its-jewish-community-following-the-yom-kippur-synagogue-attack>).

⁵⁶ Benjamin Weinthal, "Germany Yom Kippur shooting didn't come out of nowhere—analysis," *The Jerusalem Post* (Israel), October 10, 2019. (<https://www.jpost.com/Diaspora/Germany-shooting-didnt-come-out-of-nowhere-604262>).

⁵⁷ Cnaan Liphshiz, "How Germany is rethinking security for its Jewish community following the Yom Kippur synagogue attack," *Jewish Telegraphic Agency*, October 18, 2019. (<https://www.jta.org/2019/10/18/global/how-germany-is-rethinking-security-for-its-jewish-community-following-the-yom-kippur-synagogue-attack>).

⁵⁸ Katrin Bennhold, "German Parliament Deems B.D.S. Movement Anti-Semitic," *The New York Times*, May 17, 2019. (<https://www.nytimes.com/2019/05/17/world/europe/germany-bds-anti-semitic.html>).

⁵⁹ Orit Arfa, "Confronting Germany's mixed record on tackling BDS," *Jewish News Syndicate*, July 31, 2018. (<https://www.jns.org/confronting-germanys-mixed-record-on-tackling-bds>).

⁶⁰ Andreas Geisel, "Berlin's senator wants to make entry more difficult for anti-Semitic agitators," *Berliner Zeitung* (Germany), January 1, 2020. (<https://www.berliner-zeitung.de/mensch-metropole/berlins-innensenator-will-antisemitischen-hetzern-die-einreise-erschweren-li.4702>).

⁶¹ Cnaan Liphshiz, "How Germany is rethinking security for its Jewish community following the Yom Kippur synagogue attack," *Jewish Telegraphic Agency*, October 18, 2019. (<https://www.jta.org/2019/10/18/global/how-germany-is-rethinking-security-for-its-jewish-community-following-the-yom-kippur-synagogue-attack>).

⁶² Ariel Kahana and Dam Lavie, "'Anti-Zionism is akin to anti-Semitism,' French Parliament rules," *Israel Hayom* (Israel), April 12, 2019. (<https://www.israelhayom.com/2019/12/04/french-parliament-rules-anti-zionism-is-akin-to-anti-semitism>).

for its role in the terrorist attack. Those involved in Nisman's murder have never been brought to justice though at least 1 has been indicted.

Argentina's newly-elected president once said he believed Nisman could not have committed suicide. Indeed, the country's Gendarmerie found Nisman had been subdued and assassinated. But now the new president says—no doubt swayed by current Vice President Cristina Kirchner, who was president at the time of Nisman's murder and was the author of the alleged plot to cover up Iran's role in the original terrorist attack—that there is no evidence of an assassination. He is in a bind because if there were an assassination of an innocent man investigating a plot to cover up the anti-Semitic terrorist act, someone would have to be held accountable. It is increasingly looking like that may not happen in Argentina under the new government.

The BDS Campaign, Non-Governmental Organizations, and the United Nations

BDS is one expression of anti-Semitism. Activists at the Durban NGO Forum in 2001, a precursor to the BDS campaign, distributed pro-Nazi and overtly anti-Semitic literature, signaling BDS's future direction.⁶³ BDS is both a form of economic warfare and a means to malign and de-legitimize the Jewish state. Among its methods: Fabricating, magnifying, and distorting Israeli policies, actions, and perceived abuses. According to a 2016 report by the Amcha Initiative, a non-profit dedicated to investigating and combating anti-Semitism in American higher education institutions, "The consideration of anti-Israel divestment resolutions in student government or by the student body was strongly linked to a surge in anti-Semitic activity."⁶⁴

Many of the BDS campaign's charges against Israel seem familiar because they are modern manifestations of centuries-old attacks against Jews. BDS activists have claimed that Israelis harvest Palestinian organs, kill babies, poison Palestinian wells and, as recently as this month, intentionally flood Gaza. BDS activists also have alleged that Israel and its supporters control foreign governments.⁶⁵ Not surprisingly, BDS has found a receptive audience among neo-Nazis and others who are openly anti-Semitic.⁶⁶

While portraying itself as a social justice movement aimed at changing Israeli policies, it should be obvious that BDS seeks the destruction of—a "final solution" for—the Jewish state. BDS leader Omar Barghouti has stated that the BDS campaign "oppose[s] a Jewish state in any part of Palestine." He added, "No Palestinian, no rational Palestinian, not a sell-out Palestinian, will ever accept a Jewish state in Palestine."⁶⁷ The claim that the Jewish state can be annihilated through peaceful means is unserious. The more than 6 million Jews living in Israel would not pack up and move; they would fight. The war would be bloody. More than half of Israel's Jewish population descends from refugees from Arab countries. Does anyone really think they'd be welcomed to return to Baghdad, Cairo, or Aleppo?⁶⁸ In other words, BDS is implicitly promoting a second Jewish genocide within the span of less than a hundred years.

A network of non-government organizations (NGO's) promotes BDS through research, funding, and organizing. Human Rights Watch (HRW) is one of several groups whose research reflects BDS priorities and informs BDS initiatives. In 2015, HRW pressured the U.N. secretary-general to place Israel on a blacklist of violators of children's rights in armed conflict, a list that includes the Islamic State and Boko

⁶³ Harris Schoenberg, "Demonization in Durban: The World Conference Against Racism," City University of London, October 8, 2001. (<http://www.staff.city.ac.uk/p.willetts/NGOS/WCAR/SCHOENBG.PDF>); "Durban Watch, Photos from the 2001 U.N. World Conference Against Racism, Durban, South Africa," Human Rights Voices, accessed January 10, 2020. (<http://www.humanrightsvoices.org/EYEontheUN/antisemitism/durban/?l=36&p=350>).

⁶⁴ "Report on Anti-Semitic Activity During the First Half of 2016," AMCHA Initiative, 2016. (<https://www.amchainitiative.org/wp-content/uploads/2016/07/Report-on-Antisemitic-Activity-During-the-First-Half-of-2016.pdf>).

⁶⁵ State of Israel Ministry of Strategic Affairs, "Behind the Mask: The Antisemitic Nature of BDS Exposed," September 2019. (<https://4il.org.il/wp-content/uploads/2019/09/MSA-report-Behind-the-Mask.pdf>).

⁶⁶ "The New Anti-Semites," Zacher Legal Institute and Stopantisemitism.org, December 2019. (<https://static1.squarespace.com/static/5cc20f51ca525b73bdd50e3a/t/5e035aaff6f8a1331660-1016/1577278302733/The+New+Anti-Semites.pdf>).

⁶⁷ "Omar Barghouti—Strategies for change," Vimeo, September 23, 2013. (<https://vimeo.com/75201955>); Barghouti response: Omar Barghouti, "Why Americans Should Support BDS," *The Nation*, July 29, 2019. (<https://www.thenation.com/article/bds-house-resolution-trump-squad-omar-aoc>).

⁶⁸ "About," *Jews Indigenous to the Middle East and North Africa*, accessed January 10, 2020. (<https://www.jimena.org/about-jimena>).

Haram.⁶⁹ Bernardine Dohrn, the vice chairwoman of HRW's children's rights advisory committee,⁷⁰ is a former leader of the domestic terrorist group Weather Underground.⁷¹ Once listed among the FBI's Ten Most Wanted, Dohrn is now a BDS activist.⁷²

In January 2016, HRW advanced its pro-BDS advocacy with a report titled "Occupation, Inc." Arguing that businesses operating in Israeli settlements contribute to human rights abuses, the report urged these companies to boycott the settlements.⁷³ HRW then released a pair of reports in 2017 and 2018 calling on banks to boycott Israeli settlements.⁷⁴ HRW also began pressing Airbnb, the on-line property rental service, to delist properties located in Israeli settlements. At the same time, HRW was preparing a report on Airbnb's settlement-based listings that described them as contributing to human rights violations. Seeking to avoid bad press, Airbnb announced 1 day before HRW released its report that the company would remove all settlement listings, though the company later reversed its decision.⁷⁵

In conjunction with HRW, the United Nations has aided anti-Israel activism. The United Nations constantly isolates Israel and treats it as a whipping boy—the Jew among nations, one might say. The body holds the Jewish state to a standard not expected of other countries.

The following are examples of the United Nations' political anti-Semitism: In 2019, the U.N. General Assembly continued its trend of singling out the Jewish state by passing 18 resolutions targeting Israel, compared to only 7 country-specific condemnations for the rest of the world.⁷⁶ The U.N. Human Rights Council, since its founding in 2006, has passed about as many resolutions condemning Israel as those against the rest of the world combined. In 2016, the council passed a resolution calling for a blacklist of all companies operating in Israeli settlements. This resolution emerged through the council's structural anti-Semitic flaw—a permanent agenda item dedicated to Israel, guaranteeing an exaggerated focus on the Jewish state. There is no permanent agenda item for any other country.⁷⁷

The U.N. infrastructure dedicated to the Palestinians and used to castigate Israel is extensive. The United Nations maintains a separate refugee agency dedicated to the Palestinians known as the United Nations Relief and Works Agency for Palestine Refugees in the Near East, or UNRWA. Due to deep and pervasive corruption, its director was recently forced to resign. But in its very design, UNRWA is corrupt: Its goal is not to solve but to perpetuate the Palestinian refugee problem and reinforce the Palestinian claim to any and all Israeli land, including by maintaining a definition of refugees that is more expansive than that for any other refugees.⁷⁸

The United Nations also has a Division of Palestinian Rights (DPR) under the secretariat, the only division dedicated to a specific people. The division oversees the Committee for the Exercise of the Inalienable Rights of the Palestinian People,

⁶⁹Human Rights Watch, Letter, "Ensure Consistency in Children and Armed Conflict Report," *Human Rights Watch*, April 27, 2015. (<https://www.hrw.org/news/2015/06/04/ensure-consistency-children-and-armed-conflict-report>).

⁷⁰"Children's Rights Division," *Human Rights Watch*, accessed December 6, 2019. (<https://www.hrw.org/about/people/advisory-committee/childrens-rights-division>).

⁷¹Nathaniel Sheppard Jr., "Chicago Home of a Friend Was Refuge for Miss Dohrn; Charges Dropped in 1979 A Private Neighborhood Neighbors Were Unaware," *The New York Times*, December 5, 1980. (<https://www.nytimes.com/1980/12/05/archives/chicago-home-of-a-friend-was-refuge-for-miss-dohrn-charges-dropped.html>).

⁷²Federal Bureau of Investigation, "314. Bernardine Rae Dohrn," accessed January 10, 2020. (https://www.fbi.gov/wanted/topten/topten-history/hires_images/FBI-314-BernardineRae-Dohrn.jpg/view).

⁷³"Occupation, Inc.," *Human Rights Watch*, accessed January 10, 2020. (<https://www.hrw.org/report/2016/01/19/occupation-inc/how-settlement-businesses-contribute-israels-violations-palestinian>).

⁷⁴"Bankrolling Abuse," *Human Rights Watch*, accessed January 10, 2020. (<https://www.hrw.org/report/2018/05/29/bankrolling-abuse/israeli-banks-west-bank-settlements>).

⁷⁵Nazish Dholakia and Omar Shakir, "Interview: Airbnb Checks Out of West Bank Settlements," *Human Rights Watch*, December 4, 2018. (<https://www.hrw.org/news/2018/12/04/interview-airbnb-checks-out-west-bank-settlements>); "Listings in Disputed Regions," *Airbnb*, November 19, 2018. (<https://press.airbnb.com/listings-in-disputed-regions>); "Bed and Breakfast on Stolen Land," *Human Rights Watch*, accessed January 10, 2020. (<https://www.hrw.org/report/2018/11/20/bed-and-breakfast-stolen-land/tourist-rental-listings-west-bank-settlements>).

⁷⁶"2019 U.N. General Assembly Resolutions Singling Out Israel—Texts, Votes, Analysis," *U.N. Watch*, accessed January 10, 2020. (<https://unwatch.org/2019-un-general-assembly-resolutions-singling-out-israel-texts-votes-analysis/>).

⁷⁷David May, "How to fix the UN's anti-Israel club of dictators," *The Hill*, March 31, 2018. (<https://thehill.com/opinion/international/381061-how-to-fix-the-uns-anti-israel-club-of-dictators>).

⁷⁸*Ibid.*

which frequently commissions anti-Israel reports and hosts anti-Israel conferences.⁷⁹ DPR also oversees UNISPAL, a UN-funded anti-Israel propaganda machine.⁸⁰ There is also the Special Committee to Investigate Israeli Practices, which makes no attempt to hide its singular focus on Israel. Extreme anti-Israel bias is pervasive throughout the U.N. system, including at UNESCO, the U.N. cultural agency, and at ESCWA, the Middle East regional group, which excludes Israel.⁸¹

The United Nations maintains its extreme policies on Israel, the only Middle Eastern country ranked “free” by Freedom House, while brutal dictatorships with deplorable human rights records are overlooked.⁸² But then, anti-Semites have always used Jew and Jewish communities as distractions and scapegoats.

RECOMMENDATIONS

Law Enforcement

- Federal grant funding should be increased for local police departments and prosecutors for hate crime response training. Some big cities do a good job, but smaller towns lack necessary resources.
- There should be a review of city and State laws that put perpetrators of anti-Semitic and other hate crimes back on the streets within hours. New York City is the prime example of this right now.
- A system should be set up for monitoring and reporting on anti-Semitism and other hateful ideologies being spread in America’s prison systems.
- Extremist and/or anti-Semitic foreign imams in the United States illegally should be deported expeditiously. Extremist and/or anti-Semitic foreign imams here legally should not receive visa extensions.

Foreign Policy

- U.S. taxpayer contributions to the United Nations that end up funding the U.N. Human Rights Council should be cut.
- The current U.S. Ambassador to the United Nations should be encouraged to call out anti-Semitism and anti-Israelism in that organization, as Ambassador Nikki Haley so effectively did.
- The office of the State Department’s Special Envoy to Monitor and Combat Anti-Semitism should be given additional responsibilities and fully funded.
- The Islamic Republic of Iran should be recognized and condemned as the world’s leading state sponsor of anti-Semitism.
- France’s judiciary should be condemned for its travesty of justice in the Sarah Halimi case mentioned above.
- It would be useful to propose and support an Executive Order extending current anti-boycott laws initiated by U.S. State governments to boycotts of Israel put forward by international governmental organizations such as the United Nations or European Union.
- Foreign laws requiring special labeling for Israeli-made products and other initiatives pushed by the BDS movement are designed solely to stigmatize the world’s only Jewish state. Countries that adopt such initiatives should find themselves on the list of countries of concern for violations of religious freedom.
- The National Security Council and the Domestic Policy Council should each have a dedicated staff member with responsibility for coordinating interagency efforts to combat anti-Semitism. Policy planning on anti-Semitism should be institutional across all departments and agencies, and have a dedicated position to convene the interagency for both domestic and foreign anti-Semitism issues to have a lasting impact.

⁷⁹“The United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People,” *Anti-Defamation League*, July 2009. (<https://www.adl.org/sites/default/files/documents/israel-international/un-international-organizations/c/CEIRPP-FINAL-REPORT-2009.pdf>).

⁸⁰United Nations Department for Political and Peacebuilding Affairs, “Palestinian Rights,” accessed January 10, 2020. (<https://dppa.un.org/en/palestinian-rights>); United Nations Information System on the Question of Palestine, “Question of Palestine,” accessed January 10, 2020. (<https://www.un.org/unispal/data-collection>).

⁸¹“The United Nations and its Agencies: Unequal Financial Allocations, Mistreatment of Israel, and Straying from its Mandates,” *Kohelet Policy Forum*, January 2019. (https://en.kohelet.org.il/wp-content/uploads/2019/01/KPF089_UN_030119_web_R.pdf).

⁸²“Israel,” *Freedom House*, accessed January 10, 2020. (<https://freedomhouse.org/report/freedom-world/2019/israel>).

Education and Religious Freedom

- Imams and mosques preaching anti-Semitism and other expressions of hate and bigotry (e.g. toward Christians or the LGBT community) should be denounced by local, State, and Federal authorities (very much including Members of Congress).
- Religious freedom means being free to exercise your religion free of state control. Initiatives to ban circumcision are anti-Semitic and should be condemned.
- There should be a review of State Holocaust education requirements and curriculum to ensure that the next generation is being adequately educated. Many States have Holocaust education laws but they are vague and not well-implemented. The Simon Wiesenthal Center, U.S. Holocaust Memorial Museum, and others have published excellent digital content for teachers—but too few school districts and State boards of education know enough to offer these opportunities. There should be a review of foreign textbooks in the United States: Many textbooks originating in the Middle East indoctrinate children to hate of Jews, Christians, and other non-Muslims.

Mr. ROSE. Thank you, sir.

We now turn to Mr. Kontorovich to summarize his statement for 5 minutes.

**STATEMENT OF EUGENE KONTOROVICH, PROFESSOR OF LAW,
ANTONIN SCALIA LAW SCHOOL, GEORGE MASON UNIVERSITY**

Mr. KONTOROVICH. Chairman Rose, Ranking Member Walker, Chairman Thompson, and honorable Members of the subcommittee, thank you for inviting me here today to discuss the unhappy topic of anti-Semitism.

My comments will focus on practices and campaigns that legitimize anti-Semitism, that whitewash anti-Semitism, in particular, on the anti-Semitic nature of boycotts against people and entities just because of their connection to the State of Israel.

Such discriminatory boycotts, known as BDS, do not themselves promote violence, but it does promote inherently anti-Semitic ideas, such as the singular evil and pariah status of the Jews, and it is particularly dangerous in that it seeks to make anti-Semitism acceptable in polite society, not just amongst fringe haters.

The campaign to boycott Israel seeks to legitimize discriminatory refusals to do business with people or companies because of their connection to the Jewish state. This is bigotry, just as not doing business, boycotting people because of their race, sexual orientation, or national origin is discriminatory.

