

**CONFRONTING VIOLENT WHITE SUPREMACY
(PART V): EXAMINING THE RISE
OF MILITIA EXTREMISM**

HEARING

BEFORE THE
SUBCOMMITTEE ON CIVIL RIGHTS AND CIVIL
LIBERTIES

OF THE

**COMMITTEE ON OVERSIGHT
AND REFORM**

HOUSE OF REPRESENTATIVES

ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

MAY 26, 2021

Serial No. 117-25

Printed for the use of the Committee on Oversight and Reform



Available on: *govinfo.gov*
oversight.house.gov or
docs.house.gov

U.S. GOVERNMENT PUBLISHING OFFICE

44-688 PDF

WASHINGTON : 2021

COMMITTEE ON OVERSIGHT AND REFORM

CAROLYN B. MALONEY, New York, *Chairwoman*

ELEANOR HOLMES NORTON, District of Columbia	JAMES COMER, Kentucky, <i>Ranking Minority Member</i>
STEPHEN F. LYNCH, Massachusetts	JIM JORDAN, Ohio
JIM COOPER, Tennessee	PAUL A. GOSAR, Arizona
GERALD E. CONNOLLY, Virginia	VIRGINIA FOXX, North Carolina
RAJA KRISHNAMOORTHY, Illinois	JODY B. HICE, Georgia
JAMIE RASKIN, Maryland	GLENN GROTHMAN, Wisconsin
RO KHANNA, California	MICHAEL CLOUD, Texas
KWEISI MFUME, Maryland	BOB GIBBS, Ohio
ALEXANDRIA OCASIO-CORTEZ, New York	CLAY HIGGINS, Louisiana
RASHIDA TLAIB, Michigan	RALPH NORMAN, South Carolina
KATIE PORTER, California	PETE SESSIONS, Texas
CORI BUSH, Missouri	FRED KELLER, Pennsylvania
DANNY K. DAVIS, Illinois	ANDY BIGGS, Arizona
DEBBIE WASSERMAN SCHULTZ, Florida	ANDREW CLYDE, Georgia
PETER WELCH, Vermont	NANCY MACE, South Carolina
HENRY C. "HANK" JOHNSON, JR., Georgia	SCOTT FRANKLIN, Florida
JOHN P. SARBANES, Maryland	JAKE LATURNER, Kansas
JACKIE SPEIER, California	PAT FALLON, Texas
ROBIN L. KELLY, Illinois	YVETTE HERRELL, New Mexico
BRENDA L. LAWRENCE, Michigan	BYRON DONALDS, Florida
MARK DESAULNIER, California	
JIMMY GOMEZ, California	
AYANNA PRESSLEY, Massachusetts	
MIKE QUIGLEY, Illinois	

DAVE RAPALLO, *Staff Director*

CANDYCE PHOENIX, *Subcommittee Staff Director*

AMY STRATTON, *Deputy Chief Clerk*

CONTACT NUMBER: 202-225-5051

MARK MARIN, *Minority Staff Director*

SUBCOMMITTEE ON CIVIL RIGHTS AND CIVIL LIBERTIES

JAMIE RASKIN, Maryland, *Chairman*

KWEISI MFUME, Maryland	PETE SESSIONS, Texas, <i>Ranking Minority Member</i>
DEBBIE WASSERMAN SCHULTZ, Florida	JIM JORDAN, Ohio
ROBIN KELLY, Illinois	CLAY HIGGINS, Louisiana
AYANNA PRESSLEY, Massachusetts	ANDY BIGGS, Arizona
ELEANOR HOLMES NORTON, District of Columbia	NANCY MACE, South Carolina
ALEXANDRIA OCASIO-CORTEZ, New York	SCOTT FRANKLIN, Florida
RASHIDA TLAIB, Michigan	BYRON DONALDS, Florida
DANNY K. DAVIS, Illinois	

C O N T E N T S

Hearing held on May 26, 2021	Page 1
WITNESSES	
Mary McCord, Legal Director, Institute for Constitutional Advocacy and Protection Georgetown University Oral Statement	7
The Honorable Gurbir Grewal, New Jersey Attorney General Oral Statement	9
Peter Simi, Associate Professor of Sociology, Chapman University Oral Statement	10
Michael Gonzalez, Senior Fellow, The Heritage Foundation Oral Statement	11
<i>Written opening statements and statements for the witnesses are available on the U.S. House of Representatives Document Repository at: docs.house.gov.</i>	

INDEX OF DOCUMENTS

*Documents entered during the hearing by Unanimous Consent (UC), and
other documents for this hearing, including Questions for the Record (QFR's)
are listed below.*

- * UC - Statement from the Attorney General of Michigan; submitted by
Chairman Raskin.
- * UC - Statement from the Attorney General of Oregon; submitted by
Chairman Raskin.
- * UC - Statement from the Attorney General of Virginia; submitted by
Chairman Raskin.
- * UC - Article, "Nevada County GOP Canceled Meeting Amid Fear of
Proud Boy Insurgency"; submitted by Chairman Raskin.
- * UC - Testimony by the Southern Poverty Law Center; submitted by
Chairman Raskin.

Documents are available at: docs.house.gov.

**CONFRONTING VIOLENT WHITE SUPREMACY
(PART V): EXAMINING THE RISE
OF MILITIA EXTREMISM**

Wednesday, May 26, 2021

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

The subcommittee met, pursuant to notice, at 2:12 p.m., via Zoom, Hon. Jamie Raskin (chairman of the subcommittee) presiding.

Present: Representatives Raskin, Maloney, Wasserman Schultz, Kelly, Pressley, Norton, Tlaib, Sessions, Jordan, Biggs, Mace, Franklin, and Donalds.

Also present: Representative Slotkin.

Mr. RASKIN. The subcommittee will come to order.

The chair is authorized to declare a recess of the committee at any time.

Without objection, the distinguished gentlewoman from Michigan, Ms. Slotkin, shall be permitted to join the hearing and be recognized for the purpose of questioning witnesses today. And welcome to you, Congresswoman Slotkin.

I want to say a word before we begin about these terrible shootings in San Jose, which have apparently cost the lives of eight people already. So, our thoughts are with the people of San Jose, and we hope that there will be no further loss of life, obviously.

We are here today in the Oversight Subcommittee on Civil Rights and Civil Liberties to talk about the threat of violent right-wing militia groups, and I want to note that this is the fifth hearing in our subcommittee's ongoing investigation of the problem of violent white supremacy. These hearings began not after the insurrection on January 6. They began in May 2019. That was when we first tried to define the problem. Then we had a hearing on June 4 of 2019 addressing the Federal response and plans to deal with the problem of domestic extremism, which the Department of Homeland Security under Donald Trump defined as the No. 1 security threat to the people of the United States. We had a hearing then on September 20 of 2019 on the transnational nature of the threat of violent white supremacists and neofascist activity, and the threats that they pose to national security. And then on September 29 of 2020, we looked at the question of white supremacists' infiltration of law enforcement and the military.

Last month, “60 Minutes” did a very powerful and cogent segment on the Oath Keepers militia and their specific involvement in organizing and participating in the January 6 violent insurrection against the U.S. Government. And I would like to play some clips from that segment, if the clerk could go ahead and play the video, to give you a vivid sense of the way that militia groups are now integral to extreme right-wing violence in America.

[Video shown.]

Mr. RASKIN. So, those were just some excerpts from the report. I strongly encourage the members of the committee to watch the entire “60 Minutes” segment.

I will now recognize myself for an opening statement before going to the ranking member.

Thank you to all of our witnesses for joining us today. We have a very distinguished panel of experts, and we are thrilled to have you here. I also want to thank Chairwoman Maloney for lending your support and for joining this hearing today. As I noted earlier, the hearing is part of our subcommittee’s ongoing work to expose the dangers of white supremacist violence to the American people and our national security, and also to explore the best legislative efforts to counter domestic violent extremism, which has been identified as the key security threat to the American people today from terrorism.

On January 6, armed domestic extremists invaded the Capitol and laid siege to the Congress to overthrow our election and our constitutional order. They repeatedly threatened to hang Vice President Mike Pence and to kill Speaker Nancy Pelosi. They caused five deaths, and they injured more than 140 of our police officers, who, among other things, lost fingers, lost an eye, suffered a heart attack, and endured traumatic brain injuries, as well as other physical and mental traumas.

The insurrectionists violently disrupted the peaceful transfer of power in our country and threatened to disrupt and derail our constitutional order. The insurrection should have been a wakeup call to everyone who had spent years minimizing and whitewashing the dangers of far-right violence in America. To be clear, the people who stormed the Capitol were not patriots. They were not tourists. They were domestic terrorists and insurrectionists who got people killed and injured that day. If January 6 was a tourist visit, then the Civil War was a nature hike.

In this hearing, we are going to focus a spotlight on the organized paramilitary groups, such as the Oath Keepers and the Three Percenters, that helped to plan the violence that was at the center of the insurrection and lent military-grade tactical knowledge and strategies to the mob violence that engulfed us in Congress. Both of these groups, the Oath Keepers and Three Percenters, are part of the expanding network of militia violent extremists referred to in Federal law enforcement as MVEs, militia violent extremists, that have become the nationwide organizational backbone of far-right violent extremism. In a March 2021 report, the director of National Intelligence identified MVEs as one of the most lethal domestic terror threats facing America and warned that they would, “take overt steps to violently resist or facilitate the overthrow of our government.”

Militia-based violent extremists established themselves as the key force in the far-right extremist coalition well before January 6. The same militia groups that later scaled the walls of the Capitol spent the last year organizing opposition to public health measures designed to curb the spread of COVID-19. Their armed demonstrations resulted in multiple hostile takeovers of state capitals. Lawless militia extremists even plotted the kidnapping and murder of Governor Gretchen Whitmer in Michigan. As I said at the impeachment trial of Donald Trump, this Michigan conspiracy was a dress rehearsal and a dry run for the January 6 insurrection against Congress. The militia groups like to depict themselves as part of a so-called patriot movement standing up to Federal tyranny. They often assert that they are not racist and can point to the fact that the FBI and DHS categorize militia extremists separately from white supremacists, but this artificial division totally ignores both the history and the law.

The militia movement arose out of the vigilante gangs of the Jim Crow South and coalesced into a Christian patriot movement that fused anti-government activism with old-fashioned racist conspiracy theories. Also, it should be clear that these militias have no grounding in the U.S. Constitution. The Constitution refers to a well-regulated militia in the Second Amendment, which the Court has defined as a militia that is authorized and regulated by state governments. Since 1886, it has been clear that the Second Amendment does not protect private militias, but only those that are regulated and organized by the government, and every state today has a militia which we call the National Guard. And Justice Scalia echoed this view in his opinion in *District of Columbia v. Heller*.

Historian Kathleen Belew, a witness at one of our prior hearings on violent white supremacy, wrote that the growth of the modern private militia movement in the 1990's was "framed by the same worldview, logic, and symbols that had long structured white power activism and violence." She has also observed that it is a mistake to draw too many fine ideological distinctions among different factions of far-right extremists instead of treating them all as part of a broader racist political movement and social movement. We saw that racist social movement in action this summer when militia groups and white supremacists acted together to assault activists at racial justice protests. Militias made at least 55 different appearances at racial justice rallies last year, illegitimately claiming the authority to patrol American streets. Their vigilantism sometimes turned deadly and then was blamed on Black Lives Matter, as we saw in Kenosha, Wisconsin, where 17-year-old self-proclaimed militia member, Kyle Rittenhouse, traveled from Illinois with an assault weapon and killed two protesters and grievously wounded another.

The case of Mr. Rittenhouse also exposes the alarming interaction between militia extremists and law enforcement in some places. Kenosha police reportedly told Rittenhouse and his fellow militiamen that they appreciated their presence, even though they were all heavily armed and flagrantly violating a curfew order. Elsewhere in the country, police have also occasionally acquiesced to vigilante activity by these private militias. Recruitment of law

enforcement is a key strategic objective of major militias, like the Oath Keepers and the Three Percenters. Leaked data from the Oath Keepers shockingly suggest that two-thirds of its members are retired, or active duty even, law enforcement.

This morning, I sent a letter to Secretary Mayorkas seeking information about DHS' strategy to combat militia extremism today, but we also need to examine structural reforms more seriously, including whether the overly complex taxonomies of far-right extremism undermine our ability to respond to the broad movement of vigilantes who have organized to violently oppose our constitutional democracy. We have also spoken to several state attorneys general, who emphasized that there is not enough Federal support for coordinating regional responses to militia extremism or sharing information about potential threats to public security.

The so-called patriots who stormed the Capitol are domestic extremists, whose paramilitary activities are not protected by any part of the Constitution of the United States. We need a coherent strategy that provides state law enforcement with adequate resources to coordinate regional responses to this threat and appropriately addresses the sweeping dangers of this organized paramilitary movement against American democracy.

I hope today will improve our understanding of militia extremism and its place in the overall movement of violent white supremacy. The hearing should also yield information on how we can work together to improve our national response to better defend democratic institutions in the country.