The recognition that the movement known as BDS is anti-Semitic has been widely made around the world by the parliaments of Germany and Canada, by courts in Spain and France, and most significantly by more than 2 dozen States in America, which have passed laws that treat boycotting, refusing to do business with people because of their connection to Israel, just the way many States and the Federal Government treat boycotts of people because of their sexual orientation or other factors as a form of discrimination.

It makes no difference that these calls to boycott are aimed at Israel rather than at Jews per se. Israel is the largest Jewish community in the world and the home to the plurality of the world's Jews.

Refusals to deal that target Israel alone and no other countries are clear proxies for Jewishness. Anti-discrimination law makes clear that using a proxy for race, sexual orientation, and so forth can be discriminatory.

Now, to be sure, supporters of such boycotts say, “But there have been good boycotts in the past. What about the boycott of apartheid South Africa in the 1980’s?”

So boycotts are just a tool. How do we know if they are good or bad? Three factors help identify whether refusals to deal on a group basis are invidious discrimination.

The first factor is history. Boycotts of Jewish businesses have a bad history. They have been a staple of anti-Semitic campaigns, most notoriously under Nazi Germany. The boycott of Israel began in 1948 with the creation of the State of Israel by the Arab League to suffocate the new country long before Israel retook Judea and Samaria on the West Bank in 1967.

The second factor to help differentiate that boycott is focus. The invocation of ostensible international norms, international law norms, to demonize and isolate just one country with just .1 percent of the world’s population is a sure sign of discrimination.

That is why the working definition of anti-Semitism adopted by the International Holocaust Remembrance Association and many countries now lists as a contemporary example of anti-Semitism “applying double standards to Israel.”

Calls for boycotting Israel almost inevitably apply double standards, a unique, special standard to the Jewish state.

Indeed, as I show today in a *Wall Street Journal* op-ed published today, it goes far beyond double standards. Some of the most prominent supporters of such boycotts, that call for boycotting Israel based on purported international law grounds, enjoy substantial connections to groups active in occupied territories, settler groups not just ignoring but actively contradicting the principles they advance in justifying a Jew-focused boycott.

In my article today, I explain that one of the most energetic campaigners for boycotting companies in Israel is the director of the Middle East Division of Human Rights Watch, who herself actively fundraises for groups that support Armenian settlements in occupied Azerbaijanian territories.

Calls for boycotting Israeli businesses are not about international law. They are about creating a unique area—aura of illegitimacy around the Jewish state.

Finally, the third factor in identifying discriminatory boycotts is the people behind it. Pro-boycott groups have numerous documented links to terror organizations. I mentioned in my written testimony the founders and leaders of the boycott movement have openly called for an end to the Jewish state.

History, singularity, people involved, when all of these 3 factors lined up, the anti-Semitism nature of this movement becomes clear, and it is a way of wrapping in the mantle of human rights rhetoric, some of the most toxic ideas in history.

Congress has a clear role to play in combatting this, the Combatting BDS Act, which would give Congress the support for the action of now close to 28 States to treat these boycotts as a form of discrimination, and the Anti-Israel Boycott Act, which would add to existing Federal regulation against boycotts promoted by foreign countries, the Arab League boycott. Boycotts promoted by international organizations are all important measures deserving of your attention.

Mr. Chairman, Ranking Member Walker, Chairman Thompson, Members of the committee, thank you for your time, and I welcome your questions.

[The prepared statement of Mr. Kontorovich follows:]

PREPARED STATEMENT OF EUGENE KONTOROVICH

JANUARY 15, 2020

Chairman Rose, Ranking Member Walker, and honorable Members of the subcommittee, thank you for inviting me here today to discuss the unhappy topic of anti-Semitism in America. My comments will focus on practices and campaigns that legitimize anti-Semitism. In particular, I will focus on the anti-Semitic nature of boycotts against individuals and entities because of their connection to Israel, an effort that styles itself as the “Boycott, Divestment, and Sanctions” Movement, or BDS.

In the context of the jurisdiction of this subcommittee, it is important to note that such discriminatory boycotts do not in themselves call for violence (though some of the main organizations involved have ties to groups that do). Yet, BDS promotes inherently anti-Semitic ideas, such as the singularly evil and pariah status of Jews. Furthermore, BDS is particularly dangerous, given that, like some of the history’s most virulent anti-Semitic ideologies, it seeks to normalize anti-Semitism as an acceptable “attitude” in polite society. Any policy approach to anti-Semitic violence must be informed by an understanding of the ideologies that give anti-Semitism a patina of legitimacy.

The campaign to “boycott Israel” in reality seeks to legitimize discriminatory refusals to deal with people or companies simply because of their connection to the Jewish state. This is a legitimization of bigotry, just as boycotts of people because of their race, sexual orientation, or national origin would be discriminatory.

Today, it is no secret that BDS is anti-Semitic. This has been the conclusion of the German¹ and Canadian parliaments,² as well as courts in Spain³ and France.⁴ Moreover, it is the conclusion of more than 2 dozen States that have passed laws that treat such boycotts the same way most States and the Federal Government treat LGBT boycotts:⁵ as a form of discrimination that entails consequences for the ability of companies engaged in such conduct to contract with the State or Federal Government.⁶

It makes no difference that these calls to boycott are aimed at Israel, rather than at Jews per se. Israel is the largest Jewish community in the world and is home to the plurality—and soon the majority—of the world’s Jews. Refusals to deal that target Israel alone and not any other country offer a clear proxy for engaging in anti-Semitism under the cloak of political legitimacy. Partial boycotts are boycotts. Furthermore, discrimination need not be 100 percent congruent with the targeted class to be discrimination. Anti-discrimination laws make it clear that the use of proxies for race, sexual orientation, and so forth can be discriminatory.⁷

¹ Katrin Bennhold, *German Parliament Deems B.D.S. Movement Anti-Semitic*, New York Times (May 17, 2019), <https://www.nytimes.com/2019/05/17/world/europe/germany-bds-anti-semitic.html>.

² JTA, *Canada’s Parliament Rejects BDS Movement*, Times of Israel (Feb. 23, 2016), <https://www.timesofisrael.com/canadas-parliament-rejects-bds-movement/>.

³ Lidar Grave-Lazi, *Major Victory Against BDS as Spanish Court Bans Citywide Israel Boycott*, Jerusalem Post (June 2, 2016), <https://www.jpost.com/Diaspora/Major-victory-against-BDS-as-Spanish-court-bans-citywide-Israel-boycott-455752>.

⁴ JTA, *France Court Upholds ‘BDS Is Discrimination’ Ruling*, The Forward (October 23, 2015).

⁵ Eugene Kontorovich, *For the ACLU, Antipathy to Israel Trumps Antidiscrimination*, Wall Street Journal (Feb. 11, 2019), <https://www.wsj.com/articles/for-the-aclu-antipathy-to-israel-trumps-antidiscrimination-11549928620>.

⁶ See, e.g., Remarks by President Obama at Signing of Executive Order on LGBT Workplace Discrimination, referring to Exec. Order No. 13672, 41 C.F.R. 60 (July 21, 2014), <https://obamawhitehouse.archives.gov/the-press-office/2014/07/21/remarks-president-signing-executive-order-lgbt-workplace-discrimination>.

⁷ “Proxy discrimination is a form of facial discrimination.” *Pac. Shores Properties, LLC v. City of Newport Beach*, 730 F.3d 1142, 1160, n.23 (9th Cir. 2013) (citing *McWright v. Alexander*, 982 F.2d 222, 228 (7th Cir. 1992) (gray hair as proxy for age)). Proxy discrimination occurs when a policy “treats individuals differently on the basis of seemingly neutral criteria that are so closely associated with the disfavored group that discrimination on the basis of such criteria is, constructively, facial discrimination against the disfavored group.” *Id.* Israel’s association with Jewishness is undoubtedly close enough to make it a proxy.

Those who support anti-Semitic economic discrimination sometimes claim that they are engaged in “boycotting” for political reasons, rather than “discrimination” for mean-spirited reasons. But there is no magic distinction between these words;⁸ boycotts can be a form of discrimination.⁹ Indeed, most discrimination is driven by some political or ideological hostility to the target group. Yet refusal to deal on the basis of sexual orientation or other grounds does not escape the label of discrimination if it is simply dubbed a boycott and accompanied by an explanation of how it is justified by the target group’s conduct or favored policies.¹⁰

More generally, it is an illusion that anti-Semitism only manifests itself as pure, unreasoned Jew-hatred. The most effective anti-Semites have always sought to justify their bigotry by what the Jews do. The Jews were hated for inventing monotheism. Then they were hated for giving the world Jesus; and later, hated for not accepting Jesus. They were hated for promoting capitalism and also for promoting communism. In every age, the oldest hatred clothes itself in the justifications that appeal to contemporary values and public policy considerations. Today, it is no accident that anti-Semitism tries to don the mantle of human rights.

Supporters of Israel boycotts point to Americans’ “proud history of participating in boycotts to advocate for human rights abroad,”¹¹ referring in part to the 1980’s boycott of Apartheid South Africa. So are boycotts good or bad? A combination of several contextual factors helps to identify when refusals to deal on a group basis constitute invidious discrimination.

The first factor is history. Boycotts of Jewish businesses have been a staple of anti-Semitic campaigns, most notoriously, under Nazi Germany. Such boycotts are no one’s “proud history.” Boycotts of Israel, promoted by Arab states, date back to the country’s founding in 1948, when said boycotts were used to starve and isolate the fledgling Jewish state from its inception, long before it retook the West Bank from Jordan in 1967.¹² The same practices are now being retrofitted with new and spurious reasons.

The second factor is focus. The invocation of ostensible international law norms to demonize and isolate just one country—which happens to have the plurality of the world’s Jews but just 0.1 percent of the world’s population—is a sure sign of discrimination. Human rights are a powerful argument because they apply to all humans, and likewise, international law arguments are potent because they apply internationally. That is precisely why the working definition of anti-Semitism adopted by the International Holocaust Remembrance Association (IHRA) lists as a “contemporary example” of anti-Semitism the “applying of double standards” to Israel.¹³ This definition has been formally adopted by many democracies around the world. It is used by the United States¹⁴ and has most recently been incorporated into President Trump’s Executive Order on Combatting Anti-Semitism.¹⁵

Calls for boycotting Israel almost always apply a unique standard to the Jewish state. Those who say they favor a boycott of the Jewish state because of “occupation” or “settlements” are at best silent about similar issues across the world when they do not involve Jews.¹⁶ But the singling out of Israel is often even more blatant than IHRA’s “double standards.” Some of the most prominent supporters of such boycotts are themselves involved with groups active in occupied territories, not just ignoring but actively contradicting the principles they advance in justifying a Jew-focused boycott.

⁸Eugene Kontorovich, *For the ACLU, Antipathy to Israel Trumps Antidiscrimination*, Wall Street Journal A17 (Feb. 12, 2019).

⁹*Economic Discrimination, Black’s Law Dictionary* (8th ed. 2004) (“Any form of discrimination within the field of commerce, such as boycotting a particular product or price-fixing.”).

¹⁰Brief for Appellants, *Amawi v. Paxton, Pluecker v. Board of Regents of the University of Houston System* (2019) (No. 19–50384), 2019 WL 4390995, at *25–26.

¹¹H.R. Res. 496, 116th Cong. (2019).

¹²*Impact of the Boycott, Divestment, Sanctions Movement: Hearing Before the Subcomm. on National Sec. of the H. Comm. On Oversight and Govt. Reform*, 114th Cong. 2–6 (2015) (written testimony of Prof. Eugene Kontorovich, Northwestern Univ. School of Law).

¹³International Holocaust Remembrance Alliance, *Working Definition of Antisemitism* (June 27, 2016) <https://www.holocaustremembrance.com/stories/working-definition-antisemitism>.

¹⁴U.S. State Department, Office of International Religious Freedom, *Defining Anti-Semitism*, (May 26, 2016) <https://www.state.gov/defining-anti-semitism/>.

¹⁵Exec. Order No. 13,899, 84 Fed. Reg. 68,779 (Dec. 11, 2019).

¹⁶This shows the inaptness of analogies to the boycott of apartheid South Africa. Apartheid was a unique policy of Pretoria (as indicated by its Afrikaans name); the policy covered 100 percent of states with official apartheid policies. I discuss this precise concept in my piece in Issue 15 of *The Tower* titled *The Apartheid Libel: A Legal Refutation*, published in June 2014. (<http://www.thetower.org/article/the-apartheid-libel-a-legal-refutation/>).

For example, as I reveal in an article in today's *Wall Street Journal*, one of the most energetic campaigners for boycotting companies with any ties to Israel in the Golan Heights or West Bank is Human Rights Watch. Yet the director of its Middle East and African division herself publicly advocates for groups that support Armenian settlements in occupied Azerbaijani territory. To take another example, the European Council on Foreign Policy, one of the main forces behind the European Union's imposition of discriminatory labels and other restrictions on Israeli products, is itself funded by companies doing business in occupied Western Sahara and other occupied territories.¹⁷ These prominent actors' calls for boycotting Israeli businesses are not about international law—they are about creating a unique aura of illegitimacy, of “untouchableness,” around the Jewish state.

The third factor in identifying discriminatory boycotts is the people behind it. Leading pro-boycott groups have numerous documented links to terror organizations.¹⁸ This overlap is not coincidental. Founders and leaders of the boycott movement have openly called for the end to Israel as a Jewish state.¹⁹

When all these three factors coincide, the anti-Semitism becomes undeniable.

Mr. Chairman, thank you for giving me an opportunity to address these issues, and I welcome your questions.

Mr. ROSE. I thank all the witnesses for their testimony.

I will remind the subcommittee that we will each have 5 minutes to question the panel.

I will now recognize Chairman Thompson from the great State of Mississippi.

Mr. THOMPSON. Thank you, Mr. Chairman.

Let me at the outset thank the witnesses for their testimony.

I do not think any Member of this panel understands the severity of anti-Semitism and its impact in this country and want to come to some solutions, but the notion somehow in the minds of some people we engage is there is a quick fix.

So what we are tasked with is to be thoughtful, pragmatic and, to the extent possible, get it right. So part of your testimony here today moves us in that direction.

So one of the comments that I am going to ask Mr. Diament to address is how can we, the Government, effectively protect communities against violence in a way that does not result in over-policing, profiling, targeting, other strategies that may harm civil rights, civil liberties, and privacy.

Mr. DIAMENT. Thank you for your question, sir.

I would say that at least in my community and our communities around the country, right now the worry is not about over-policing. It is about under-policing because incidents are happening. There is violence on the streets, and you know, we need the police to be in the community protecting people from these assaults.

The No. 1 thing that I have heard, even we were among the coalition groups, the leaders of the coalition more than a decade ago that helped create the Nonprofit Security Grant Program, and we

¹⁷Lahav Harkov, *EU think tank advocating for West Bank boycotts funding by occupied territories worldwide*, Jerusalem Post (Dec. 10, 2019), <https://www.jpost.com/Middle-East/EU-think-tank-advocating-for-west-bank-boycotts-funded-by-occupied-territories-worldwide-610404>.

¹⁸*Examining Current Terrorist Financing Trends and the Threat to the Homeland: Hearing Before H. Homeland Sec. Comm. and Counterterrorism and Intelligence Subcomm.* 114th Cong. (2016) (written testimony of Jonathan Schanzer, Vice President for Research at the Foundation for Defense of Democracies); Armin Rosen and Leil Lebovitz, *BDS Umbrella Group Linked to Palestinian Terrorist Organizations*, Tablet Magazine (June 1, 2018), <https://www.tabletmag.com/scroll/263409/bds-umbrella-group-linked-to-palestinian-terrorist-organizations>; Israeli Ministry of Strategic Affairs, 41L, *BDS Loses Its Crowdfunding Account Over Ties to Terror Organizations* (Apr. 9, 2019), <https://4il.org.il/1256/>.

¹⁹See sources cited in 2018 WL 6011426, at *4–6. Brief for Defendants-Appellants, *Jordahl v. Arizona* (2018) (No. 18–16896), 2018 WL 6011426, at *4–6.

thank you for your leadership in moving the authorizing bill to fund that program for the coming years.

We did not anticipate back in 2005 when that program started the nightmarish situation that we are in today, and the No. 1 thing that I have heard certainly from my synagogues and also as part of working with representatives of other faith communities on this issue is the No. 1 request that synagogues are asking and, I believe, churches and mosques and others as well is we need security guards or we need the police to be more frequently patrolling outside our houses of worship, even stationed outside our house of worship on a Saturday morning or a Sunday morning or a Friday afternoon.

Many police departments do not have the resources to deploy officers to that many locations. So one thing that I would put to you that Congress could do is the Department of Justice provides many millions of dollars of support on an annual basis to local police departments for various purposes, and I would suggest that Congress should take a look at having some of those DOJ grants that go to local police departments specifically allocated for the purpose of supporting local police efforts to do more policing around houses of worship and in faith communities.

I would also say that increasing the resources under the Non-profit Security Grant Program to help houses of worship either hire security guards or make other protective measures, it is great that we got it up to \$90 million this year, but I can tell you that based on the information that the DHS has shared with our advisory committee, the last fiscal year when there was \$60 million in that pot, there was \$169 million worth of applications.

In the 5 fiscal years prior to that, there was \$131 million in grant money available. There was \$357 million worth of applications.

So the demand and the need are far out-exceeding the resources that Congress is putting into place.

Mr. THOMPSON. Yes. If it were a perfect world and there were no competing interests for the money, it is not a problem. But we have State and local communities who will say, "Well, there are other places we need to look at."

So, Mr. Greenblatt, can you shed some light on this for me?

Mr. GREENBLATT. Sure. There are a few things to think about. First of all, Mr. Chairman, I would just keep in mind that what you said is absolutely true. When we talk about more policing, that sort-of raises some concerns among communities of color because of the long history of systemic racism.