Before we move on, without objection, I will enter into the record statements from the attorneys general of Michigan, Virginia, and Oregon. All of them are calling for additional Federal resources to address the threat.

Mr. RASKIN. And with that, I will now recognize my friend, the distinguished ranking member, Mr. Sessions, for his opening statement.

Mr. SESSIONS. Chairman, thank you very much, and to each of our witnesses that will be appearing today, we appreciate not only your time, but also your academic credentialing that brought you to this table, and also your gathering of the opening statement.

Mr. Chairman, it looks like today we are realizing that Black Lives Matter and Antifa are not the only sources of political violence in this country. Political violence has expressed itself in our streets for a number of years now. It has expressed itself perhaps out of frustration or perhaps because there was a recognition of a larger political angle that would be taken. That political angle is disturbing to me. It is disturbing to each Member of Congress. It is disturbing as we hear that many times it is not just the law that is being attacked, but it is law enforcement. It is not just the laws and law enforcement, it actually is government.

We as a country must have, from top to bottom, not just the President the United States, but we as Members of Congress, people who have the ability to see violence and people who have the opportunity to see the carnage that takes place in our cities as dangerous to America. Being a part of this, whether you are in Black Lives Matter or Antifa, whether you are in Portland, Oregon or Minnesota, or whether you are in the United States Capitol, this

is a problem to our country. Chaos is not an answer, but rather an understanding about rule of law, the rule of law enforcement, and the rule that we must have a stable government is the basis of why we are here today.

It is my hope that we will include, and I know this is the fifth hearing, but that we will include lots of information that specifically relates to the opportunity to understand each of these forms of terrorism, each of these forms of violence, and each of these forms of what I think many times is political expression. As you know, political expression is specifically allowed in our Constitution and by our Constitution, but violence should find no safe harbor in any law or the things that we do. And, Mr. Chairman, I will tell you that until we get to the point, in my opinion, where each of us come together, not just as Members of Congress, not just as attorney generals, not just as law enforcement, but until we come together and decide that the chaotic nature in which we are treating this in a political sense must be solved.

As you know, my father served as the fourth director for the Federal Bureau of Investigation, and yet many times I see where our law enforcement officials are silent except in what might be a political basis. I am not suggesting they have been politicized. I am not suggesting that there is anything wrong with this, except that I believe that law enforcement needs to take the responsibility for changes that would be made within law enforcement from a professional basis as opposed to Members of Congress or city councils deciding that they are going to make judgments about law enforcement. We need Members of Congress who will stand up and denounce violence across the board. We need Members of Congress who will stand up and represent people, but not try and inflict anything other than a positive policy that would bring us together.

I am disappointed to see and to hear about the shooting, once again, that took place in California. And while I know little about it, I will tell you that it was a person who broke the law. He was a person who violated other people's rights. I don't know whether it was Hispanics. I don't know if it was African Americans. I don't know if it might be anyone else. What I do know is that we have a country that has found itself in a violent circumstance, and we all need to gather together. Mr. Chairman, that is why I have tried and you have tried to work toward the middle, toward the middle where we could talk to each other, where we could have conversations with each other that would be about healing our Nation.

And so it is my hope that we will use this hearing today to instructively look at what there is enough evidence to believe, that there might be some of these violent groups, and there may be some people that are in law enforcement and perhaps in the military, but that we need to include looking not just at this event, but Antifa and Black Lives Matter, because the violence that has taken place, whether it is New Jersey, whether it is Portland, Oregon, or whether it is our beautiful hometowns, we need to get a handle on this and to understand the basis of solving our problems.

Mr. Chairman, I want to thank you for not only repeatedly working with me and asking my opinion, but for trying to work to the middle. And I would ask that each of our members today listen very carefully as we have a very distinguished gentleman from

New Jersey who cares very much about his state and wants to have the very best, and that we will find a way to rally around against violence, and extremism, not just aiming at one particular area.

Mr. Chairman, thank you for your time, and I welcome our witnesses.

Mr. RASKIN. And I want to thank the ranking member for his thoughtful opening statement. We have also been joined by the chair of the Oversight Committee, Chairwoman Maloney. We are very grateful for your continuing support of our subcommittee and for the work that you have done leading the investigation into the violent insurrection of January 6. I will now recognize you, Madam Chair, for opening remarks.

Mrs. MALONEY. Thank you so much, Chairman Raskin, and all of my colleagues for your leadership in bringing in this hearing together, and for your leadership on the increase of militia violence in our country with your many different hearings. As Members of Congress and as Americans, we cannot afford to ignore the rising threat of militia extremism. The events of January 6 clearly demonstrated the danger that domestic violent extremism poses to our democracy. America cannot afford to repeat the events of that day ever again, so we need to be clear and honest about the connections between militia extremism, white supremacists, domestic violent extremism, and the events of January 6.

On that day, the whole world watched on TV as extremists in military and police gear, some carrying weapons, broke into our Capitol and tried to disrupt the peaceful transfer of power. Some of these insurrectionists were soldiers, and many others were militia members with the Oath Keepers and other anti-government gangs. While some militia groups publicly disavow racism, the history of the militia movement is deeply intertwined with white supremacy, and fast-growing militia groups that are operating today are aligned with white supremacist extremists.

Days after the Capitol insurrection, the FBI, DHS, and the National Counterterrorism Center issued a joint warning about an increase in hateful, racist rhetoric by groups like the Three Percenters. The report warned that the gathering of domestic violent extremists on January 6 would likely foster connections between radical groups and increase the "willingness, capability, and motivation" of those groups to attack our government. In other words, January 6 was not just a dangerous attack on our democracy, it was a massive recruiting event for these extremist groups, who will continue to use it to recruit others to their cause.

There is no room for excuses or ignoring this problem any further. We need an honest assessment of the extent of this problem, which is hiding in plain sight. Failure to address this form of extremism will doom us to repeat the destruction of January 6. That is why I am calling on the Senate to pass the January 6 Commission bill that the House has already passed. Like the 9/11 Commission, it will help us to understand what happened, and, more importantly, it will help us prevent what happened on January 6 from ever happening again.

I look forward to hearing from all of our witnesses, and I yield back. And thank you, Mr. Chairman.

Mr. RASKIN. And, Madam Chair, thank you for your very thoughtful remarks there. And in order to pursue precisely that objective, to make sure this never happens again, we have assembled some of the finest authorities in the country on this question, so I am going to introduce our witnesses now. Our first is Mary McCord, who is the executive director of Georgetown University's Institute for Constitutional Advocacy and Protection. Then we will hear from the attorney general of the great state of New Jersey, Gurbir Grewal. Welcome, Attorney General. Then we will hear from Professor Peter Simi, who is associate professor of sociology at Chapman University. And finally, we will hear from Michael Gonzalez, who is a senior fellow at the Heritage Foundation here in Washington, DC. So with that, the witnesses will please unmute themselves as you go. Well, actually, please all unmute yourselves now so I can swear you in. Please raise your right hands on Zoom, if you would.

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

[A chorus of ayes.]

Mr. RASKIN. Great. Let the record show that the witnesses each answered in the affirmative. Thank you very much.

Without objection, Witnesses, your written statements will be made part of the record. Each of you will be given five minutes to synthesize and summarize, and then we will open it up for questions. Ms. McCord, you are now recognized for your testimony.

STATEMENT OF MARY MCCORD, ESQUIRE, EXECUTIVE DIRECTOR, INSTITUTE FOR CONSTITUTIONAL ADVOCACY AND PROTECTION, GEORGETOWN UNIVERSITY

Ms. MCCORD. Thank you. Chairman Raskin, Ranking Member Sessions, members of the subcommittee, Chairwoman, thank you for inviting me to testify.

Many people associate private militias with the armed standoffs against Federal agents in areas of the West and the South, but recently we have seen private militias engaging much more frequently and openly with the general public. Operating under a command and control structure, armed with assault rifles, and often dressed in full military kits, private militias have conducted armed assaults on state houses in opposition to public health measures and in the assault on the U.S. Capitol on January 6. They also have self-deployed during racial justice demonstrations in supposed augmentation of law enforcement. Their activity both threatens public safety and infringes on the constitutional rights of others.

Indeed, recently analyzed data shows that in the last 16 months, there were over 900 incidents of armed activity during demonstrations and protests, and more than 500 involved clearly affiliated private militia actors. The results have sometimes been lethal as last year's shootings in Kenosha, Wisconsin demonstrated, but there are potentially more dangerous threats, including the 2020 plot by an accelerationist militia group, The Base, to start a civil war in order to create a white ethnostate, the plot by militia extremists to kidnap Michigan Governor, Gretchen Whitmer, and the alleged plotting by militia members who attacked the Capitol on

January 6. Unfortunately, there is a widespread misunderstanding that private militias are constitutionally protected, but private militias are not authorized by Federal or state law, they are not protected by the Second Amendment, and they are unlawful in all 50 states.

First, since before the founding, “well-regulated” has always meant regulated by the government. Historically, the militia consisted of all able-bodied men who could be called forth by the governor when needed and were answerable to the governor. The well regulation of the militia was baked into the U.S. Constitution, which gives Congress the power to organize, arm, and discipline the militia, a power it exercised by authorizing the state militias answerable to state governments. And it was baked into the constitutions of nearly every state, which required that the military always be strictly subordinate to and governed by the civil authority.

Second, the Supreme Court has been clear since 1886 that the Second Amendment does not protect private militias, and that states must be able to ban them as necessary to the public peace, safety, and good order. The Supreme Court reiterated this in 2008 in *District of Columbia v. Heller*, which held for the first time that the Second Amendment protects an individual right to bear arms for self-defense. Justice Antonin Scalia, writing for the majority, pointedly contrasted that individual right with paramilitary activity, restating that the Second Amendment does not prevent the prohibition of private paramilitary organizations.

And third, all 50 states prohibit private militias, whether through their state constitutions or other state laws. Twenty-nine states have anti-militia laws, like the one upheld by the Supreme Court in 1886. Twenty-five states have paramilitary activity laws that generally prohibit training and practicing and the use of firearms or paramilitary techniques for use during a civil disorder. Other state laws prohibit falsely engaging in the functions of law enforcement or wearing uniforms similar to the U.S. military.

These state laws are rarely enforced. They are not well known to local law enforcement. Some local officials lack access to information to build cases, or mistakenly believe that private militia activity is constitutionally protected. And some local officials lack the political will to enforce anti-militia election laws, especially in areas with a high number of pro-militia voters.

Congress should consider a Federal anti-militia law. Private militias travel and transport weapons interstate, combined with other extremist groups from multiple states, and some have ties to foreign extremist groups. A Federal law prohibiting private militia activity in public while armed could provide a civil enforcement mechanism, in addition to criminal penalties, allowing the U.S. Department of Justice to seek injunctive relief and civil forfeiture against armed paramilitary actors and their organizations. Legislation must not infringe on constitutional rights and must not be susceptible to misuse to target vulnerable populations. This is feasible, and my organization would be happy to work with Congress in exploring legislative options.

Thank you again for the opportunity to address the subcommittee.

Mr. RASKIN. Well, Professor McCord, thank you very much for your testimony, and we will absolutely take you up on your offer. I turn now to Attorney General Grewal. You are recognized.

STATEMENT OF GURBIR GREWAL, NEW JERSEY ATTORNEY GENERAL

Mr. GREWAL. Thank you, Chairman Raskin, Ranking Member Sessions, and members of the subcommittee. Good afternoon. I appreciate the opportunity to share with you some of the strategies that we are employing in New Jersey to address militia extremism. Today's hearing is timely because the threat of domestic violent extremism fueled by militia, anti-government, anti—white supremacist ideologies, may be greater today than at any time in recent memory, though, fortunately, militia extremism is less prevalent in my state than in some others.

By way of background, the department that I oversee plays a significant role in monitoring and in analyzing intelligence involving all forms of violent extremism and enforcing our laws to address it. Underlying those efforts are strong reporting and information-sharing requirements for all law enforcement agencies in New Jersey whenever they receive tips or leads relating to violence or terrorism or reports of bias incidents. Like many states, New Jersey has criminal laws prohibiting unlawful militia activity. Now, while our prosecutors charge these crimes in appropriate cases, they may also charge other offenses, like firearms offenses, to disrupt a dangerous criminal plot and get those involved off of our streets before they engage in violent acts. But criminal tools alone aren't enough for us to address violent extremism, so we have taken a more holistic approach in my state, not only prosecuting criminal misconduct, but also confronting the root causes of extremist violence. Today, I will highlight two of our strategies.