Keep in mind, No. 1, that there are many Jews of color, African American, Caribbean American, Latino, Asian American, Mizrahi who have similar concerns. So it is not something that is unique to or separate from the Jewish experience. That is No. 1.

No. 2, keep in mind that many of the synagogues, the house of worship we are talking about, Pittsburgh, Poway, many others that we see are not located in dense urban environments where there is, you know, bumping up against communities of color.

Some of the communities that my colleague mentioned in Rockland County, New York or in other parts of the area, we just do not have those issues.

But, No. 3, as we engage law enforcement to support these communities in this fashion, it clearly needs to be done in a way that that is very sensitive to the outlying communities.

So what I would suggest is that there is an ability to engage in security measures that keep the synagogues and schools and community centers safe, that keep the mosques and gurdwaras and black churches safe, and doing it in a way which is respectful of the equities and civil rights of all the people in the area.

Mr. THOMPSON. Thank you.

I think the question is you have to have the training of the individuals to understand the broader communities that they are working in.

Mr. GREENBLATT. Yes.

Mr. THOMPSON. So training goes hand-in-hand.

The other issue, Mr. Chairman, if you bear with me, the on-line platforms that are more or less pushing out a lot of this hate. We have grappled with it from the committee's perspective as to what do we do.

Facebook, for instance, has taken the policy position that if you pay for it, whether it is right or wrong, we are going to let you put it on our platform. Some of us disagree with that.

Other platforms have said no. If it is wrong and we know it is wrong, we are not going to put it.

Mr. GREENBLATT. Right.

Mr. THOMPSON. So we have some public policy issues looking at on-line hate in those platforms.

I would like to just get from the 4 of you how you think Congress should address those on-line platforms.

Mr. GREENBLATT. Well, if I might, I can give you some specifics and then open it up to my colleagues. I mean, the ADL opened up a center in Silicon Valley in 2017. Our Center for Technology in Society, which is headed up by a former software engineer, is focused specifically on this problem.

Because we need to work with the companies. The pace of innovation is so dramatic that it is, indeed, hard to keep up with it, and yet we cannot wait for the companies to regulate themselves.

So there are steps that can be taken, and I will just offer you a few considerations. So, No. 1, the on-line Safety Modernization Act is really quite relevant. So this is about protecting individuals from harassment and hate on-line.

So that is something you should look at, and that is right now going through committee.

I think No. 2, we should push the companies to take a couple of very concrete measures. Enforce their own terms of service. All the companies have them, but think about the principle of accountability. They need to enforce their own terms of service the same way other businesses do.

If you stand at the Au Bon Pain downstairs and you yell at all of the people and say, "Mexicans, go back to Mexico," they will throw you out.

If you stand at the Starbucks down the street and you yell at the Jews, "You guys are destroying our borders," the manager at Starbucks will throw you out.

We should ask that Facebook and Twitter exercise the same discretion and throw out the anti-Semites and racists and Neo-Nazis. They could do that tomorrow.

The second thing I will just point out is decency. They can demplyfy the anti-Semitism. You can do things to the algorithms to make sure that when you promote Neo-Nazi and white supremacists and hateful rhetoric targeting any community from any side of the aisle, that it does not pop to the top when your child opens up YouTube.

No. 3, they should use innovation, artificial intelligence, machine learning. They should invest the same energy to protecting their users that they do, again, to protecting corporate copyrights.

Then last, transparency, and this would get to a concern I know many of us have because people ask, "Are they shadow-banning certain groups? Are they weighting one idea over the other?"

Independent, third-party, regular audits, by the way, like all other businesses comply with.

This is the thing, and then I will stop. New media for some reason does not have to obey the same laws of gravity as old media, print, broadcast, radio. I could go on. That is because of the Communications Decency Act in Section 230, and whether or not you can take that, I do not know, but there are steps you can do right now to hold them accountable, and you should.

Mr. THOMPSON. Mr. Diament.

Mr. DIAMENT. I would just briefly. I certainly agree with everything that Jonathan mentioned. I would just add two other points.

One is specifically in the artificial intelligence arena, it is my understanding that software and algorithms have been developed by those who want to thwart sex trafficking, and AI programs have been developed that can be overlaid on the internet and on Facebook and these other platforms and are able to flag and take down, you know, based on keywords, et cetera, et cetera, and really suppress the ability of sex traffickers to use platforms for those purposes.

There is no reason why that AI technology cannot also be utilized in combatting anti-Semitism and racism and the other kinds of pernicious things that we are trying to oppose.

I will just stop with that.

Mr. THOMPSON. Thank you.

Mr. May.

Mr. MAY. I would certainly associate myself with the remarks of my two colleagues here. I think they know a lot about social media and have studied it certainly more than we have.

I would just add that anti-Semitism is an ancient hatred. I do not think we are going to cure it. I think we can treat it in many ways.

You mentioned training and education. I think that is important. I think having Members of Congress back in their districts talking about this issue, helping to educate local leaders, community leaders, and officials appearing with members of the Jewish community.

All of that it seems to me is very important in order to send a message that anti-Semitism, Jew hatred, that anti-Israelism, that anti-Zionism is something that decent people do not tolerate.

When Columbia University, for example, invites somebody who is an outspoken anti-Semite and names them as a global leader, I would love to see the Member of Congress from that district speak up about that kind of situation.

Mr. KONTOROVICH. Anti-Semitic materials proliferated long before the internet. It did not take Facebook for the *Protocols of the Elders of Zion* to be a world-wide best seller and available in every country in the world.

Indeed, with the internet now I think it is easier for people to find things out, to educate themselves and find out that, for example, this document is not an actual *Protocols of the Elders of Zion*.

I testified last year or earlier this year in the Senate on the question of regulating such speech online. We have to remember things on Facebook, just like the *Protocols of the Elders of Zion*, are protected by the First Amendment. They are speech.

At the same time, as Mr. Greenblatt pointed out, the Communications Decency Act contains various protections and carveouts for tech companies which are not required by the First Amendment, which are discretionary grants by Congress and can be re-evaluated if it does not seem they have been using those benefits wisely.

Mr. THOMPSON. Thank you very much.

Mr. ROSE. Thank you.

We will now go to my colleague, the Ranking Member, Mr. Walker.

Mr. WALKER. Thank you, Mr. Chairman and Mr. Chairman.

There is no question that anti-Semitism is rising around the world. Mr. May, what are you all seeing in Europe and elsewhere in terms of anti-Semitic rhetoric and violence?

Mr. MAY. Quite a bit of anti-Semitic violence, quite a bit of anti-Semitic rhetoric in much of Western Europe, and what else, the other thing that is going on that you should be aware of is that crimes against Jews are being treated differently than crimes against other groups or minorities.

Mr. WALKER. How do you come to that conclusion?

Mr. MAY. Well, I mentioned one where a woman in France was murdered, and not the suspect, the person who committed that murder has been let off, and he has been let off because he was smoking marijuana and that made him not responsible.

I do not think that would happen very often. In 2017, there was a lower court in Germany that upheld a lower court's sentencing. Three Palestinians had set fire to a synagogue. It was the same synagogue that had been burned during Kristallnacht in 1938, during that pogrom which preceded the Final Solution.

The court decided that the perpetrators should be released without punishment because they were incensed about Israel's actions in the Middle East, and so their act of arson did not constitute anti-Semitism. It was just a protest.

In Belgium last year, a French born jihadist was found guilty of murdering an Israeli couple and two staffers at a Jewish museum in Brussels. His lawyer claimed the attack was actually a targeted execution by agents of the Mossad. He did not bother to present any evidence.

Mr. WALKER. Thank you.

Mr. MAY. There is a list of these.

Mr. WALKER. Yes.

Mr. MAY. I could go on where you can really see what is happening in Europe is very dangerous, and as a result, the Jewish community feels very threatened.

Mr. WALKER. Thank you for the answer.

I have got about 3 minutes. So I want to get as much as I can in.

Mr. Kontorovich, first of all, thank you for cutting your trip to Israel short, coming back just for this panel. We appreciate you being here.

In your opinion, has international anti-Semitism and anti-Semitic terrorism contributed to the rise of anti-Semitism in the United States?

Mr. KONTOROVICH. The phenomena go hand-in-hand. The motivation is different. Again, every anti-Semite is coming from a different place, from the left, from the right.

But to the extent that the demonization of Jews and putting them beyond the pale, making them particularly legitimate objects of hate, to the extent that that idea becomes mainstream or becomes accepted for any reason, then anti-Semites of all stripes, including every kind of violent anti-Semite you might find in America, can attach themselves to that.

Mr. WALKER. OK. Speaking on that topic, how would you recommend or should you recommend the United States push back against anti-Semitism around the globe? Is that something that could restrict it even here?

Mr. KONTOROVICH. So, for example, my comments about efforts to single out Israel for boycotts and companies doing business in Israel for boycotts, that is a global effort, and to the extent that it is found in America, it is part of broader efforts in Europe and internationally and measures like the Anti-Israel Boycott Act, which would push back on the extraordinary effort of the United Nations to make a list of companies doing business in Israel that are on a black list and similar boycott efforts, these are crucial and these are where Congress can really take the lead.

Mr. WALKER. A couple of yes-or-no questions for the panel, and I will go right to left, starting with Mr. Kontorovich.

Do you believe that anti-Semitism comes from many different ideological drivers?

Mr. KONTOROVICH. Yes.

Mr. WALKER. Mr. May.

Mr. MAY. Oh, yes.

Mr. WALKER. Mr. Diament.

Mr. DIAMENT. Certainly.

Mr. WALKER. Mr. Greenblatt.

Mr. GREENBLATT. Yes.

Mr. WALKER. Mr. Kontorovich, based on your testimony it sounds like that you believe the BDS movement is fundamentally anti-Semitic. Do you believe that?

Mr. KONTOROVICH. That is correct.

Mr. WALKER. Mr. May.

Mr. MAY. I do.

Mr. WALKER. Mr. Diament.

Mr. DIAMENT. Yes.

Mr. WALKER. Mr. Greenblatt.

Mr. GREENBLATT. I think the people who are responsible for the movement are, indeed, anti-Semitic. I think the outcomes that BDS campaigns often generate are anti-Semitic as well.

Sometimes there are college kids and other people get caught up in the issue who might not realize what it is all about.

Mr. WALKER. OK. But you said at the very core you would agree with the colleagues?

Mr. GREENBLATT. BDS is a tactic in the broader movement of delegitimization that is inherently anti-Semitic.

Mr. WALKER. Mr. May, why do you reject BDS advocates who say they only want Israel to change its policies toward Palestinians?

Mr. MAY. Yes, I do reject that. We have some history here. Israel pulled out of Gaza entirely in 2005. That was 1 of the 2 occupied territories so-called. I would call them disputed territories. Israel had taken Gaza from Egypt, not from the Palestinians.

Israel said, "OK. We will leave."

After the left, what happened? Gaza has become since a platform for terrorism against Israel completely. If Israel were to leave the West Bank without security guarantees, were simply to pull out, what would happen is Israel would have missiles and mortars fired on Tel Aviv at close proximity, Jerusalem and the international airport. Israel would have to go back in there.

It would be bloody for Palestinians and Israelis. Smart BDS advocates know this. They simply do not care.

Mr. WALKER. My last comment here, it makes me pause for a minute and think of my African-American brothers and sisters who can relate to some of the things that you guys are going through.

I would also like to say a special thank you to Mr. Peter King in his last term. There has been no stronger voice against such in Congress, and I am honored to follow in his shoes and also welcome Lee Zeldin, a strong voice to our committee as well.

With that I yield back, Mr. Chairman.

Mr. ROSE. Thank you, sir.

I ask unanimous consent for Mr. Zeldin and Mr. Raskin to sit and ask questions of the witnesses.

Great. We will move on to Ms. Jackson Lee from Texas.

Ms. JACKSON LEE. Thank you, Mr. Chairman.

Let me thank all of the witnesses who are here today and acknowledge that this committee has certainly been at the forefront of dealing with some of the heinous acts that we have had to endure.

But enduring is not the same thing as losing your life. Enduring is not the same thing as having your religious services violated, and enduring is not the same thing of being afraid to wear your religious attire to walk the streets of any city in this Nation.

I am reminded, having known Mrs. Evers, Mrs. Medgar Evers, having known her for a good number of years, she has never forgotten to remind us of what it was like to see Medgar Evers gunned down in the front yard of their home in front of their children, searing and unforgetting and unforgettable.

As well, to see and to be reminded of the 3 boys in Mississippi that symbolize the violence of that time. There were people during that era afraid to come out, afraid to walk, afraid to gather.

Of course, America rallied. I remember the Department of Justice in an effective manner to utilize what presence Federal Marshals and other Federal entities that could be used to come to the deep South to be able to break the chains of absolute fear.

What about the bombing of the 3 little girls in a Birmingham church?

I hesitate to say, but I am going to say it. How tragic that we are turning to that fear today in 21st Century America where we have celebrated the richness of diversity of our Nation, where we have celebrated the variety of faiths, the Jewish faith and people from the Jewish faith or who happened to be Jewish who were taking their rightful place in athletics and education and politics.

Unique, I believe, and if my facts are correct, it might be the first Jewish Speaker of the House in the State of Virginia, along with some of the uniqueness of where Latinos are in spite of the policies that have been undermining them and then, of course, dealing with our African American community, but our Muslim community and mosques that have been attacked.

So I believe that it is time now that we look to the Civil Rights Movement as a model, certainly pass the legislation of my Chairman, Chairman Thompson, and the energy of Chairman Rose and our other Members. It is time for us to act.

We need to enhance and write legislation dealing with the reporting. We need to take the language of See Something, Say Something to be dealing with religious issues in this era.

Also, something that I intend to take up is to enhance the training of law enforcement to detect and to be effective in their review of anti-Semitism and other "anti"s as relates to religion. They need to have their antennae. There needs to be segments in the local law enforcement that deal specifically with these issues.

Why? Because there is an uptick, and the way I say this is because we are dealing with this offensive sign. Can you imagine this little circle that was innocent, we thought? Here it is in the center of this as Roger Stone.

Then we see it in the Kavanaugh hearing where people are utilizing this. We are told that this is a symbol of white nationalism.

So let me ask you gentlemen if you could, go straight across, starting with the first witness.

What is the value of enhancing and up-ticking the sensitivity to this dangerous behavior and calling it what it is?

Reporting, special training for law enforcement, certainly legislation for enhanced security?

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

So this is big area of focus for ADL. We do advocacy, education, and we work with law enforcement. Today we are the largest trainer of law enforcement in the United States on extremism and hate. We train 15,000 officers every year. We train the FBI recruits in Quantico. We train the whole NYPD.

We train large and small, Federal, State, and local law enforcement agencies to recognize hate and to be sensitive to what is a

hate crime. How is it different than a regular crime? What are the trends of the extremists?

I would point out that the Jabara-Heyer NO HATE Act calls for, which is working through committee right now, calls for ensuring that law enforcement is trained up across the country on how to recognize and deal with hate, and that they report on it.

Because keep in mind even though we have some very solid data, as does the FBI, hate crimes are still massively unreported.

Ms. JACKSON LEE. Thank you.

Mr. GREENBLATT. There is work to be done to make sure that all law enforcement is complying with the law and reporting on this to the FBI.

Ms. JACKSON LEE. Thank you.

Mr. Diament, can you also add in there the importance of a domestic terrorism law dealing with white nationalism and other acts?

Mr. DIAMENT. Yes, indeed. Again, in the course of my service on the DHS Advisory Committee, which you will hear from our co-chairs in the next panel, one of the messages we consistently heard from leaders in the Federal and local law enforcement communities is that you could have somebody coming into this country from overseas, engaging in certain activities.

Because there are anti-terrorism laws that are in place, the FBI could open an investigation. It could conduct surveillance, et cetera, and disrupt or thwart, you know, a possible plot.

Whereas if American citizens engage in those very same activities, they have an impediment in the absence of a Federal domestic terrorism statute to be able to respond in the same way.

I know there are a lot of complexities around a domestic terrorism statute.

Ms. JACKSON LEE. Yes.

Mr. DIAMENT. But that is what they pay you all the big money for and give you these nice daises for.

Again, I can tell you from not just the Jewish community perspective, but from interacting with the Muslim communities and other faith communities that really feel under a lot of pressure right now, we need to work together and figure out a way that is respectful of civil liberties, but will also address the challenge at hand, which is not only coming from overseas, but it is coming sadly from within our borders as well.

Mr. MAY. I would just say that your concerns are well-placed, and in my written testimony, you will find recommendations regarding law enforcement and education that I think could strengthen and, with my colleagues, I think could strengthen both of those areas.

Mr. ROSE. OK.

Ms. JACKSON LEE. Thank you so very much.

I yield back, Mr. Chairman. Thank you.

Mr. ROSE. Now we will move on to Mr. King from the great State of New York.

Mr. KING. OK. Thank you.

I thought maybe Max was trying to cut me off.

[Laughter.]

Mr. KING. Staten Island guys.

First of all, let me thank all of you for your testimony.

The concern I have is I still do not think with all of the testimony we have heard at various times an understanding of why there is this dramatic increase in anti-Semitism now.

Obviously, we can blame white nationalism. Mr. Greenblatt, I think your point is well taken also, but we should look to see if there is a connection between white nationalists here in this country and also in Europe and the extent to which that is having an impact.

But also, we just had a whole series of anti-Semitic attacks, including murder, in New York, and not one of them was carried out by a white person.

You look at the BDS movement, which you talk about educating people. You have got the BDS movement to a large extent is on campus, and these are most educated people.

So it seems it is coming from all different directions, and why at this time? I mean, none of the excuses that were used in the past for anti-Semitism, you know, like terrible economy or some incident that would somehow allow demagogues to talk about anti-Semitism.

None of those elements is present today as they were in the past. Why now do we see it coming from so many different quarters?

Mr. GREENBLATT. So I will try to answer that, and again, I think my colleagues may have thoughts.

So No. 1, I do think we are in an environment where anti-Semitism has been normalized or destigmatized. Again, we see it when people say that Jews have dual loyalty or that it is all about the Benjamins, on one side, or when people say that the globalists are trying to take over Congress and that Jewish financiers are trying to destroy our borders.

People do not call it out, and they say it is OK. So No. 1, I think it is infecting the public conversation, Congressman, in a way that just was not happening a few years ago, No. 1.

No. 2, indeed, I think there are fringe groups as there always have been, you know, that will take this and act on violent impulses, and social media is allowing crazy ideas to spread in a way that just was not possible a few years ago.

I mean, keep in mind we tracked on YouTube a series of anti-Semitism channels that over the course of this year—are you ready?—we found 5. They were viewed 81 million times, off-the-wall content that honestly you could not find anywhere.

It was not like there was not the *Protocols of the Elders of Zion*, but you could not buy it at Barnes & Noble. Now I can go to Amazon and with one click as Prime member, it is in my living room the next day.

So, again, social has got something to do with this.

No. 3, the guilt of the Holocaust and its memory is fading, and that is allowing, again, I think bad ideas to come into the center. So those are just some ideas of, I think, why we are in this very charged moment.

The last thing I will just say is that in a polarized world, there is, indeed, a lot of anxiety, and systems are not providing the solutions, the political system, the marketplace, and in those moments, in those moments when there is anxiety and a lack of answers, peo-

ple latch onto easy solutions, to stereotypes, to explain away their problems.

That is how the anti-Semites move from the margins right into the mainstream.

Mr. KING. Yes.

Mr. DIAMENT. I would just try to add very briefly that, as I tried to say in my opening comments, that particularly in the Orthodox community I, unfortunately, have to say that I think we have been a subset of the broader Jewish community and that leaders of communities who have engaged in anti-Orthodox statements and actions have not been repudiated and called out the way anti-Semites, you know, more generally have been and as the examples I gave in my testimony.

I think so the fact that we are now realizing that and responding to that is unfortunate but welcome.

The second thing just to add to Jonathan's point about social media, again, one of the things that my co-chairs on the next panel can talk about in more detail, one of the things we heard from the head of the office at the Secret Service that engages in analysis and profiling of potential, you know, criminal actors is that the social media has really come down to what they call, you know, the moment of inspiration to action.

Really the time line for radicalization of ideas to action has just been so condensed and accelerated by social media and the internet as well.

Mr. KONTOROVICH. Let me just mention that for centuries, indeed, millennia, Jews have been convenient scapegoats, and they still are convenient scapegoats for very many groups, again, on the right, on the left, Islamic supremacists and others.

We also have, just to reemphasize, the United Nations which continually day after day pours out anti-Israeli and really anti-Semitic resolutions and rhetoric.

It was very useful, I think, when we had Nikki Haley as Ambassador because she stood up to this on a regular basis. By the way, Senator Moynihan, who I had the privilege of knowing when he was Ambassador to the United Nations; I knew him when he was a Senator. He also stood up against anti-Semitism and anti-Israelism and was a model.

I think it would be good for this body to encourage in any way you think is appropriate the current Ambassador to the United Nations, Ambassador Kelly Craft, also to make this a priority and stand up to the constant flow of poisonous rhetoric coming out of that body right there in New York City.

Mr. KONTOROVICH. Mr. King, I think your question is a fantastic question, and it is a deep question. Why now?

I want to say professors like to explain everything, but one important thing in social science is deep and complicated human phenomena do not always have an explanation.

Everyone wants to say, oh, this is happening because they read the right-wing website and the left-wing website. It could be they did that maybe, but they also probably had breakfast and the breakfast did not make it happen either.

Why these things happen, why these strange movements of people uncoordinated happen at different times is very hard to know,

but we know that there are countries where there are no Jews, and yet surveys suggest deep anti-Semitic views; have never seen a Jew. Why is that?

That is why anti-Semitism needs to be treated with particular sensitivity, because it is something deep, because it is something atavistic. It is something that is always with us.

That is why it may be a mistake to lump it in with all other isms, all other "anti"s. Because anti-Semitism is something that is just always with us and comes in strange waves and motions, and we need to be able to deal with it even if we cannot fully understand it.

Mr. KING. Thank you very much.

I yield back. Thank you, Chairman.

Mr. ROSE. Thank you, Mr. King.

Next up is Ms. Slotkin from the great State of Michigan.

We would also like to formally commend her for her entire professional life taking part in the fight against terror, both abroad and here at home.

Ms. SLOTKIN. Thank you, Chairman. So thank you for doing this panel.

I think you can see there is strong support. When you can get bipartisan Members of Congress to stay through an entire hearing and ask interested and engaged questions, you know that you are on a topic that has really strong bipartisan support and interest. So thank you.

We have been reading the materials and, you know, we have all been talking about a four-fold increase in victims of violent anti-Semitism in the past 2 years, according to Mr. Greenblatt's testimony.

On top of the vandalism, the harassment, in Michigan we have seen the same precipitous rise in anti-Semitism, including a synagogue that was defaced, and the Michigan State University Hillel, which I represent, was defaced.

So this is an issue that is very much on my mind and in our hearts, but I am a CIA analyst by training, and so while I respect the view and certainly have lived the experience that anti-Semitism is as old as the world, we cannot dance around the idea that there has been a precipitous increase.

So I am interested. In order to fix the problem, we have to understand what is at the root of the problem. So we have talked about this idea of mainstreaming. Mr. May, you spoke about it. Mr. Greenblatt, you spoke about it.

Explain to me how it has become mainstreamed. We had social media 15 years ago, 10 years ago, 5 years ago. But we have had a precipitous rise in the past couple of years in these incidents.

We know some of the most violent incidents, the shootings in California and in Pittsburgh, were centered around a conspiracy theory that probably should have never seen the light of day, but was the basis of their desire to enact violence on people.

So explain to me particularly the role of leadership in mainstreaming anti-Semitism. Mr. Greenblatt and then Mr. May, and as crisp as you can, if you could.

Mr. GREENBLATT. Yes. Look. So anti-Semitism, as has been said, is something that is called the oldest hatred. It is not new. I mean,

over the last decade, if we try to pull back a little bit, at the ADL we tracked some 220 extremist murders in the United States, 200 of which were committed by extreme right-wing elements like white supremacists, anti-Government activists. That is 200 in the last decade, 12 by Islamic radical jihadists and 8 by radical left-wing types.

So I want to point out that the violence did not just start, but what we saw in 2016 was a dramatic increase. After anti-Semitic incidents had been on the decline over 15 years, in 2016 it went up 34 percent, 2017 57 percent, and then as you are pointing out, in 2018 anti-Semitism assaults have more than doubled year over year, and the victims tripled.

So something is going on, and I think to your point, the idea that conspiracism has now become part of the political kind of parlance is deeply problematic, and we see terms like globalists or open borders or all of the crazy intonations against George Soros that he is paying migrants to come from Central America.

Just so you understand, these ideas are not new. They are lifted from the pages of white supremacists. They are laundered through services like 4chan and 8chan, to Reddit and Facebook and to the talking points of political pundits on prime-time television.

So I will just say, No. 1, that has a lot to do with it because this is the stuff that feeds the deranged.

I will also point out that the crazy ideas that somehow, again, that the Jews control Congress or that Israel is behind all the machinations feeds an equally odious narrative that comes from a different ideological direction.

When it goes unchallenged, when it goes unresponded to, it settles into the conversation.

Ms. SLOTKIN. So, Mr. May, help us understand the role of leadership in this.

Please I have 50 seconds left.

Mr. MAY. So really quickly, I think you are absolutely right to put your finger on the role of leadership. Leadership has not done what it should do. Why did the President of the Columbia University not say we should not be having or recognizing it is a global leader, somebody who is an open anti-Semite. Why was that not done?

The anti-Semitism in form ends up justifying violence in anti-Semitism, and this is going on all over the world.

There is legislation passed in Ireland—it is not yet law—that would say it is illegal for people in Ireland to do business with Jews in the Jewish quarter of the old city of Jerusalem.

They think this is a way of protest to Israel, but they are saying Jews in the Jewish quarter, we will not do business with that.

I think that needs to be addressed by our leadership. I can give you under examples of this as well, but leadership is very important. It sends signals.

Ms. SLOTKIN. Is the leadership of the President of the United States important, sir?

Mr. MAY. It is very important.

Ms. SLOTKIN. I think my time has expired. I will not go on.

Mr. ROSE. I thank the—

Mr. KING. Mr. Chairman, can I have just 10 seconds to say something?

Mr. ROSE. Sure.

Mr. KING. On the issue of Ireland, as an Irish American, this is absolutely disgraceful and despicable, and I have actually, you know, officially complained to them about it.

Mr. MAY. I know you have.

Mr. KING. It is inexcusable.

Mr. MAY. I do know you have been involved in that.

Mr. ROSE. Mr. King, thank you very much.

Next up is Mr. Zeldin from New York.

Mr. ZELDIN. Well, thank you, Chairman, for hosting this hearing. It is an honor to be here, and a very timely topic. So thank you to the Chair and also to all the witnesses who are here for both panels.

First off, there are a few pieces of legislation that I am supportive of that I believe Congress can pass to assist. One is the Never Again Education Act, H.R. 943; the Anti-Semitism Awareness Act, H.R. 4009; Israel Anti-Boycott Act, H.R. 5595; and S. 1, which contains the Combatting BDS Act.

For the millions of Americans who are watching us live on C-SPAN right now, the public service announcement of January 24 is International Holocaust Remembrance Day. Just a few days later on January 27 is the 75th anniversary of the liberation of Auschwitz.

Earlier this week in my office, I met with the U.N. Special Rapporteur on Freedom of Religion or Belief. The Special Rapporteur came out with a report that touched on this topic, and it encourages the Secretary General to appoint a senior-level leader in the Executive Office of the Secretary General with the responsibility for engaging with Jewish communities world-wide, as well as for monitoring anti-Semitism in response to the United Nations.

So as I heard Mr. May and others talking about the United Nations specifically, I think it would be great for the Secretary General to act on that recommendation made by the Special Rapporteur.

Mr. Greenblatt, I think it would be helpful for the community, for Congress, for our country to get a little more of a historical perspective.

There was an Executive Order that was signed a few weeks back, and some people were just becoming familiar with the issue as the Executive Order was first being signed, but what a lot of people do not realize is the bipartisan historical context over the course of the last several years and why I really do believe that more Americans, regardless of political affiliations, not just should be aware of the historical context, but should be supportive of the underlying substance.

Mr. GREENBLATT. Sure. So first of all, Congressman, thank you for the question.

Thank you for your leadership on the Never Again Education Act. We also agree that it should be passed forthright. So I am glad you brought that up.

So we think the Executive Order that was signed by the President just a few weeks ago is incredibly important in large part because it, indeed, has a bipartisan history.

So to step back, I think as Mr. May pointed out, we do have a legitimate issue with Jewish students being marginalized on college campuses because of their “support of Israel”. That is often the pretext.

But I have heard stories about kids afraid to go to Hillel because of being excluded from certain parts of campus, because of being marginalized in certain groups. I mean, it is, if you will forgive me, off the wall.

Now, the challenge is that the Department of Education, which has an Office of Civil Rights, has never in its history prior to just a few weeks ago taken up the case of a Jewish student’s civil rights being violated, and so during the Bush administration, there was a directive, a decision rendered that OCR should look at these violations of Jewish students’ civil rights.

Let me just step back. Because Title 6 lays out that it protects people on the basis of race, religion, or national origin. So does it exclude Jews?

Sometimes they are considered a race. Does it exclude Jews?

So the Bush administration found, no, it should not because often Jews are targeted the same way people are of a particular race or national origin.

So that decision was challenged and then reinforced by the Obama administration’s Justice Department, and it said yes indeed, Jews, like Sikhs or Muslims are often considered a distinct ethnic group and should be protected by Title 6.

So what the EO does is simply codify, coming from the White House, that it is time to actually enforce that. Honestly, it is more symbolic than anything because it simply reiterates what the Obama and Bush administrations had found.

But it also does something very important inasmuch as it recognizes the IHRA definition of anti-Semitism.

So IHRA stands for the International Holocaust Remembrance Association. This is a group of academics. This is a group of professors and scholars. There is no politics in this group, from many countries around the world, including the United States, who over several years developed this definition.

So the EO codifies the definition and reinforces where the Bush and Obama administrations are.

At the end of the day, it is about how universities enforce their own policies, and hopefully, this will help them understand if you do not protect the civil rights of Jewish students like you would Muslims or African Americans or Latinos, then you might be at risk of losing Federal funding. That is a good thing in this environment.

Mr. ZELDIN. I thank you, Mr. Greenblatt, and hopefully it is a topic that really we can make progress in breaking down barriers because it really started as a work product of Republicans and Democrats.

Mr. GREENBLATT. Right.

Mr. ZELDIN. In Congress Republicans and Democrats, non-partisans outside of Congress, and I know, Mr. Greenblatt, you were involved in that.

Mr. GREENBLATT. It builds on the Anti-Semitism Awareness Act, which passed unanimously in the Senate and was moving with bipartisan support through the House until it was held up in the last session.

So you are absolutely right. A long bipartisan basis for this.

Mr. ZELDIN. Thank you.

Mr. ROSE. Mr. Zeldin, thank you.

We will now move on to Mr. Langevin from Rhode Island.

Mr. LANGEVIN. Thank you, Mr. Chairman. Thank you for holding this hearing.

I think our witnesses for your testimony here today.

I find that the rise and spread of anti-Semitism extremely troubling. I think it is important that all of us call it out and condemn it as often as possible and not be silent.

In your testimony, Mr. Greenblatt, you mention that the FBI data on hate crimes is based on voluntary local law enforcement reporting, and I agree with you that we cannot fully understand what we cannot measure, and in this case, unfortunately, the trend in reporting seems to be falling rather than increasing.

So in your view, how can we go about improving the fidelity of this data?

Is it primarily a matter of better identifying hate crimes at the State and local level or do LEAs have the data but just are not reporting them to the FBI?

Mr. GREENBLATT. So there are a few things. So I think, No. 1, indeed, the integrity of the data matters so much, Congressman. I mean, we cannot manage what we do not measure, and the fact is that some 80-plus percent of law enforcement agencies around the country actually do not report hate crimes at all.

So why do they not do that? Maybe the law enforcement is not adequately trained up to recognize the difference between a hate crime and an ordinary offense.

Maybe, No. 2, it is too much paperwork, and they do not want to deal with it at the police desk.

Maybe, No. 3, they are afraid it will reflect badly on their community.

But this is the purpose of the NO HATE Act that is moving right now through the House. It is, indeed, to ensure that law enforcement is adequately trained and adequately tracks hate crimes against any marginalized group.

If we better understand the issue, if we are better counting it, we will be able to more effectively correct for it.

Mr. LANGEVIN. I want to just be clear. Did you say 80 percent?

Mr. GREENBLATT. It is like 87 percent, I think. It is massive.

Now, just to be clear, most of the major metropolitan areas do report, but there are many large ones like Honolulu reports zero hate crimes a year, and there are other large metros that simply do not report at all.

I can assure you there was probably a hate crime in Honolulu at some point over the past 12 months.

But, again, law enforcement does so much good. We work so closely with them. With better training and resources, they can get this done.

Mr. LANGEVIN. Thank you for that conversation and perspective.

Mr. DIAMENT or Mr. Greenblatt, we have seen many of these anti-Semitic attacks that have often been linked to extremist activity on-line in the message boards or in social media. We have talked about that, both in the testimony and this conversation here already.

But can you expand on your view and your estimation?

How would you judge the work of social media platforms?

Again, we talked about this already, but expand on that.

What should their role be in helping to stem extremist content?

The challenge is some of these social media platforms say they are a platform. Others would argue that they are essentially publishers, and they should be held to a higher standard.

So what should their role be in helping to stem the extremist content?

Should their focus be on moderating content directly or removing consistent bad actors from their platforms?

Mr. DIAMENT. I defer to Mr. Greenblatt.

Mr. GREENBLATT. Well, I appreciate that, Nathan.

Look. I think it is worth noting that the companies have taken some steps. YouTube has taken down extremist channels. Facebook has taken down extremist accounts. Twitter has introduced policies. Reddit has quarantined problematic users. Google has used sort-of data boxes when you do certain searches.

So there are steps they have done, but they have not done nearly enough. The 81 million views I described that we found on those YouTube channels, 4 out of the 5 channels are still up today.

The kind of op-ed you could never post, you could never publish in any newspaper in America you can post almost instantaneously on Facebook. The kind of videos that you could never show on any broadcast network you can post instantly to YouTube, right?

So the reach and the instantaneousness of it is really unnatural. There is no natural law that says when I post a video, it should show up automatically. That is not ordained by God. Keep in mind that the shooter in Christchurch, the shooter in Halle, they livestreamed the shootings.

So, again, I think the companies need to exercise a kind of moral authority and live by some of the same standards that they should impose themselves that, again, broadcast, print, radio, other media live by these standards.

Frankly, although there is room for improvement, they work pretty well. If the companies can protect copyright, if the companies can go after sex trafficking, the companies can do a better job of addressing hate speech.

If they will not do it, you need to step up. As Professor Kontorovich said, Section 230 of the Communications Decency Act holds them to a different standard than all traditional media. It is time to look at that and assess. If they will not answer the problem, you probably need to.

Mr. LANGEVIN. Very good. Thank you all. I appreciate your perspective on this and the work you are doing to call attention to this.

Thank you.

Mr. ROSE. Thank you, sir.

Next up is Ms. Clarke from the greatest city in the world, New York City.