First, we are working to address hate and bias among our young people. New Jersey, unfortunately, has seen a sharp increase in reported bias incidents in recent years, which is part of a rising tide of hate from coast to coast. Reported bias and hate incidents in my state nearly quadrupled in the past five or so years from about 367 reported in 2015, to over 1,400 reported in 2020, and far too many of these incidents involve young people, either as the perpetrators or as the victims. So, to address this troubling trend, New Jersey Governor, Phil Murphy, convened a statewide task force to study these issues and to offer solutions. Among other recommendations, that task force called for reforms to our state's education system to include anti-bias education for students and teachers, to put forward tougher hate crime laws, and to increase public engagement to address hate and bias. The task force report also highlights the roles played by hateful and extremist rhetoric on social media and from public figures, and it offers recommendations to mitigate the harms that that rhetoric can inflict on our young people. Our hope is that these strategies will result in fewer young people embracing a worldview that might lead them toward extremist violence.

The second strategy that I will briefly highlight is our work to address unlawful firearms activity that poses a threat to our public safety. New Jersey has some of the strongest firearms laws in the country, including universal background checks, limits on assault

rifles and large capacity magazines, and red flag laws. These laws have been effective. New Jersey now has the third-lowest gun death rate in the country, but in spite of our successes, a stronger Federal response is needed to aid our efforts because most guns used in crimes in my state come from other states. So, if the Federal Government adopted the same kind of commonsense firearm safety laws that we have here in New Jersey, we could reduce the number of firearms that make it into the hands of individuals who use them illegally.

We believe that these strategies—addressing bias and hate, reducing unlawful firearms activity, coupled with our criminal enforcement, our robust data collection, and information sharing, as well as other efforts—can play an important role in responding comprehensively to the threats of violent extremism, including militia and white supremacist extremism. So, I thank you again for inviting me to speak with you today, and I look forward to your questions.

Mr. RASKIN. Thank you very much, Attorney General, for your excellent testimony. I come now to Professor Simi. You are now recognized for your five minutes.

**STATEMENT OF PETER SIMI, PH.D., ASSOCIATE PROFESSOR
OF SOCIOLOGY, CHAPMAN UNIVERSITY**

Mr. SIMI. Chairperson Raskin, Ranking Member Sessions, and members of the subcommittee, good afternoon, and thank you for this opportunity to offer my thoughts regarding white supremacists and anti-government militias, a deeply troubling and vitally important issue.

Starting in 1997, I began conducting what social scientists refer to as ethnographic fieldwork with anti-government and white supremacist extremists across the U.S. That field work included, among other things, attending KKK cross burnings, neo-Nazi music shows, racist church services, and living with extremist families in order to understand their daily lives and how they make sense of the world. This type of research provided firsthand observation of how extremists managed to infiltrate various segments of society and blend into the mainstream. My ethnographic fieldwork started with a self-defined militia group in the southwestern United States, a group that represents the hybrid nature of right-wing extremism, blending anti-government extremism with Christian identity, which is a white supremacist interpretation of Christianity, the skinhead subculture, and various other elements.

There is a longstanding overlap between white supremacist extremism and militias. The overlap during the first wave of the militia movement in the early '90's is well documented. The second wave of the militia movement emerged following Barack Obama's Presidential election. Leading up to the 2016 Presidential election, militias coalesced around Donald Trump's campaign and eventual presidency, and turned their attention toward alleged communist threats, like Antifa and Black Lives Matter, while also focusing on anti-lockdown activism related to COVID-19.

Observers often describe three types of right-wing extremists: white supremacists, anti-government, and single issue. While helpful in some respects, these buckets oversimplify a reality that is far

more convoluted. While many militia groups may claim a race-neutral ideology, this type of disavowal strategy is common across right-wing extremist groups, including those that most observers would widely recognize as white supremacist, for example, KKK factions. In other words, there are very few individuals or groups who openly self-identify as white supremacist. Militia groups, in my experience, have a range of beliefs consistent with those found among groups more commonly defined as white supremacists. Further, there is cross-fertilization among individuals associated with militias and white supremacist groups, with some individuals going back and forth and other individuals simultaneously affiliating with both types of groups. The high degree of overlap can render clear delineations artificial and misleading.

Moreover, the idea that militias are race neutral is an illusion. Militias routinely oppose immigration and, in some cases, conduct armed patrols of the southern U.S. border. Militias also generally oppose Muslims as an existential threat to Western civilization. Militias' opposition to immigrants and the rejection of Muslims can only be described as xenophobic and racist. In other cases, militias often hold views about the "new world order" that quickly bleed into old tropes regarding the "international Jew."

On January 6, 2021, tens of thousands of President Trump's supporters gathered in Washington, DC. to protest what was described as "the stolen election." The Capitol insurrection that followed involved a broad constellation of right-wing extremists. Some people looked at the images of January 6 and commented, "They don't look like extremists or terrorists," but that begs the question, what do extremists or terrorists look like? The answer is, of course, obvious: extremism and terrorism are not about what a person looks like. They are about what a person thinks, feels, and how they behave. If you think, feel, and act like an extremist, then you are an extremist, and it should not matter whether you look like someone's next door neighbor or co-worker. And in some cases, extremists and even terrorists may wrap themselves in the U.S. flag and/or hold positions within law enforcement and the military.

As we struggle to address these issues, we should be cognizant of our perceptual biases that may lead to highly distorted interpretations regarding what extremism and terrorism look like. We should not see January 6 as either new or an aberration. When people say, "As Americans, we don't do this," I appreciate the sentiment, but the sentiment is wrong. As Americans, we do this, and we have a long history of doing this. Pretending otherwise does not help us address the problem. Violent right-wing extremism, like we saw at the Capitol, has been allowed to fester for decades as these networks built a massive infrastructure in online and offline spaces where highly emotive propaganda is created and widely distributed.

For too long, the U.S. has denied and minimized this problem. That time should end. Thank you, and I look forward to our discussion today.

Mr. RASKIN. Professor Simi, thank you very much for your testimony. And now we will go to Mr. Gonzalez for your five minutes.

**STATEMENT OF MICHAEL GONZALEZ, M.B.A., SENIOR FELLOW,
THE HERITAGE FOUNDATION**

Mr. GONZALEZ. Thank you, Chairman Raskin, Ranking Member Sessions, and Chairwoman Maloney, for allowing me to speak. My name is Mike Gonzalez. I am a senior fellow at the Heritage Foundation. The views I express in this testimony are my own and should not be construed as representing any official position of the Heritage Foundation.

I was a foreign correspondent for 15 years, living and covering some of the globe's most dangerous spots. I have been teargassed in Korea, arrested and expelled from Panama, and traveled with the mujahideen in Afghanistan in the 1980's. I have also lived in Cuba, where I was born. I have, in other words, known political strife in my life up close. I do not recommend it. One of the many good things about our country is that, generally, we solve our political differences in peace. The periods of political violence we have had have been exceptions with 240 years of political peace and prosperity and an experiment in self-rule and limited government that was hitherto unknown to man.