Ms. CLARKE. Thank you very much, Mr. Chairman. I thank our Ranking Member, Mr. Walker.

I thank all of our expert witnesses who have testified before us today.

It is not enough to live in America where we are assured the right that we can practice our religions freely. We must live our lives free from fear.

Just a few weeks ago the attack at the Hanukkah celebration in my State of New York was a vivid reminder that the ancient evil of anti-Semitism still exists, and sadly, it does not just exist. It is on the rise.

In Jersey City, San Diego, and Pittsburgh, we have seen the death toll of these hateful ideologies grow larger and larger. In fact, Pittsburgh was the deadliest act of domestic terrorism on the Jewish community in America's history, killing 11 people simply observing Shabbat.

In my district, the Brooklyn and Crown Heights communities, we have also seen violent hate crimes occur in rapid succession and with alarming frequencies. We must reject hate, and we must take action to confront it. Anti-Semitism has no place in our society.

My first question, Mr. Diament, is tragically the Orthodox Jewish community has often been disproportionately targets of anti-Semitic violence. We have seen this in my own district, my own community where I live, and I am deeply concerned about the recent spate of violent attacks in communities like Midwood and in Crown Heights.

As you stated in your opening testimony, the very fact that many Orthodox Jews wear visible markers of their religion may put them at risk, which is totally unacceptable.

In your view, how can and should Government officials provide support specific to the need and issues facing Orthodox communities in order to protect them against violence?

Mr. DIAMENT. Thank you for your strong statement, Congresswoman Clarke.

As I said earlier, I think the short term, to use your words, people need to be free from fear, and in the short term, while we are in this crisis, and it is a crisis, we need better policing.

I mean, the NYPD does a wonderful job, but I suspect even they could use more resources to really provide the level of police protection that our communities need, and the communities themselves need more resources in terms of making our synagogues and our schools and other place that we gather more secure.

Just to give you a ballpark figure, you know, to hire a contract security guard from a private company at \$40 a week [sic], right, that is \$360 a week for a single security guard, and you multiply that out. That is not something that your typical small synagogue has in its budget and was contemplating, let alone dramatic phys-

ical infrastructure improvements like, you know, shatterproof glass and surveillance cameras and controlled entry, and so on and so forth.

The Nonprofit Security Grant Program has been a wonderful resource for that, but, sadly, more synagogues and more churches and more mosques need those resources to make their congregants more secure.

Ms. CLARKE. Mr. Diament, I think that we have been having those conversations with our municipal and State partners in New York City, and I think that the message has been received.

Mr. Greenblatt and Mr. Diament, the distinction between the real world and the virtual world is blurring. Anti-Semitic rhetoric on the internet can and does inspire actual deadly attacks.

In your estimation, how have the mainstream social media companies done so far? I know you mentioned it a bit.

What can Congress do to help rein in hate speech on platforms like 8chan?

Mr. GREENBLATT. So I would give the mainstream companies pretty poor marks. Again, they have done some things, but not enough.

So you have the public platforms like Facebook and Google and YouTube and Twitter. Then you have what I call private platforms, 4chan, 8chan, Discord, Minds, and particularly like 8chan and 4chan, Congresswoman, they do not obey any rules. They have almost weaponized the First Amendment to target marginalized people. They allow the kind of sexual predators, horrific bigots, the worst elements of society up there.

Yes, I think it is long overdue to take action. I think these companies do not exist in a vacuum. They exist in a value chain, and so we should say to the financial institutions which allow them up, you know, "Do you, financial institutions, want to work with companies that peddle this kind of garbage?"

You know, the cybersecurity companies, the hosting company, the domain names providers, again, there are ways that we can encourage companies to behave, a degree of moral leadership if those particular firms will not do any at all.

So I think it is long overdue for this to happen.

Ms. CLARKE. Thank you very much.

Mr. Chairman, I yield back.

Mr. ROSE. Ms. Clarke, thank you.

Next up is Ms. Rice, also from the greatest State, New York.

Miss RICE. Thank you, Mr. Chairman.

Mr. Greenblatt, we have a time constraint here, but recently I met with a group of high school students and survivors who take part in UJA's Witness Project, and it was so incredibly moving. These high school kids meet with the survivors and hear the stories directly.

Because there is going to come a time in the not-so-distant future when there will be no more survivors.

Mr. GREENBLATT. Right.

Miss RICE. Who will tell their story?

If you look at the statistics of the percentage of people who either do not know about the holocaust, literally do not know about it—

Mr. GREENBLATT. Yes.

Miss RICE [continuing]. Or do not believe it.

The aspect of this from an educational standpoint to me is, other than politicians like us and people in the public discourse watching what we say and not feeding this rise in anti-Semitism, it is ensuring that this is taught as a fact of history.

Mr. GREENBLATT. Yes.

Miss RICE. Not just some tall tale.

So if you could just talk more about that.

Mr. GREENBLATT. Congresswoman Rice, I mean, I think what you are pointing out is really important. So we know that our own high school students do incredibly poorly in terms of their basic civics. So it should not surprise us that the majority do not even know what Auschwitz was, right?

Again, as was mentioned by my colleagues, the Shoah stands out as probably the most horrific act not just of the 20th Century but in the history of humanity, and the idea that as we lose these survivors, we lose the memory of the Shoah is unconscionable.

So I think as mentioned a few times, the Never Again Holocaust Education Act is really important. Every American student should be educated about Holocaust and genocide. What can happen when hate goes unchecked?

What it means when law enforcement and Government, the instruments of the state are used as tools to target, to persecute, and to murder people because of how they pray or who they love or, you know, where they are from.

So we deeply believe in this. You know, I think if we are ever going to get our arms around anti-Semitism, we cannot arrest our way out of the problem, and we really cannot like lobby or legislate it. We need to change hearts and minds.

That is why, you know, every year we reach over a million school children with our Anti-bias Education Programs. There are other excellent organizations, like Facing History and the SPLC, that do really good programs around this.

But I would challenge you today. You should get that act passed so that every American student, to operate in an increasingly diverse country, in an increasingly global world, gets educated about bias and hate. I think it is the minimum that we can give to our kids if we ever really want to inoculate them from intolerance.

Miss RICE. Challenge accepted. Thank you very much.

Mr. ROSE. Ms. Rice, thank you, and I apologize that we are speeding things up a bit.

Mr. Raskin from Maryland, thank you for being here.

Mr. RASKIN. Thank you, Mr. Chairman.

The great State of Maryland is what you meant to say.

[Laughter.]

Mr. RASKIN. Let's see. But I want to start with you, Mr. Greenblatt. We are now in an election year, and I know that ADL makes a point, as you just observed a few moments ago, of calling out anti-Semitism when you see it—

Mr. GREENBLATT. Yes.

Mr. RASKIN [continuing]. And not allowing it to become part of the fabric of everyday existence.

Mr. GREENBLATT. Yes.

Mr. RASKIN. I remember clearly in 2016 when ADL blew the whistle on Donald Trump's closing TV ad in the 2016 campaign which had focused on George Soros, Lloyd Blankfeid, and Janet Yellen and said essentially these people are globalists who are exploiting the American people.

I am wondering do you take special precautions in election years to try to contact campaigns or political parties to talk about the use of anti-Semitic tropes and themes, or what do you do to make sure that we are not going to see that further kind of degradation of our political discourse?

Mr. GREENBLATT. So, Congressman, I think it is a very good question. So we are a 501(c)(3) organization, and as a tax-exempt organization, we do not get involved in politics. I do not really care how any of you vote. I care what you value.

I do not care kind of what lever you pull. I care whether or not you push prejudice. So, indeed, in 2016 we called out candidates when they said things that were beyond the pale, and when you make claims that there is, again, a global conspiracy and you point the finger at only Jews as driving that, forgive me but that gets our attention no matter who is saying it and no matter what the consequences are of speaking out.

That being said, indeed, I worry as we move into this political cycle. We have candidates on both sides of the aisle. We have both political parties who have engaged or certain members have with the kind of rhetoric that I think does not belong in our political conversation.

So we do take great pains to be even-handed. We will call it when we see it, and I think for me that is a good way to conclude. Because what gives me great hope today is after Charlottesville, you had Members of Congress, you had members of the Senate, you had Governors on both sides who called this out clearly and consistently.

Over the last year-and-a-half from, you know, the mayor of Pittsburgh to the Governor of New York, many of you, Members of the New York delegation and relative to the attacks we have seen in the last few months, you have called this out clearly and consistently.

As the grandson of a Holocaust survivor who lost his entire family in Nazi Germany, when the government, you know, attempted to murder all of European Jewry; as the husband of a political refugee from the Middle East, from Iran, a government that is the worst state-sponsored anti-Semitism in the world that has instrumentalized it as the chief plank of its foreign policy, I can tell you it makes a difference when people in positions of authority speak out, and I applaud all of you for doing just that.

Mr. RASKIN. Thank you.

Mr. Diament, if I am not mistaken, you are still my constituent.

Mr. DIAMENT. Yes.

Mr. RASKIN. This is wonderful to hear. A lot of my constituents are terrified by the rise in anti-Semitic violence and especially parents of small kids, especially if they go to Jewish schools and so on.

I know that this is something that is of great concern in the Orthodox community. What special precautions are being taken now

and what more do you think the Government can be doing to enhance people's sense of security against, you know the resurgence of anti-Semitic terror and violence?

Mr. DIAMENT. Thank you for your question.

My Congressman, just to be fair, I should say my sister lives in Ms. Rice's district, and my parents live in Mr. King's district.

In terms of precautions, there are a range of precautions that my organization as the umbrella for synagogues around the country are undertaking. They range from assisting our congregations with becoming educated on and applying for the grants for security improvements that are available both from the Federal Government and from State and local governments.

We also have been working with local congregations in terms of developing best practices for training the congregants of what to do should there be an unfortunate emergency situation.

Many, many, many of our congregations have volunteers who are standing outside synagogues and have been trained on how to be watchful in sort-of a "see something, say something" kind of context.

So that is what we are doing in terms of a congregational life. There is, as I said earlier, a lot of anxiety around this, but I do not think we are going to cower in fear. We are a resilient community, and perhaps because sadly there have been centuries of anti-Semitism, we have the resiliency and the courage to work with people of goodwill and government leaders who care to try to push this back and say, "No. We are not going to be fearful. We are going to exercise our freedom of religion in this country."

Mr. RASKIN. Thank you very much.

I yield back, Mr. Chairman.

Mr. ROSE. Mr. Raskin, thank you very much.

With that, we thank the witnesses of our first panel for their extraordinary testimony, especially because Mr. Miller scheduled his plane, like a true New Yorker. We ask that we move expeditiously to the second panel. Thank you so much again.

[Brief recess.]

OK. We welcome the second panel of witnesses. Our first witness is Mr. John Miller, deputy commissioner for intelligence and counterterrorism at the New York City Police Department, the greatest police department in the history of the world. We thank the men in blue.

Mr. MILLER. Thank you.

Mr. ROSE. We will jump right to you because I know you are a bit pressed for time.

STATEMENT OF JOHN J. MILLER, DEPUTY COMMISSIONER OF INTELLIGENCE AND COUNTERTERRORISM, NEW YORK CITY POLICE DEPARTMENT

Mr. MILLER. Thank you for the understated introduction, and it is good to be back.

Good afternoon, Chairman Rose, Ranking Member Walker, and Members of the subcommittee.

I am John Miller, deputy commissioner for intelligence and counterterrorism of the New York City Police Department. On behalf of Commissioner Shea and Mayor de Blasio, I am pleased to

testify before your subcommittee to discuss the disturbing rise in bias crimes, especially anti-Semitic violence, as well as the NYPD's efforts to address that.

An attack on a member of a particular community targeted because of their race, religion, nationality, gender, or sexual orientation is an attack on all New Yorkers. New York City is the world's epicenter of diversity and stands as an example of how distinct cultures, religions, nationalities can exist side-by-side, learning from one another and enriching each other.

Unfortunately, last year in New York City, we saw 428 hate crimes. That is a 20 percent increase in hate crimes over 2018, which in and of itself is concerning, and a 26 percent increase in anti-Semitic hate crimes which comprised a majority of the total hate crimes in our city. That would be 234 anti-Semitic hate crimes.

Now, we see that the lion's share of that number are things like graffiti, a broken window, a property crime as a hate crime. These are very challenging to solve because oftentimes nobody knows when it occurred or who did it or how long it has been there. It is a challenge when these things are in bathrooms or in the school classroom or on the wall, to find video evidence or witnesses.

However, I would underline in the much smaller percentage that involve an assault, a physical attack on another person, our clearance rate, our solve rate, if you will, is over 80 percent. So that is significant. We put a lot of work into those. We pull out all the stops.

By now you have all heard of the brutal machete attack in Monsey, New York, just miles north of the city, which injured 5, 1 very seriously. These were people peacefully and happily celebrating Hanukkah, and the brutal attack and the shootout in Jersey City you also heard of, which killed 6, including a police officer, Joe Seals. It turned a quiet neighborhood into a battlefield in an afternoon.

But these days it also seems like every news cycle carries yet another story of violence targeted at Jewish New Yorkers including children. So that are we doing about it in New York City? What are we doing about it specifically as the NYPD?

First of all, we are ramping up our uniform presence in the city, particularly in neighborhoods that have been targeted by anti-Semitic violence. The first line of defense is our most valuable asset in the NYPD and the fight against violent extremism. That is our highly-trained, dedicated, and extraordinarily diverse personnel of the NYPD.

They collectively make up our department, and they make it stronger because the NYPD has worked very hard for a long time to stand up a force of officers who reflect the city that they are charged with policing, and we are succeeding. In a majority-minority city, the department is now a majority-minority police force with each subsequent graduating Police Academy class, reinforcing that trend.

We now have members of the service hailing from 161 different countries and 22,382 members who speak more than one language, with 168 languages represented among them.

That is encouraged by the support of a myriad of fraternal organizations across all of those ethnicities, religions, and language.

We embrace our diversity in New York City. We embrace our diversity as the NYPD. We expend significant resources to ensure those who commit crimes motivated by hate are apprehended and brought to justice. The numbers bear that out.

Last year, hate crime apprehensions increased by 38 percent for the most serious offenses, criminal possession of a weapon, criminal mischief, swastika graffiti, robbery, assault, grand larceny, murder, and attempted murder.

This is the job of every member of the New York City Police Department, but the focal point of our efforts in this area is the Detective Bureau's Hate Crimes Task Force. Its personnel are detectives and State troopers who are specially trained to identify and investigate hate crimes. It is the largest such municipal unit in any police department in the country.

Now, the NYPD, of course, saw the disturbing upward trend of violent bias crimes sweeping across the country and moved very early on. Between the time of September and December, we moved to form the Racially and Ethnically Motivated Extremism Unit, or REME, within our Intelligence Bureau. This new unit also has about 25 NYPD personnel, detectives, analysts, police officers working side-by-side with members of the New Jersey, New York, and Pennsylvania State Police, as well as agents from the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

REME is specifically dedicated to investigating not just hate crimes, but more specifically the actions and the growth among violent hate groups as they spawn across the country and across the internet.

The idea is to identify groups with a propensity to violence and those individuals who may carry it out and to stop those incidents before they happen.

To do this we go by the same rulebook and the same tactics and the same techniques we use to thwart attacks by ISIS and al-Qaeda and the lone wolves they inspire. We have already opened dozens of investigations within REME in the short time since it was formed.

REME consolidates and streamlines the efforts against this threat landscape and facilitates engagement within the department with our Federal, State, local, and private-sector partners, some of whom you spoke to today.

The anti-Semitic and hateful violence we see in surrounding communities inevitably touches on New York City even if they do not start in New York City. Because of this, wherever there is a high-profile incident anywhere in the country or in the world, such as, as we discussed a moment ago, the Pittsburgh synagogue attack or the Christchurch shootings on the other side of the world in New Zealand, the NYPD goes on high alert and further increases our visibility around houses of worship and customizes a deployment plan to discourage any potential copycat attacks that may be inspired.

The value of our collaborative efforts to guard against violence imported into New York cannot be undersold. Remember Jersey City is literally on our doorstep. The upstate attacker arrested by

our officers in Harlem has no connections to New York City that are current. So it begs the question: Why did he flee that scene and come to New York City? What was he doing there?

We still do not know. That investigation continues. What his intentions were, we are still working tirelessly with our partners to find out.

Most of the Proud Boys are not from New York City, but it presented too attractive a target for them when they decided to engage in violence. The white supremacist, Neo-Nazi group Patriot Front have taken their recruiting efforts to New York City.

Just last week, they brazenly hung a banner with anti-immigrant language over an overpass in Brooklyn. The same freedom and diversity that are New York's strengths are the same reason it is the No. 1 target for violent foreign and domestic extremists all at the same time.

Finally, part of New York City's holistic approach to combatting hate crimes, Commissioner Shea has announced last week that hate crimes will now be included in our COMPSTAT statistical analysis. So as we generally follow the FBI's UCR, hate crimes will be in that lineup that we watch very closely within the numbers and the mapping and the crime strategies for any uptick or change.

Anti-Semitism manifests itself in many forms, well-organized groups, lone-wolf actors, the deluded individuals, and everything in between. Anti-Semitism in all its forms, however, is steeped in ignorance and bred of muddled and incoherent conspiracy theories, some of which were discussed at this table this afternoon.

It is more easily spread and consumed these days, however, because of social media. For these reasons, a lasting solution to bigotry and hatred will never be grounded solely on law enforcement and heightened security. That will only be achieved when every citizen works collectively to educate each other and reinforce our shared values of tolerance and unity.

New York City and the NYPD will continue to be at the forefront of this movement.

Thank you, again, for the opportunity to testify to this committee. I would be happy to answer any questions.