Unfortunately, for the past 12 months, America has lived through moments of violence on its streets, a period of instability led by the Black Lives Matter organization. The violence has so far led to at least 25 Americans being killed, and, according to the Insurance Information Institute, more than \$1 billion in insured losses. We have witnessed over 600 riots, according to the U.S. Crisis Monitor, and BLM activists were involved in 95 percent of the incidents coded as riots for which the identity of the participants is known. Federal buildings came under attack, police stations were torched, et cetera.

The period of political instability we are currently experiencing was sparked by the horrifying killing of George Floyd on May 25 last year. The violence associated with BLM, however, was not restricted to just last year. In a paper published just this month, University of Massachusetts researcher, Travis Campbell, tracked more than 1,600 BLM protests nationwide between 2014 and 2019. Campbell found that, "Civilian homicides increased by 10 percent following the protests." Vox, by no means a conservative outlet, put the impact this way: "That means that from 2014 to 2019, there were somewhere between 1,000 and 6,000 more homicides than would have been expected if places with protests were on the same trend as places that did not have protests."

Obviously, both BLM and Antifa are not the only sources of political violence in America. Americans of different races and both sexes broke the law and entered the U.S. Capitol on January 6. That act was, needless to say, despicable. The members of this great body sought refuge, and many feared they could be harmed or worse. It is important to condemn this act. The people who participated in violence and property destruction on the U.S. Capitol on January 6 deserve prosecution. And unlike the vast majority of those who participated in BLM riots over the past summer, they are being prosecuted. The message needs to be sent across the land that no political violence will be tolerated.

January 6 took place in the context of far too many Americans apparently coming to the conclusion that their grievances will only

receive a hearing and that political leaders will bend to the demands if they take to the streets, invade and attack public and private buildings, and intimidate their fellow Americans. You, our political leaders, have the responsibility to stop this dangerous notion from spreading, and if you do nothing, the responsibility for continued violence will be yours as well. Instead, a Member of this House said at a demonstration last month, before the Derek Chauvin verdict was rendered: "We've got to stay on the street, and we've got to get more active. We've got to get more confrontational. We've got to make sure that they know that we mean business." If people on the right or left, Republican or Democrat, continue to justify and excuse the political violence of those whom they believe to be "on my side," they are simply condoning these acts and encouraging more rather than suppressing them.

In closing, I would like to quote from my upcoming book on Black Lives Matter, in which I make the point that the groups that are reported to have been involved in the disgraceful January 6 attack, "have very little power over our lives. For all the awful symbolism of the attack, those groups do not have a political action committee, bills in Congress, millions of dollars in hand, a curriculum being disseminated to the country's 14,000 school districts, a sycophantic media that acts as a press agent, or the cultural cachet that lets BLM partner with the musical, Hamilton . . . BLM has all these things."

I want to thank you very much for your time and attention and for the honor of testifying with you today.

Mr. RASKIN. Mr. Gonzalez, thank you so much for your testimony. I feel like I have been doing a lot of talking, so I am going to hold my questions until we get to the end. And perhaps, Debbie Wasserman Schultz, if you are ready, you can be the first majority questioner.

Ms. WASSERMAN SCHULTZ. Thank you, Mr. Chairman. I am ready to go, and I appreciate your indulgence, although not necessary. And I will say that I was hopeful that this hearing would start out without divisive rhetoric. Unfortunately, that was not to be the case. I certainly think that tossing around loaded language, like the ranking member did by referring to so-called instigators and accusing organizations, like Black Lives Matter groups, who are certainly doing nothing except making sure that they could stand up for justice, is inappropriate for a hearing like this.

That having been said, I want to ask my questions first of Professor Simi. You are an expert in white supremacist groups. Many leaders of the militia movement publicly disavow racism and distance themselves from white supremacist ideologies, and they claim that their movement is motivated not by racial animus, but by concerns about a tyrannical U.S. Government and a sinister new world order. I mean, I think these claims of anti-racism are a smokescreen that makes it more difficult to effectively combat militia extremism. This is for Professor Simi. Do you consider racism and white supremacy to be an animating factor of militia extremism?

Mr. SIMI. Well, in short, yes, and I would agree that it is a strategy that is widely practiced. This disavow. It is public relations. It is a branding campaign. It is a way to create confusion, and it is

a well-worn strategy that has existed for a long time. Even people like David Duke, you know, a Klan figure, a well-known neo-Nazi, used this strategy in part to get elected to the state legislature to Louisiana. So, this is a well-worn strategy that has existed for a long time, and certainly militia groups of various kinds utilize this strategy. And so you have to look at kind of behind the scenes and dig a little deeper to really see what are very clear indications of racial animus and various other related forms of bigotry.

Ms. WASSERMAN SCHULTZ. Another linkage between militia extremism and the broader problem of white supremacist violence is a vast fascination with conspiracy theories. In recent months, even in this committee hearing today, we have seen militia groups attend various protests at events to “confront Antifa,” a group whose members they believe are trained in Syrian terror camps and funded by George Soros. So, Professor, we have seen tragic examples, like the shooting of the Tree of Life synagogue in Pittsburgh, of how conspiracy theories can motivate people to commit acts of violence. As new conspiracy theories gain prominence within the militia movement, what threat do these beliefs pose to our collective safety?

Mr. SIMI. Well, the conspiracy theories are very central to extremists of all sorts. They really provide a type of glue in many respects, and they will often provide points of continuity and connection to folks that might not otherwise be connected. So, you know, in many respects what we are dealing with is a worldview, a broad worldview, a constellation, and the conspiracy theories oftentimes are the things that are connecting the dots, right? And so conspiracy theories can start off in ways that might appear somewhat benign, but they can take hold and really move in a much more radicalized, violent direction. And so that is obviously our gravest concern in terms of threat to public safety.

Ms. WASSERMAN SCHULTZ. And really, in my last seconds, I want to ask Ms. McCord, how does militia coordination with other far-right extremists during the insurrection demonstrate the risks of viewing militia groups as separate from other white supremacist extremists, because we certainly had warnings and demonstrable evidence that there was coordination between white supremacists and militia groups. And you could see that in the video from “60 Minutes” that the chairman showed as well.