[The prepared statement of Mr. Miller follows:]

PREPARED STATEMENT OF JOHN J. MILLER

WEDNESDAY, JANUARY 15, 2020

Good afternoon Chair Rose, Ranking Member Walker, and Members of the subcommittee. I am John Miller, deputy commissioner of intelligence and counterterrorism for the New York City Police Department (NYPD). On behalf of Police Commissioner Dermot Shea and Mayor Bill de Blasio, I am pleased to testify before your subcommittee today to discuss the disturbing rise in bias crimes, especially anti-Semitic violence, as well as the NYPD's efforts to reverse this trend.

An attack on a member of a particular community, targeted because of their race, religion, nationality, gender, or sexual orientation, is an attack on all New Yorkers. New York City is the world's epicenter of diversity and stands as an example of how distinct cultures, religions, and nationalities can exist side-by-side, learning from one another and enriching each other. One of the core pillars of our city's strength is the kaleidoscope of people who call this city home. Hate and intolerance have no place in our society and attacks premised on hate and intolerance weigh on the collective consciousness of not only the targeted community, but the entirety of the New York City community.

New York honors those historically persecuted for their race, origin, beliefs, and identities, and at its core, the NYPD exists to protect and serve every individual

and community, especially the most vulnerable. It is always heartening to watch New Yorkers of every race and creed come together in the spirit of unity after every hateful tragedy to demonstrate to those who wish to divide us that their hate only makes us stronger and makes us fight harder. Time and time again, the people of our city have not permitted New York to fall into the darkness of hate and division.

Unfortunately, last year in New York City we saw a 20 percent increase in hate crime incidents over 2018, and a 26 percent increase in anti-Semitic hate crimes which comprised a majority of the total hate crimes in our city. We've all heard by now of the brutal machete attack in Monsey, New York, just miles north of the city, which injured 5 people peacefully celebrating Hanukkah, and the savage attack and shootout in Jersey City which killed 6, including a police officer, turning a quiet neighborhood into a battle scene for an afternoon. But these days it seems like every news cycle carries yet another story of violence targeted at Jewish New Yorkers, including children.

What are we doing about it? First off, we are ramping up our uniformed presence at sensitive locations throughout the city, particularly in neighborhoods that have been targeted by anti-Semitic hate. The first line of defense and our most valuable asset in the fight against violent extremism is our highly-trained, dedicated, and diverse personnel who collectively make our department stronger. The NYPD has worked tirelessly over the years to stand up a force of officers which reflect the city they are charged with protecting and we are succeeding. In a majority-minority city, the department is now a majority-minority force, with each subsequent graduating academy class reinforcing this trend. We have members of the service hailing from 161 countries and 22,382 members speak more than one language, with 168 languages represented among them. The department also encourages and supports its myriad fraternal organizations which build solidarity among our officers, and most of which have been in existence for many decades.

We also expend significant resources to ensure those who commit crimes motivated by hate are apprehended and brought to justice. The numbers bear this out. Last year, hate crime apprehensions increased by 38 percent for the most serious offenses: Criminal possession of a weapon, criminal mischief and swastika graffiti, robbery, assault, grand larceny, murder, and attempted murder. This is the job of every member of the service but the focal point of our effort lies in our Detective Bureau's Hate Crimes Task Force. Its personnel are officers and analysts who are specially trained to identify and investigate hate-based crime and it is the largest such municipal unit in the Nation.

The NYPD of course saw the disturbing upward trend of violent bias crimes early on and last month we formed the Racially and Ethnically Motivated Extremism (REME) unit within our Intelligence Bureau. This new unit has about 25 NYPD personnel working side-by-side with members of the New Jersey, New York, and Pennsylvania State police and agents from Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives. REME is specifically dedicated to investigating and stamping out violent bias crimes in and around the city before they occur by applying the same intelligence-gathering techniques we use to thwart attacks by ISIS and al-Qaeda and the lone wolves they inspire, and has already opened dozens of these investigations in the short time since it was formed.

REME consolidates and streamlines efforts against this threat landscape and facilitates engagement within the department and with our Federal, State, local, and private-sector partners. The anti-Semitic and hateful violence we see in surrounding communities inevitably touches on New York City itself. Because of this, whenever there is a high-profile incident anywhere in the country or the world, such as the Pittsburgh and Christchurch shootings, the NYPD goes on high alert and further increases our visibility around houses of worship and customizes a deployment plan to discourage potential copy-cats.

The value of our collaborative efforts to guard against violence imported into New York cannot be undersold. Jersey City is right on our doorstep. The upstate attacker was arrested by our officers in Harlem but has no known connections to the city. Why he was there, we do not yet know. What his intentions were, we do not yet know, but we are working tirelessly with our partners in these jurisdictions and with our Federal partners to find out. The Proud Boys are not from New York City but it apparently presented too attractive a target for them to ignore when they decided to intimidate and inflict mob violence. The white supremacist neo-Nazi group Patriot Front have taken their recruiting efforts to New York City and just last week they brazenly hung an anti-immigrant banner off an overpass in Brooklyn. The same freedom and diversity that are New York's strengths are the same reasons that it is the No. 1 target for violent foreign and domestic extremists.

Finally, as part of the NYPD's holistic approach to combatting hate crimes, Commissioner Shea announced last week that hate crimes will be included in our

CompStat statistical analysis. For those of you who are not familiar with CompStat, it is the data-driven crime analysis system pioneered by the NYPD in the 90's which enables us to strategically target our resources to battle crime trends. It will be an on-going process to make sure we get it right, but including hate crimes in CompStat is long overdue.

Anti-Semitism manifests itself in many forms, from the well-organized group to the lone deluded individual, and everything in between. Anti-Semitism in all its forms, however, is steeped in ignorance and bred of muddled and incoherent conspiracy theories, and while this has been the case for quite some time, it is more easily spread and consumed these days because of social media. For these reasons, a lasting solution to bigotry and hatred will never be grounded solely on law enforcement and heightened security. That will only be achieved when every citizen works collectively to educate each other and to reinforce our shared values of tolerance and unity. New York City and the NYPD will continue to be at the forefront of this movement.

Thank you again for this opportunity to testify today. I am happy to answer any questions you may have.

Mr. ROSE. Mr. Miller, thank you.

Just a quick, how much longer do we have you for? You are out of here in what, 10 minutes?

All right. So I am just going to take a quick point of privilege.

REME, how many of these cases roughly—I know you cannot go into any individuals—but how many are connected to Neo-Nazi organizations, Atomwaffen, the Base, that also have global linkages?

You mentioned that you are following the same rulebook that you have used over the course of the last decade, 2 decades to attack Jihadist terrorism, but you do not have the same toolkit, particularly designations of Foreign Terrorist Organizations, which as you know is a very almost singular focus of mine at this point.

So can you give us a brief analysis, high level, of what you are seeing and how much this is hurting you, the absence of an FTO designation as you continue to tackle Neo-Nazi threats, anti-Semitic threats, and the threat of domestic terrorism?

Mr. MILLER. So the REME cases are, by and large, involving white supremacists and Neo-Nazi groups to date. What we see is a trend that that activity is rising.

What we also see, it is dynamic in that you have organized groups. Some of them, to answer the core of your questions, have overseas connections with foreign groups of the same ideology. Others are purely domestic.

Then beyond that, you have people who are not part of the groups per se but follow them on-line and then act out violently as lone actors.

We encompass all of that, but it is disturbing when you see people who are part of supposedly domestic groups who are training overseas and domestic groups that are planning actions that, if they were doing the same action on behalf of ISIS or al-Qaeda would be squarely within the terrorism statutes, even though those actions are politically-driven and using violence and the fear of violence, are not considered terrorism under the statutes as they stand.

Mr. ROSE. Do you think that we can seriously take on this fight against anti-Semitism without considering FTO designations for global Neo-Nazi organizations?

Mr. MILLER. I do not understand why we are torturing the subject. A terrorist should be regarded as a terrorist, as a terrorist. I

do not understand why we have to decide, well, it is terrorism, but it is domestic. It is terrorism, but it is foreign.

Terrorism is terrorism.

Mr. ROSE. OK.

Mr. MILLER. I think the statutes should reflect that, to answer your question.

Mr. ROSE. Not to make this overly informal, but considering that Mr. Miller is a bit constrained, does anyone have any questions that they would like to ask of Mr. Miller?

Mr. King.

Yes, Ms. Clarke.

Ms. CLARKE. Thank you, Mr. Chairman.

I thank you, Commissioner Miller, for all of your hard work and dedication to the people of the United States of America and, of course, our beloved city, New York City.

As you know, there have been a number of anti-Semitic incidents in my district, particularly in Midwood and the Flatbush in Crown Heights areas. I have urged the NYPD and other law enforcement agencies to monitor this situation closely.

I am very happy to hear what you are doing with COMPSTAT because I think that that may help us to get to the core of the matter.

But can you discuss NYPD's strategy to combat violent hate crimes and, in particular incidents targeted toward Jewish, particularly the Orthodox Jewish, community?

Mr. MILLER. So the first thing we did as these incidents began to rise, Congresswoman Clarke, was to increase the police presence in those neighborhoods and around houses of worship and in the areas where we were seeing the hate crimes. That was a combination of precinct personnel, house of worship personnel, specially-trained precinct personnel who can then literally change their uniforms and become counterterrorism officers and be placed out there because they do have that training, and that is a select group, as well as the CRC, which is the Critical Response Command. That is our forward-leaning, uniform counterterrorism force.

We pushed all of that into those neighborhoods when this started, just as we pushed those forces toward mosques during the Christchurch attack, just as we pushed them toward Christian churches after the attacks in Sri Lanka.

This is something that we are trying to get a handle on as to: Is it a trend, is it a fad, does it have an end? What we have seen is a disturbing uptick, and we are there.

Ms. CLARKE. In light—oh, sorry.

Mr. ROSE. Mr. Miller must leave to get his flight.

Ms. CLARKE. OK, sir.

Mr. ROSE. Thank you, Mr. Miller, and be safe on the flight.

Mr. MILLER. Thank you very much.

Mr. ROSE. Next, we are joined by General John R. Allen, co-chair of the Homeland Security Advisory Council Subcommittee for the Prevention of Targeted Violence against Faith-Based Organizations.

Finally, we have Mr. Paul Goldenberg, co-chair of that same advisory committee.

We thank you, and we look forward to hearing your statement.

**STATEMENT OF GENERAL JOHN R. ALLEN, USMC, RETIRED,
CO-CHAIR, HOMELAND SECURITY ADVISORY COUNCIL SUB-
COMMITTEE FOR THE PREVENTION OF TARGETED VIO-
LENCE AGAINST FAITH-BASED ORGANIZATIONS, AND PRESI-
DENT, BROOKINGS INSTITUTE**

General ALLEN. Thank you, Chairman Rose and Ranking Member Walker, Members of the subcommittee, and thank you for your leadership.

As noted, my name is John Allen. I am a retired Marine and am more than slightly self-conscious that I am not from New York this afternoon.

[Laughter.]

General ALLEN. It is really a great pleasure to be before this subcommittee this afternoon and to be joined by Paul Goldenberg, who is my fellow co-chair in the Homeland Security Advisory Council Subcommittee on the Prevention of Targeted Violence Against Faith-based Organizations.

We are exceptionally grateful for your continued leadership on this issue before us today, that of anti-Semitic violence, to include the threat of domestic terrorism, and are doubly appreciative of your support of our recently-released Homeland Security Advisory Council report, which I concluded, added to our submission for inclusion in the record.*

This is a critical moment for your leadership, and it is shining through, but more needs to be done as a collective approach to this problem. It is a broader problem than just anti-Semitism, as we found in our research. But we focus on that today, and it is absolutely crucial that we have this conversation and future conversations of this kind.

Let me turn the floor at this moment, since you have given us the latitude of doing a joint statement, to Paul Goldenberg, who will speak for the next several minutes on the nature of the threat that we face.

Paul.

**STATEMENT OF PAUL GOLDENBERG, CO-CHAIR, HOMELAND
SECURITY ADVISORY COUNCIL SUBCOMMITTEE FOR THE
PREVENTION OF TARGETED VIOLENCE AGAINST FAITH-
BASED ORGANIZATIONS, AND CHAIRMAN AND PRESIDENT,
CARDINAL POINT STRATEGIES**

Mr. GOLDENBERG. Thank you, General.

Good afternoon, ladies and gentlemen, and let me mirror General Allen's thanks to you all. We are here today because of your leadership. I also do want to add to the record that I am from the State of New Jersey.

Our recent mission with the HSAC tasked us with examining considering the rise in attacks against places of worship, the security of faith-based organizations across the country.

In particular, the subcommittee we chaired was tasked to provide findings and recommendations on how DHS can best support State

*The document has been retained in committee files and is available at <https://www.dhs.gov/publication/prevention-targeted-violence-against-faith-based-communities-subcommittee-membership>.

and local governments and faith-based organizations to keep houses of worship safe, secure, and resilient.

Our final report, which was released just a month ago today details our findings and recommendations in full.

Our work was significantly aided by the advice and counsel of representing offices and entities from across all of DHS, which has a vast array of highly dedicated men and women, and the broader U.S. Government, including the DOJ, the FBI, and the United States Secret Service.

As alluded to earlier, I believe notable is that our members took to the field. We went to the field. We went to the ground visiting synagogues, mosques, temples, and churches, meeting with communities impacted by targeted violent attacks committed by some very heinous, violent extremists. These engagements were literally eye-opening, even for a very jaded senior former police officer from the State of New Jersey.

Our Nation's faith-based communities are one of the few institutions that has the resources and the will to bring together people of contrasting political opinions, races, religions, and ages, uniting communities from a variety of backgrounds and interests, and offering a range of competencies not often found in a single community or organization or, for that matter, police force or government agency.

They have the fundamentals to empower people, developing a sense of ownership among all members of the community. For some, they see it as an Achilles heel.

Unfortunately, the question of whether faith-based communities and certainly the Jewish community is targeted by hatred and terror is not up for debate. Synagogues here and abroad remain targets.

To the threat itself, the primary inspiration behind many of these targeted violent attacks is to force us to not merely question our fundamental safety and security, as well, our ability to protect our Nation, neighborhoods, families, and to look to change our behaviors.

Success in the eyes of these domestic terrorists comes when we retract from our daily routines, ways of living, and even spiritual and political beliefs. We need to further explore the impact of these hate-filled messages with public trust.

As well, as the attacks perpetrated from white violent supremacist actors and other similar separatists and violent extremist groups grow in number, we should all be concerned that an adverse public reaction may generate something that these violent extremists could never have achieved on their own.

This complex psychological progression becomes an enabling tool for those who seek to derail our way of life. Indeed, citizens immunized against the psychological influence of targeted violence and terrorism have a much greater ability to resist such manipulation. That is our perspective and that was our mission within the HSAC.

I would like to now turn it over to General Allen to discuss the recommendations for how we respond to these threats.

General.

General ALLEN. So, ladies and gentlemen of the subcommittee, and thank you, Paul, what he has described is no ordinary threat.

It is a National security issue for the United States, and it is a threat to our way of life.

That is the truth, plain and simple, and I think the testimony of the first panel, that of Mr. Miller, that of what we discovered in the course of our research for this report, it substantiates the nature of this threat.

Nevertheless, we are not here today to admire the problem. We are here to discuss what we can do about it. To that end, much of this is reflected almost verbatim from our recent report.

We need to be thinking about these issues at a strategic level and have a tactical framing as well or rather there are efforts that can be undertaken at the National level, with the Congress and the administration leading the charge, but there are also many efforts that can be undertaken at the local level also.

Our report contains 46 recommendations overall, and we lay out 7 key recommendations in the executive summary in response to the unique nature of the issue, and we are happy to go into greater detail during the Q&A.

I would add a bit of personal framing from my own experience in counterterrorism. We looked at how communities can prepare themselves prior to the terrorist incident or the attack, what we call to the left of the incident.

We looked at how communities can prepare and react to the incident itself during its course, what we sometimes call "at the bang."

We also talked about and researched what can be done on the other side of the incident, the right of the incident where resilience and reconciliation and recovery is essential.

We looked to those measure across all of those, and at the point to the left of the incident, before it occurs, many preventive measures are available to these communities, and here consistent training and community outreach, which we have discussed already in the first panel, especially between State and local law enforcement officials and first responders is essential with our faith-based communities.

At the incident itself, at the attack, there are protective measures which can range from deployment of protective security advisors to increased coordination with responders and, of course, increased defensive capabilities hardening the infrastructure within the communities themselves.

In this category, funding, especially through the FEMA and Non-profit Security Grant Program is crucial, and I have to commend this committee and the Congress for not just enlarging that funding, but being open to a discussion to increase it even more.

Finally, to the right of the incident, after it has occurred, this can include anything from resiliency efforts with the community to efforts focused on healing and reconciliation as well as justice and accountability.

It is the response with social workers and community advocates and law enforcement and healers playing such an important role alongside our police and first responders, as well as civil leadership and legislators.

It is that response that can carry the community through the trauma of that attack and to some form of normalcy in the aftermath.

Very importantly, I said legislators because I believe that for the Congress it means 3 things, and this is a personal plea as much as it is a recommendation from the co-chairs of the subcommittee.

First, I believe that no other body today in the United States can maintain focus on this threat and protection of our faith communities as can the U.S. Congress. You are of the people. You represent the people, and your attention on this matter, as evidenced by today, is extraordinary and your attention continuing into the future will be absolutely essential.

Second, you have the power of the purse, and there is a need for increased funding, not just in the form of grants, but increased assistance to law enforcement at all levels.

Third, our laws. We have talked a lot this afternoon about proposed legislation and legislation that is in the process of being enacted. I could not more strongly associate myself with all of that conversation because we have to have the laws to hold those accountable when they perpetrate these kinds of crimes.

But there needs to be a formal discussion, a full discussion on the nature of a domestic terror law. I believe we have reached that point in this emergency where we not only talk about a domestic terror law, but we also talk about designating domestic terror organizations and domestic terrorists themselves.