Ms. MCCORD. Yes. Thank you for your question. So, my organization worked with a lot of researchers over the past years that were tracking online social media and other activity of militia extremist groups, as well as conspiracy theorists, accelerationists, and other white supremacist extremist groups. And we saw an incredible cross-population of their propaganda and rhetoric, so it is not as though militias only talk to militias, et cetera. And I think that was really illustrated in the actual insurrection because you had all of these groups stepping out of that virtual space into that physical space in Washington, DC, united around a narrative that had been building even before the election, went into overdrive after the election, the “Stop the Steal” narrative, and it was able to be that coalescing force that brought all these extremist groups together.

The militias, of course, had, you know, planned, pre-planned, as you saw in the “60 Minutes” piece, and many of us knew from look-

ing at social media and their communications, not communications that were encrypted or using surveillance techniques, but just within their own forums, and we knew that they were planning in advance and planning things like a quick reaction force. Put that together, the conspiracy theorists and the crowds, you have the crowd became a mob. They led the charge and the insurrection ensued, participated in by many, many, many people.

Ms. WASSERMAN SCHULTZ. All right. Mr. Chairman, thank you for allowing me the opportunity to connect the dots with my line of questioning today, and I yield back.

Mr. RASKIN. You are very welcome. The gentlelady's time has expired. I turn now to the ranking member for his five minutes of questioning. Mr. Sessions?

Mr. SESSIONS. Thank you, Mr. Chairman. Ms. McCord, do you consider the KKK to be a group that would advocate violence or use of force?

Ms. MCCORD. The KKK has in the past, and, in fact, in your home state, Congressman, there was a case in the 1980's brought against the militia wing of the KKK, a successful case that resulted in enjoining them from their abusive threats and violence against Vietnamese fishermen, who had relocated there after the war.

Mr. SESSIONS. Right. Let us try and go at least to 2015 and forward then. Do you believe that the KKK uses violence or use of force?

Ms. MCCORD. I think there are members that do. I would say that is not currently one of the militia groups that I think are presenting the greatest threat. Militia groups include nationwide groups like we have heard about: Oath Keepers, Three Percenters. They also are at the local level, and many people associate with both. The KKK is a white supremacist group that has members that are part of militias and that advocate for violence, and has others that have, you know, their own points of view and maybe don't advocate for violence.

Mr. SESSIONS. Thank you very much. Do you believe that that there is any group within the United States military that would take this action of violence or use of force within the military? Not that military members might or might not be part of that, but within the actual military?

Ms. MCCORD. I am not entirely sure I understand the question. Certainly some militias recruit from the military, and we know that there is at least one active duty military who has been charged resulting from the insurrection. If what you are asking is do I think there is a group within the military that, in their role as active duty military, would attempt to commit acts of violence in the U.S., I don't know of any research that has shown that to be a current threat. But, you know, the military is barred by many reasons, Posse Comitatus Act among them, from engaging in domestic law enforcement. So, generally speaking, the military does not even engage in activity in the U.S., absent certain exceptions under the Constitution and Federal statute.

Mr. SESSIONS. Yes, ma'am, that was my question. Dr. Simi, going to the questions of violence and use of force, do you believe that BLM would fit within that category?

Mr. SIMI. No, I do not.

Mr. SESSIONS. Do you believe that Antifa would be included in use of violence or use of force?

Mr. SIMI. There would be some aspects of Antifa that would fit that.

Mr. SESSIONS. There would be some. Do you believe that the Three Percenters have found themselves in circumstances that we could point to where they had violence and use of force?

Mr. SIMI. Sure. In Kansas, there were Three Percenters that were arrested and charged with trying to attack a housing community where immigrants lived, so, yes, absolutely.

Mr. SESSIONS. What year was that, sir?

Mr. SIMI. Approximately two years ago.

Mr. SESSIONS. Two years ago? Do you consider that the people who were engaged in showing up at military funerals to disrupt people—I don't remember their name—do you consider that they would be considered violent and use of force also that we need to pay attention to?

Mr. SIMI. I think you are referring to the Westboro Baptist Church.

Mr. SESSIONS. I would be.

Mr. SIMI. OK. As far as my knowledge, I have no information of any history of them being actually involved in violence. In fact, they were involved in successful a Supreme Court case, as I recall.

Mr. SESSIONS. Well, use of force would be, and I think that I would say that I believe that their use of force showing up at funerals to disrupt them is a use of force. Thank you very much. Mr. Gonzalez, do you consider that BLM uses violence and uses force to achieve their political beliefs?

Mr. GONZALEZ. Thank you, Congressman. Yes, as I said, I was quoting the Armed Conflict Location and Events Data Project, which is not a conservative outfit. Their Crisis Monitor was very clear that we had 633 riots last year, events coded as riots, and that 95 percent of those for which the identity of the perpetrator was known, they were BLM activists. So, it is very hard to say that BLM does not provoke violence when you have the ACLED showing this data.

Mr. SESSIONS. Thank you. And the Attorney General, if I could ask you one last question. Do you care who it is that shows up in the state to cause violence or use of force? Are you concerned about just those two things and you would take action against any of them? "Any of the groups," I mean Three Percenters, KKK, Antifa, BLM. Anyone that showed up in New Jersey to use violence or use of force, do you believe that you would, as attorney general, view them all as a threat to the public safety?

Mr. RASKIN. The gentleman's time has expired. You may answer the question.

Mr. GREWAL. I would.

Mr. SESSIONS. Thank you.

Mr. GREWAL. I would, Ranking Member.

Mr. SESSIONS. Thank you very much. Mr. Chairman, thank you very much for the time.

Mr. RASKIN. You bet. Thank you, Mr. Sessions. Going now to the distinguished Congresswoman from Illinois, Ms. Kelly.

Ms. KELLY. Thank you, Mr. Chair, for holding this hearing.

I must admit starting off with “60 Minutes”, that was hard to look at. As one of the people that was in the gallery hoping to get out alive, that brought it back.

I want to thank the attorney general for what you said. I have been fighting in Congress for over eight years and discussing gun violence prevention, trafficking, store purchases, and all of that. But it has been very difficult to get colleagues on the other side of the aisle to agree to work on any of those issues. So, I am glad you raised how important it is.

And also the other thing is, it is a little—or I won’t even say a little. It is a lot insulting to hear about BLM. When BLM protesters—and it is OK to protest in the United States—came to the Capitol, there were lots of armed people out, all covering the steps making sure they didn’t do anything. And that same—it was very different when it was—it may have been mixed, Mr. Gonzalez, but it was at least 95 to 98 percent white that stormed the Capitol and with very little resistance because they were not prepared.

So, it is a little insulting to hear “I don’t care if someone is black, I don’t care if someone is,” but it is always a person of color that was mentioned that we don’t care about. And it is just so frustrating it is hard for me to even get my words out that the way people talk, you don’t even understand your privilege. You don’t even think about why there is a Black Lives Matter, why it is necessary for there to be a Black Lives Matter. Because just listening to the conversation, we don’t count. And we do count.