It is an unsettled conversation. We have not found our way to a final conclusion, and there are complexities about this associated with the First Amendment and Constitutional rights and civil rights, which are fraught, but we have to have this conversation now given the uptick in the violence against the Jewish community, but the other communities, communities of color, the Muslim communities, the Sikh and the Hindu communities, our black communities in the context of the Christian Church.

We have to have these conversations, and I believe it is the time now to have that conversation about whether we have a domestic terror law and domestic terror designations.

With that I will turn it back to Paul for his closing remarks.

Mr. GOLDENBERG. Thank you, General.

As the list of recent attacks against American faith-based communities grows almost daily, we have seen a rekindled call for domestic terrorism laws, as the general just referred to, to provide Federal law enforcement agencies similar tools that are available to combat targeted violent attacks by international terrorist, and I think we heard that several times today from the law enforcement experts. It has been resonating.

Many believe that these bills specifically would provide required resources to Federal law enforcement officials, some of which have indicated they do not possess the suitable tools—

Mr. ROSE. Mr. Goldenberg, my apologies. We have stretched this. We have to vote right now. So what we are going to do is the committee is going to stand in recess to allow Members to vote on the floor, and the committee will reconvene 10 minutes thereafter, and we will continue this very, very important conversation.

Thank you.

[Recess.]

Mr. ROSE. My sincerest apologies, again. We will get started.

General Allen, when I was speaking with him a few hours ago and he introduced himself to me and I to him, he said, “I believe that we served together at one point,” which is officially going down as the greatest understatement in the history of my life.

So but thank you again, and we will let your testimony continue.

Mr. GOLDENBERG. Thank you. Thank you, Congressman.

So in closing, as the list of recent attacks against American faith-based communities grows, we have seen a rekindled call for domestic terrorism laws to provide Federal law enforcement agencies similar tools that are available to combat targeted violence, attacks committed by international terrorists.

Many believe that these bills specifically would provide required resources to Federal law enforcement officials, some of which have indicated they currently do not possess suitable tools for addressing domestic terrorism, and we are happy to talk about that a little bit more in the Q&A.

But to close, faith-based, non-government organizations, as we all know, extend far beyond faith, spiritual care, health and human services. They are an important component of a collective and cooperative homeland security effort.

Faith-based and non-governmental organizations own and operate infrastructure that remains vulnerable to attack, provides direct support in response to our Nation’s worst natural and man-made disasters, and provides vital resources and services to tens of millions of Americans every day.

By educating lay leaders, community members, sharing critical real-time information, and by more effectively working with our law enforcement partners, they will have the fundamentals to empower themselves, developing a sense of ownership among the whole community.

Every recommendation that General Allen discussed today, to include what is encompassed in our HSAC report, is sourced in that reality and that framing.

Finally, let me say that having had the honor and privilege of working with our current Acting Secretary Chad Wolf over the years, I could not possibly recount the number of times that he has pushed on these issues and with me personally as well.

General Allen noted in his statement that the importance of being seized at this moment and this topic is more significant and critical than ever. That is certainly the case for Acting Secretary Wolf, and I can personally attest to his passion and care in fighting for progress and support of our faith-based communities.

With that we will close. General Allen and I welcome your comments and questions, and thank you for the opportunity to speak on this most important and critical issue.

[The joint prepared statement of General Allen and Mr. Goldenberg follows:]

JOINT PREPARED STATEMENT OF GENERAL JOHN R. ALLEN AND PAUL GOLDENBERG

15 JANUARY 2020

[John R. Allen]

Chairman Rose, Ranking Member Walker, and Members of the subcommittee—good afternoon. As noted, my name is General John Allen, and it is a great pleasure to be here before you this afternoon, and to be joined by Paul Goldenberg, my fellow

co-chair of the Homeland Security Advisory Council Subcommittee on the Prevention of Targeted Violence Against Faith-based Communities. We are exceptionally grateful for your continued leadership on the issue before us today—that of anti-Semitic violence, to include the threat of domestic terrorism—and are doubly appreciative of your support of our recently released Homeland Security Advisory Council report. In this critical moment, your leadership shines through—thank you.

Paul and I will be giving a joint statement this morning and thus will speak to different portions of our testimony over the next 10 minutes. We request this statement be entered into the record and afterward look forward to answering your questions. With that, let me turn it over to Paul for a recap of our mission with the Council, as well as our assessment of the current threat facing faith-based communities today.

[Paul Goldenberg]

Good afternoon, ladies and gentlemen. Let me mirror General Allen's thanks—we're here today because of your leadership. You would be hard-pressed to find a more pressing topic, and it our privilege to speak to you all today, and to bring to life the very real threat facing our faith-based communities, including those of an anti-Semitic nature.

To recap, our mission with the Homeland Security Advisory Council began on May 20 of last year, when then-Acting Secretary Kevin McAleenan tasked us with examining, considering recent attacks against synagogues, churches, temples, and mosques, the security of faith-based organizations across the country.

The subcommittee we had the honor of co-chairing was tasked to "provide findings and recommendations on how DHS can best support State and local governments' and faith-based organizations' efforts to keep houses of worship safe, secure, and resilient."

Our final report—which was released almost exactly a month ago on December 17—followed the tasking letter of then-Acting Secretary McAleenan, who requested we examine 3 areas or taskings:

Tasking One.—Ensuring two-way information flows between DHS and faith-based organizations.

Tasking Two.—Evaluating preparedness and protective efforts for the faith community.

Tasking Three.—Evaluating the role the faith-community could/should have in locally-based prevention efforts.

A fourth tasking was also added by the then-Acting Secretary following a public hearing in Jackson, MS, chaired by Congressman Bennie Thompson, Chair of the House Committee on Homeland Security.

Congressman, it's great to see you again today.

Thus, Tasking Four came to be, which reads—Evaluate the adverse impacts that violent extremists and domestic terrorists, including those inspired by violent white supremacy ideologies, have on faith-based and other vulnerable communities.

Our work was significantly aided by the advice and counsel of at least 20 SMEs and witnesses, representing offices and entities from across DHS and the broader USG, including DOJ, FBI, USSS. As alluded to earlier, and I believe notable, is that our members also took to the field visiting synagogues, mosques, temples, and churches, meeting with communities impacted by targeted violent attacks committed by violent extremists.

These engagements were eye-opening, and as someone who has proudly served as a member of the law enforcement community—I have personally come to recognize that our Nation's faith-based communities are one of the few institutions that has the resources, the will—to bring together all age groups, people of contrasting political opinions, races, religions, who can unite communities from a variety of backgrounds and interests, offering a range of competencies not often found in a single community organization, police force, or Government agency. They have the fundamentals to empower people, developing a sense of ownership among our whole community.

Nonetheless, and most unfortunately, we're here today because a growing number of bad actors have opted to set their sights on the very soul of America—our communities of faith.

Today—throughout Europe, countless houses of worship are surrounded by crack military troops standing guard with automatic weapons, reinforced by heavy armored personal carriers, guard towers augment the once stately and welcoming entryways, flower beds swapped for barbed wire; at a cost of hundreds of millions of Euros producing a dreadful impact on the psyche of Europe's people.

For Europe has become—America's canary in a mine . . .

The question of whether the faith-based community—and certainly the Jewish community—is targeted by hatred and terror is not up for debate. Houses of worship, here and abroad, remain targets. In this country, both law enforcement and communities of faith recognize this unique reality and are pursuing proactive steps to link the mission of the Department of Homeland Security and the Nation’s million-plus first responders, with the concerns of faith-based institutions.

To the threat itself, the primary inspiration behind many of these targeted violent attacks is to force us to not merely question our fundamental safety and security, as well as our ability to protect our Nation, neighborhoods and families, but to change our behaviors.

It is with this in mind that we are talking about this in a domestic terrorism context.

Indeed, success in the eyes of domestic violent extremists and international terrorists comes when we retract from our daily routines, ways of living and even spiritual and political beliefs. One underestimates the power of fear at his or her own risk. The effects of extremist manifestos, threats, and plans for violent actions are now routinely shared on social media sites such as 4chan, 8chan, and these efforts are strategically calculated on the part of these bad actors and can have a long-lasting and deeply destructive effect on our communities.

We have come to learn that the goal of violent extremists is often not just to cause loss of life—nevertheless, more perilously, it’s to wear us down, psychologically, emotionally and spiritually, causing our endurance, determination, and morale to decay and ultimately disappear. That dynamic was readily apparent across the communities we engaged with, regardless of whether they had personally experienced targeted violence or threats.

As attacks perpetrated from white violent supremacist actors and other similar separatist and violent extremist groups grow in number—and they have been growing at an alarming rate—we should be concerned that an adverse public reaction may generate something that these violent extremists could never have achieved on their own.

This complex psychological progression becomes an enabling tool for those who seek to derail our way of life. Citizens immunized against the psychological influence of targeted violence and terrorism have a greater ability to resist such manipulation—we cannot allow this to happen.

If violent extremists believe that their assault on our communities of faith is not likely to create mass chaos and fear and a subsequent unraveling of the values of our people to an extent that it damages the bond between a government and its citizens, they may have less reason to waste their resources on such an attack. If our faith communities and workforce are provided resiliency and preparedness training and are convinced the measures we will take in preparation will increase the odds of survival and successfully coping with a catastrophic event, we are then more likely to internalize personal preparedness as necessity rather than commodity.

That was our perspective, and our mission, within HSAC. Let me now turn it back to General Allen to discuss our recommendations—the tone of which I just previewed—for responding to this threat.

[John R. Allen]

Thank you, Paul. Ladies and gentlemen of the subcommittee—what Paul just described is no ordinary threat. It’s a National security issue for the United States, and a threat to our way of life. That’s the truth, plain and simple, and it cannot be overstated.

Nevertheless, we’re not here today to simply admire the problem—we’re here to discuss what we can do about it. To that end, and much of this is reflected almost verbatim in our recent report, we need to be thinking about these issues within a strategic—as well as a tactical—framing. Or, rather, there are efforts that can be undertaken at the National level—with Congress and the administration leading the charge—and there are efforts best handled by our local communities.

Our report contains 46 recommendations overall, but we lay out 7 key recommendations in response to the unique nature of this issue, and we’re happy to go into greater detail on those specifics during Q&A.

To add a bit of personal framing however, the way I’ve described much of this—and some of this comes from my prior service in the U.S. Marine Corps—is the left, right, and center of “bang,” with the “bang” being a violent event, which here we’ll call “the incident”.

Measures to the left of the incident are what we’d describe as preventative measures. Here, consistent training and community outreach are key, especially between State and local law enforcement and our faith-based communities.

At and during the incident itself—these are protective measures, which can range from the deployment of Protective Security Advisors to increased coordination with first responders and, of course, increased defensive capabilities for the communities themselves. In this category, funding—especially through the FEMA Nonprofit Security Grant Program—is crucial, particularly in the context of buying those precious moments before law enforcement is able to arrive on-site and intervene. Let me pause to thank you, the Congress, for putting more funding behind this truly essential program.

Finally, right of the incident. This can include anything from resiliency efforts within the community, to efforts focused on healing and reconciliation, as well as justice and accountability. It's the response—with social workers and community advocates playing as much a role as law enforcement and legislators.

It's that last point—the role of legislators—that I'll focus on, however. For you, the Congress, this means 3 things, in my mind. This is as much a personal recommendation as it is framing from our time as co-chairs with HSAC.

First, in many respects, during this very difficult time in our history, the Congress may be our last best hope to address these urgent matters, and your being seized with this matter, ladies and gentlemen, is essential to the preservation of the social fabric of the American society. Thus, your leadership, as exhibited today, is crucial. Increasing violence against our faith communities is an emergency and deserves to be treated as one. This issue needs greater attention, and Congress is best-situated to keep it in the public eye. I'll leave it at that—it could not be more important.

Second, Congress of course has the power of the purse. In addition to what was described in the report recommendations, our faith-based communities need more resources to invest in a wide variety of preventative and protective measures and capabilities. This can come in the form of the grants I mentioned. Quite simply, our faith-based communities need to be better-resourced and these grants are the best way of realizing a solution. Separately, but related, our Nation's law enforcement and first responders are stretched thin. They're doing what they can, in supporting both preventive and protective measures for our faith communities but are also badly in need of additional resources.

Finally—our laws. The deterrent and protective nature of increased legal clarification and accountability surrounding the domestic terror threat, and those who pursue such acts, cannot be overstated. We did not in our report delve into a specific law—namely, a domestic terror law, or a domestic terror designation for individuals or groups—but I believe the time has come for a very serious debate on this measure, and it's something worth discussing. We do discuss the need for defining domestic terrorism in our report, at the very least within the DHS and DOJ. That's essential. DHS's new Strategic Framework undertakes a good start on this, but we must see this through.

[Paul Goldenberg]

Thank you, General.

As the list of recent attacks against American faith-based communities grows, we have seen a rekindled call for domestic terrorism laws to provide Federal law enforcement agencies similar tools that are available to combat targeted violent attacks committed by international terrorists. In the late 1980's I was appointed the Nation's first chief of a State Attorneys General Office dedicated to the investigation and prosecution of hate crime and ethnic terrorism.

Back when we had scarce laws on the books addressing these issues, it was quite challenging for my detectives when deployed to synagogues, churches, and Asian Indian temples across the State experiencing attacks against their institutions, intimidation, desecration of cemeteries, assaults, these horrific criminal acts terrorized whole communities—however, they were hard to prosecute as serious offences as we had no laws codifying a hate crime as a felony act, thus making resources, training, and requests for additional personnel quite challenging. It was extremely difficult to travel to these communities and explain to them why these offenders were not in jail.

Many believe that these bills—domestic terror laws, specifically—would provide required resources to Federal law enforcement officials, some of whom have indicated that they do not possess suitable tools for addressing domestic terrorism. In some hate crime cases prosecutors have had to seek out several Federal statutes to use against those who have engaged in apparent domestic terrorist activities. Others have indicated that laws already on the books are adequate to address targeted violence against religious institutions that come to mind when discussing domestic terrorism—the real challenge for law enforcement is that these charges can be filed only after these violent extremists complete or attempt acts of violence.

Coming from State law enforcement I recognize that these State laws often include attempt and conspiracy provisions, however, local and State law enforcement agencies commonly lack the resources to conduct these complex and long-term investigations. I'm happy to speak more to this issue in Q&A.

But to close, faith-based and nongovernmental organizations extend far beyond faith, spiritual care, and health and human services; they are an important component of a collective and cooperative homeland security effort. Faith-based and nongovernmental organizations own and operate infrastructure that remains vulnerable to attack, provides direct support and response to our Nation's worst natural and man-made disasters, and provides vital services to tens of millions of Americans every day. These include vast networks of organizations and operations with facilities, capabilities, and processes on a massive scale that need to be more integrated into our collective homeland security efforts.

During times of crisis and other homeland security events, it is neighborhood congregations, community outreach centers, social service agencies, and other community organizations—the very fabric of America—that are best positioned to become critical partners in local and National homeland security initiatives. Every recommendation General Allen discussed, to include what is encompassed in our HSAC report, is sourced in that reality and framing.

These communities—America's bedrock, if you will—can only do so much on their own. They simply need the resources and training to make it a reality. DHS—and really the entire USG—can offer them this, and we'll be significantly safer as a result.

Finally, let me highlight that roughly halfway through our research, then-Acting Secretary McAleenan unveiled the Department's *Strategic Framework for Countering Terrorism and Targeted Violence*. Drawing on this document, our recommendations were intended to advance the goals set forth in the *Strategic Framework*, namely, to “understand the evolving terrorism and targeted violence threat environment, and support partners in the homeland security enterprise through this specialized knowledge”; “prevent terrorism and targeted violence”; and “enhance U.S. infrastructure protections and community preparedness.”

This document also made it very clear that while there were still significant sources of foreign terrorism against which we must guard, the principal source of domestic terror has been and increasingly comes from violent white supremacist movements, and these movements are a direct threat to our American faith communities. This is incredibly important, and I'd be remiss in not highlighting how foundational this document can be, assuming it is internalized and acted upon. As well, Kevin McAleenan's leadership on this issue was significant, and he should be commended for putting this document out in the public realm for debate and iteration.

Let me also say that in having had the honor and privilege of working with our current Acting Secretary Chad Wolf over the years, I could not possibly recount the number of times he has pushed on this issue. General Allen noted in his statement the importance of being seized with this moment, and this topic. That is certainly the case for Acting Secretary Wolf, and I can personally attest to his passion and care in fighting for progress in support of our faith-based communities.

With that, we'll close. General Allen and I welcome your comments and questions. Thank you for the opportunity to speak on this important issue.

Mr. ROSE. Thank you again for your testimony.

I will now yield to one of the fiercest fighters against anti-Semitism in the country, Congressman Josh Gottheimer of New Jersey.

Mr. GOTTHEIMER. Thank you, Mr. Chairman.

General, thank you for being here. Mr. Miller, thank you for being here. I am honored to have you both in our presence.

General, do you think it would be helpful if we had a domestic terror law?

I have a piece of legislation that I am working on that I introduced in a bipartisan way last Congress which freezes the assets of domestic terrorists called the FASTER Act.

Do you think that would be helpful in our fight against ISIS-inspired home-grown terrorists and other home-grown terrorists in the United States?

General ALLEN. Yes. I do not think there is any question. That is my opinion.

It was not an opinion that we expressed in the report. In the report we made the point that this is an issue that needs to be thoroughly debated because, on the one side, it gives us the tools that you have discussed, Congressman. On the other side, there are concerns about civil rights.

That conversation needs to be had because it is not settled. I happen to believe that we should have both the domestic terror law, and we should have the capacity to do designations of domestic terrorists as well.

Mr. GOTTHEIMER. Thank you, General.

In what cases do you think it would be best utilized?

In your important work that you are doing right now in Homeland to fight anti-Semitism, how do you believe it could actually be utilized to help protect our country?

General ALLEN. Well, obviously, those individuals who are organized in a manner that will employ violence as an extension of their extreme ideology, there should be a price to be paid for that.

There should also be a price to be paid for those in the same context as Foreign Terrorist Organization designations for those that provide material support to those kinds of organizations as well.

As a commander overseas, fighting both the Taliban and al-Qaeda in Afghanistan, one of the great assets that I had was the Foreign Terrorist Organization designation. This terrorist threat is no less a threat now in the United States, as Americans descend upon Americans and inflict terror in enormous quantities upon various communities.

Having that legal mechanism both in terms of freezing assets, limiting travel, penalizing those who provide material support to this kind of a group, as well as designating individuals, I think that gives us another tool in the toolbox to deal with these people.

Mr. GOTTHEIMER. Excellent. Thank you, General.

Either one of you might take this one. This builds on the FTO designation, General.

One thing that Chairman Rose and I have worked on together with others in a bipartisan way is fighting the massive spread of terror on-line, which, you know, through social media has been now used as a tool to recruit, as you know, not just around the world, but at home.

One thing we have been concerned about is the spread, and Facebook has taken a lot of steps, and we worked pretty closely to try to encourage Twitter to do the same, but these handles go up every single day. It is hard to stay ahead of them.

We know it is being used as a tool in their arsenal, the terrorists, against us, and those who have Foreign Terrorist Organization designations should not be allowed, in our opinion, in my opinion, to post on-line, to have handles, to be on Facebook, to be on YouTube.

So either one of you, and, General, maybe you start, and your thoughts on that.

General ALLEN. Well, you know, the entire cyber domain in which so much of the world operates now, you have the cyber domain and the physical domain. We are in the physical domain at the moment.

But the cyber domain, just as I mentioned that there is the capacity under the Foreign Terrorist Organization designation to limit the movement of terrorists in the physical domain by limiting their capacity to travel, having the capacity to limit the movement of domestic terrorists in the cyber domain by limiting their access by law to certain social platforms is a different way of thinking about this.

Mr. GOTTHEIMER. Right.

General ALLEN. I think we need to think in those terms.

In the cyber domain there are no boundaries. There are no borders. Sovereignty has an entirely different meaning than it has had traditionally, and when domestic terrorists victimize elements of our population and move with impunity from one platform to another, we should be thinking in those terms.

This is a different kind of sovereignty. This is a digital sovereignty, and we should be confining and limiting their capacity to move across the cyber domain and use that domain as the mechanism and the platform to victimize our population.

Mr. GOTTHEIMER. Excellent. I really appreciate it.

Mr. Miller, I am sorry I am more limited on the clock here.

Mr. ROSE. Take your time.

Mr. GOTTHEIMER. Thank you.

Mr. Miller.

Mr. GOLDENBERG. Goldenberg.

Mr. GOTTHEIMER. Oh, I am sorry, Paul. Sorry about that.

Mr. GOLDENBERG. From New Jersey, by the way.

Mr. GOTTHEIMER. Where in Jersey are you from?

Mr. GOLDENBERG. Well, I grew up Essex County, but now down in Monmouth County.

Mr. GOTTHEIMER. Really? By the shore, huh? Excellent, terrific.

General ALLEN. I am not feeling self-confident, yes.

[Laughter.]

Mr. GOTTHEIMER. I love that. I love Jersey, yes.

Mr. GOLDENBERG. Let me share, if I can—

Mr. GOTTHEIMER. Thank you.

Mr. GOLDENBERG. I will do it very quickly, a very quick story.

Mr. GOTTHEIMER. Sorry, Mr. Goldenberg. I apologize.

Mr. GOLDENBERG. How many of you have heard of Whitefish, Montana?

All right. Hopefully, you will Google it when we are done.

Whitefish, Montana is a pristine, beautiful place. It is actually pretty magical. It sits on the side of a mountain amongst some very good people. Whitefish, Montana is a population of 8,000, 126 Jews.

Two Hanukkahs ago, I received a phone call from a Rabbi Ralston. Rabbi Ralston said to me, “What do we do here? My son’s photo, the photo of Tonya Gersh, who is a local realtor in town who got into some—there was a situation between herself and Richard Spencer’s mother,” and Richard Spencer who I am referring to at that time was an individual that was very proactive in certain ideologies.

There are folks that placed the families, the sons, the 12- and 13-year-old children on the internet, and they put not a swastika, a Star of David with “Jude” across the chest of the children and

trolled these children and calling for an armed insurrection against the Jews of Whitefish.

It was literally one of the most heinous acts that I have seen. As a former law enforcement executive myself, I know that—and I use the word “jaded”—that if someone took one of my children’s photos or the photos of one of my grandchildren, that would have a huge impact and would put terror and fear into my heart.

Here is the problem. No one was arrested. No one was prosecuted. Quite frankly, this is not a criticism, but the local attorney general’s office, prosecutor’s office, the State attorney general’s offices, the State investigative bureaus, they were not quite sure how to handle such a thing.

But here we had a Jewish community literally rethinking whether they stay put in a beautiful, pristine place such as Whitefish.

Now 2½, almost 3 years later, they stayed. They are there. They are stronger than ever. They received tremendous support from the local citizenry of all colors and religions.

But the fact of the matter is that it was not a clear margin, and that is something that I think we have to have a real tough talk, not only with those that are propagating these types of threats, terrorist threats, but that is a conversation probably for DOJ and Bureau and other Federal agencies to sit down and explore and determine what do we do and where is the line drawn on events or incidents such as that.

Mr. GOTTHEIMER. Thank you, Mr. Goldenberg. I really appreciate it. Thank you both for your time today.

I yield back. Thank you.

Mr. ROSE. Thank you.

Next is Congressman Ted Deutch from the fantastic, great State of Florida.

Mr. DEUTCH. Thanks very much, Mr. Chairman. Thanks for allowing me to join your panel.

General Allen and Mr. Goldenberg, I am most grateful for your efforts here, for choosing to focus on these issues.

I just wanted to follow up on just a couple of things that you were both speaking about.

General Allen, when you talk about cyber, we have conversations regularly about social media companies and the responsibility for social media, that social media companies should have. You touched on that a bit.

I wanted to actually talk about what we do not often talk about, which is those who use those companies to draw people into the dark web and the kinds of things that happen there and the violence that is promoted there.

I just wonder if either of you have thoughts on how to actually combat those kinds of efforts, and I will ask that question, and then, Mr. Goldenberg, I will follow with you.

Mr. GOLDENBERG. The good news/the bad news is we have come so far out of the dark web we are not even in the dark web. When I say that, it is out of the dark web. The domains that are being used now, it is across the spectrum. It is 4chan, 8chan, Reddit.

I mean, I could rattle off. I know that the head of the ADL today did a very eloquent job describing some of the concerns and the threats that are coming from these very dark places.

The problem is, and the general knows this better than anyone when he saw how a very I do not want to say unsophisticated group, but a group that came together and became very sophisticated very quickly, and people literally woke up one day and said, "How did ISIS get here?"

I say to them humbly because the person that was responsible for the fight is sitting to my right, but it did not just get here, and the level of threat, the level of concern that we should have as a Nation, the concern is what we are not seeing. It is what we are not seeing.

I have a young 26-year-old research person that continuously reminds me of what I am missing out there, and when you ask for a show of hands within various law enforcement communities and say, "How many of us know what 4chan is or 8chan?" it is unfortunate that we do need to know about these things because people are putting their manifestos out there.

They are laying out their plans out there, and at minimum, and I am not talking about First Amendment; I am talking about when people are planning and plotting to kill or maim or destroy because of color of skin or religion, et cetera.

So we do need to be deeply concerned.

Mr. DEUTCH. Finally, Mr. Chairman, if I might, when you recount the story from Montana, from Whitefish, the community never could have imagined what happened to them.

The community in Squirrel Hill never could have imagined what would befall them and the deadliest attack on the Jewish community in America's history.

The Chabad in Poway never could have imagined, and certainly no one in New York could have imagined, certainly could never have imagined a machete-wielding attacker walking in during a Hanukkah celebration.

But people also could not have imagined that Jews would be attacked as Jews, because they are Jews, on the streets in some cases every day.

If you could, I guess as we round this out, if you could just speak to the terror—and I ask both of you, General Allen, given your experience—the terror that that creates in that community, in this case the Jewish community, but ultimately why it is that the broader community, that America as a whole ought to be genuinely worried about that.

General ALLEN. I think we have to do better obviously at the level of our education of our children, about how intolerant we should be of hatred and how we should create an environment of education that prizes and celebrates the diversity of our community and how civility has to shoot through all that we do.

It has to be at the strategic level something about the shaping of the education of our children. It has to be about what kinds of behaviors we will tolerate.

Absent the kinds of strategic measures that can be taken or the policies that can be enacted or the legislation that can be passed, we leave large gaps in the field to be filled by those dark forces that will find themselves able to operate with impunity.

In the battlefield of Iraq, those areas that we did not control, we called them the coldest space in the room, and that was where the enemy would accumulate.

Those areas that are not regulated, those areas that do not have policy that attach themselves to it, those areas that do not benefit from education, it creates cold spots within which those kinds of communities can accumulate.

Let me go back to the cyber piece a minute because this has really given the capacity for isolated individuals and isolated groups to be joined together in a common cause of hatred in ways that we have never seen before.

It has both increased the surface area of these groups; it has increased the magnitude of the hate within the groups; and it has accelerated the capacity of these groups to take action.

Often in the world that I live in now, we talk about artificial intelligence and emerging technologies constantly, and one of the challenges that we have, and this is the unique role of the Congress, sir. You have been deeply involved in this, and we are all grateful for your leadership.

But the reality is that technology is moving so fast that policy and legislation is always in trail, and sometimes it is years behind.

I just tried to describe a few minutes ago that the cyber environment in which this hate occurs and within which the connectivity can be affected and by which the actions can then come back out in the physical community in school shootings or in attacks on Jewish communities, that is the physical manifestation of the things that are occurring in the cyber domain.

Yet this is so new to us as a people that we have yet to understand that the technology is moving so quickly that the kinds of legislation and policy necessary to regulate that is far behind.

So we scratch our heads when we wonder why the social media platforms are not taking the steps necessary. They are all technicians. So it requires that the American people through their elected representatives understand that unless we can generate the kinds of controls and legislation of policy necessary to gain control of the cyber domain just as we have them for the physical domain, we will still be scratching our heads because we are watching actions and behaviors and levels of hatred unfolding in the cyber domain that we could never have imagined in the physical domain because they were isolated from each other. Now they are joined together.

They are not just joined together in the United States. They are joined together with the groups overseas, and added to that, not just the white supremacist organizations in the United States joining with those overseas. The strategic influence campaign of the Russians is aiding this as well.

So it is not just group to group. It is the explicit state policy of the Russian government to interfere in the democracy and in the civil society of the United States. These actions together constitute a direct threat to the National security of the United States.

But much of it is occurring in the cyber domain right up to the point where it becomes a physical threat, and then we are behind the power curve.

A final point. Sorry. Just as technology has given the capacity for these groups to amass and attack, there are technologies out there

today, some young groups, small start-ups with exquisite algorithms, with the capacity to find these organizations in cyber space because of the memes that they use, because of the code words that they employ. They leave a cyber trail.

The capacity, and this is what is very, very important, and we had this conversation with the Acting Secretary on Monday, an extended conversation. He has taken our report and handed it to his Department and given them 2 weeks to come back for an implementation plan for the recommendations.

That is extraordinary leadership from my perspective. They are going to get after this. Part of it has got to be that we must aggressively leverage the advances in technology right now that the enemy is using, and the enemy is walking amongst us; that the enemy is using to victimize and attack and kill our faith-based organizations and faith-based communities, but more broadly the American public.

Mr. GOLDENBERG. May I just—and I know—

Mr. ROSE. Please, take as much time as you need.

Mr. GOLDENBERG. I have just spent almost the last almost decade but the last 3 years through Rutgers University. We are working transnationally and out of Jewish communities across all of Europe, and I do not know how many of you have traveled to Europe as of late, but in many cases in Germany and in Netherlands and in France and in Sweden and in other parts, you cannot go into a synagogue without crack military troops with long rifles and sandbags in some cases greeting you and barbed wire greeting you at the entranceway.

These are democratic, wonderful institutions, many of which have survived World War II. So that is a canary in a mine and probably very much a place that we never want to get to here in the United States.

So these types of works, these collaborative works between DHS and other Federal agencies and the communities is probably more critically important today than ever.

Thank you for the opportunity to speak.

Mr. DEUTCH. Thank you, Mr. Chairman. My time has long past expired, but I want to thank the witnesses.

At a moment when the large Jewish community I represent, Jewish community all throughout America feels under threat, it is real leadership that you have shown in calling this hearing with these witnesses to help elevate this issue to the level that it deserves, and I am most grateful to you.

Mr. ROSE. Thank you, sir, and thank you for everything that you have done for so many years on this issue.

Two pieces of legislation I would like to bring to your attention that we are working on or two projects. One is designating global Neo-Nazi organizations as FTOs, particularly Azov Battalion, Nordic Resistance, National Action, and Simon Creek.

The second is the Raise the Bar Act. There should be an integrated partnership between the Department of Homeland Security as well as university-entrusted flaggers to on a quarterly basis measure how well social media companies fulfill their own codes of conduct as it relates to getting terrorist content off of their platforms.

These are two pieces of legislation that we would like to actively work with you on, and I believe based off your testimony, it seems as if they are much needed. Would you agree?

General ALLEN. Absolutely agree.

Mr. ROSE. Mr. Goldenberg.

Mr. GOLDENBERG. One hundred percent. As, again, as someone who is working abroad right now and watching these movements grow, watching these populous movements go from the margins to now as acceptable movements within some of these countries, they are communicating here. They are working with some of our players here, our actors. So I think there is more of a need now than ever.

Mr. ROSE. I want to speak more to the global nature of this and start to disabuse ourselves of the notion that there is something happening in Europe or throughout the rest of the world, and it is entirely separate from what is happening here.

General, you led the fight against ISIL. Do you see any commonalities between the global Jihadist movement and the global Neo-Nazi movement?

General ALLEN. I do. I am not an expert on this subject. I know the Islamic State and al-Qaeda pretty well, but the behaviors that I have seen lead me to believe that there is a connectivity that we should be certain of.

This would be an area where I would want to focus serious intelligence resources to establish unambiguously—"unambiguously" is the term I will use—the connectivity between the two.

You know, I said here now several times during my testimony that the environment in which we live today where so much of our moment-to-moment existence is defined by a cyber environment, where I have the capacity to, on an encrypted application, have near-real-time, actually real-time video, telephone, and SMS communications with someone anywhere in the world.

The problem we had with the Islamic State was because of these applications and the internet and encrypted applications, they could plan strategically in a distributed manner separated by continents. They could move regionally by using criminal networks, and they could attack locally, and it could be all, as Director Comey used to call it, all in the dark, very difficult to perceive.

That kind of connectivity knows no boundaries. It does not know mountains. It does not know oceans. That kind of connectivity is real time. It is instant at the speed of light and organizations that wish us ill harm, organizations that would attack the Jewish community of the United States, that are already attacking the Jewish community in Europe find allies in the United States over the cyber environment.

We have left that line of communication open for them. So when we think about first designating them as a Neo-Nazi organization, as a Foreign Terrorist Organization, I do not know what the argument is.

I need to have someone tell me why we would not because in the end if that organization wishes American interests and American citizens and our allies ill, which is a big part of why we designate someone as a Foreign Terrorist Organization, this seems to me it does not require a lot of debate.

Mr. ROSE. You mentioned earlier that you could not have conducted the fight against ISIL without the FTO designation, authority, or power or without these organizations labeled as such.

Can you expand on that?

General ALLEN. Let me say that it was quite helpful. I mean, I was doing lots of fighting against ISIS that did not require FTOs, but what FTOs would do was if they are non-American citizens, and most of them are aliens, they cannot travel freely.

When we work through the Department of Justice, when we have designated an organization and worked with the Department of Justice, when elements—and I will particularly talk about the Haqqani network, which was in the Federally-administered tribal areas. From your own experience, you remember what the Haqqanis did coming out of the highland.

FTO designations for us gave us the capacity to limit their capacity to travel. It froze their resources, and it also gave us the ability to sanction those who provided material support to them.

That is a very valuable asset, and just being on the list, an American list maintained through the State Department of being a Foreign Terrorist Organization creates for us a connectivity with our allies that is very valuable to us as well in dealing with this at a global level.

Mr. ROSE. Something that I urge you to consider in future reports is that over 17,000, nearly 20,000 foreign fighters have gone to fight with the Assad Battalion from 50 different countries.

That is more than the number of foreign fighters that went to go fight with the Mujahidin at the height of the Soviet Union's war in Afghanistan.

I cannot say with certainty, and please correct me if I am wrong, that we have a system in place right now to track every American who is going to fight with the Assad Battalion; is that correct?

General ALLEN. That is not something I can comment on with any knowledge.

Mr. ROSE. Can I have your commitment that in your current capacity advising the Homeland Security Department that this is something that you will consider going further?

General ALLEN. Absolutely.

Mr. ROSE. OK?

Mr. GOLDENBERG. Yes.

Mr. ROSE. OK. Fantastic. Well, thank you so much, first of all, for your extraordinary service. It goes without saying that considering both of your extraordinary experience, you do not have to be doing this right now, and it exemplifies both your patriotism, your commitment to this country, and for that we are in deep, deep gratitude, and thank you for taking the time today.

General ALLEN. Chairman, thank you for your leadership. Thank you for convening this hearing and for the additional work you plan to do on this.

This is a direct threat to the American people, and thank you for your leadership in dealing with it.

Mr. ROSE. Thank you very much.
The subcommittee stands adjourned.
[Whereupon, at 5:39 p.m., the subcommittee was adjourned.]