In August 2020, 17-year-old Kyle Rittenhouse from Illinois traveled across state lines to join the Kenosha Guard militia, which had sent out a call for help policing Black Lives Matter protests that were occurring in the city of Kenosha, Wisconsin. As we all know, Rittenhouse arrived armed with a rifle to, in his telling, “protect private property.” After several cordial interactions with Kenosha police, Rittenhouse fatally shot two protesters and wounded another. He is now awaiting trial for first-degree murder.

This incident reveals that though militias are generally thought of as anti-government, they pose a very real threat to the general public. Yet the Federal Government continues to stress the threat that militias pose only to government officials, as the ODNI asserted in its March report.

Ms. McCord, you have been involved in several lawsuits filed in the wake of violent militia activity. Can you give some background on the lawsuits and what kind of laws you have utilized to make your claims? And then just go on to talk about what is your view of the threat militias pose to civilian populations, as opposed to just government officials.

Ms. MCCORD. Yes, thank you for the question.

I spent a long career, by the way, at the Department of Justice, 23 years there, and left in May 2017. In August, of course, we saw the Unite the Right rally in Charlottesville, Virginia, and we saw self-professed militias coming there from across the country, ostensibly to protect the rights of the white nationalists, neo-Nazis, and neo-Confederates. We also saw those white nationalists and neo-Nazis themselves engaging in paramilitary activity, coordinated, armed activity against counter-protesters.

So, my organization at Georgetown, recognizing that wasn't protected First Amendment activity—that violence, those threats of violence, it wasn't protected under the Second Amendment, given the Supreme Court's case law about paramilitary activity. We relied on state anti-paramilitary laws, the laws I spoke about in my testimony—the state constitutional provision in Virginia, state anti-paramilitary law, state law prohibiting private individuals from adopting the functions of law enforcement, and also public nuisance. And we brought a lawsuit strictly for injunctive relief, not for damages, forward-looking injunctive relief on behalf of the city, small businesses, and residential associations against 23 different individuals and organizations who had participated in that unlawful militia activity.

We were successful against motions to dismiss challenging our legal theories, and after we were successful in defeating those motions, all of the organizations, except for a couple who had defaulted, and all of the individuals, including the organizers, entered into consent decrees, which the court then issued as court orders permanently prohibiting them from returning to Charlottesville as part of a unit of two or more persons acting in concert while armed with a firearm or anything whose purpose is for use as a weapon during any demonstration, protest, rally, or march.

We've used the precedent there to advise jurisdictions small and large and including advising law enforcement about these tools that they have under their state law to issue reasonable content-neutral time, place, and manner restrictions in order to protect public safety during demonstrations without infringing on First Amendment rights and Second Amendment rights. And we recently this past summer, co-counsel with the Bernalillo County, New Mexico, district attorney, Raul Torrez, who is—we are co-counsel with him in an enforcement action against a local militia in New Mexico that deployed to a racial justice demonstration heavily armed, again ostensibly to protect—to prevent demonstrators from tearing down a statue of a Spanish conquistador. And that case is ongoing.

So, what we have seen—

Ms. KELLY. I know my time is up. So, I don't want to—I am sorry.

Ms. MCCORD. I'm sorry.

Mr. RASKIN. You can finish your point, Ms. McCord. And thank you, Ms. Kelly.

Ms. MCCORD. Yes. So, what we've seen in these cases and engaging again—and I've spoken with officials, Republicans and Democrats, across the country who are looking for help to protect public safety. We've seen militias repeatedly traveling. We see they continue to muster and train. They talk about opposing governmental tyranny. There is no support in our history of Constitution for that role by private actors. And we've seen them infringing on other people's constitutional rights, other people's rights to free speech and to petition their government.

So, I see them very much as a public safety and national security threat.

Mr. RASKIN. Thank you very much. I will now come to Mr. Biggs for his five minutes of questioning.

Mr. BIGGS. Thank you, Mr. Chairman. And I thank the ranking member, and I appreciate the witnesses being here today.

Mr. Chairman, as I begin today, I would like to request this committee investigate the connection between the Wuhan Institute of Virology and the COVID-19 pandemic. Some of us have been speaking about that connection between the lab and the spread of the virus for some time, but there has recently been increased discussion about the origins of the pandemic. And even Dr. Fauci seems to be coming around to the position that the virus may have originated at the lab.

I know it is not on topic, but the pandemic has impacted every aspect of American life for over a year, and it is time for a thorough investigation of the origins of the virus. This should be an area, in my opinion, that garners bipartisan support. We should all want to know how the pandemic started, and so I will be submitting several articles on that for the record on that topic.

Now this is the fifth hearing that this subcommittee has held on confronting white supremacy. Over the summer, we saw riots engulf our cities. Small businesses were destroyed, shops looted, churches set on fire, and yet we have not had a single hearing on Antifa and its violent activities.

And so I get we were looking at Oath Keepers. That was what your focus was when you brought up the “60 Minutes” video. This is what NPR says about “60 Minutes” from a piece just a month ago. “Still, it is—” speaking of the Oath Keepers. “Still, it is not a rigid, cohesive organization. Instead, researchers say it is loosely knit. The Justice Department describes it as a ‘large, but loosely organized collection of individuals.’”

And what does CBS say about Antifa? It is very similar to that. It is “not a highly organized movement, nor is it merely an idea. It is a loose affiliation of local activists scattered across the U.S. and a few other countries.”

Seems to me, Mr. Chairman, that we ought to be looking at both of these groups. If you are going to spend time looking at Oath Keepers, let us look at Antifa, too, and see what they have done because we have had unrest around this country for over a year now.

But given the events of the past couple of weeks, I would also ask that the subcommittee hold hearings on the anti-Semitic violence that is occurring in cities across the country. For example, last week a synagogue in Tucson, Arizona, was vandalized. In New York City, a Jewish man was beaten in the middle of the street. In Bal Harbour, Florida, four men yelled “Die Jew” at a man in a skullcap, then they threatened to rape his wife and his daughter.

On Thursday, the Anti-Defamation League shared early reports of 193 anti-Semitic incidents in the U.S. compared with 131 during the previous week. On Twitter, the group said it found more than 17,000 tweets using variations of the phrase “Hitler was right” between May 7 and 14.

Now regardless of where those anti-Semitic sentiments and violence originate, I think we need to be looking at those as well.

There was a TikTok challenging Palestinian youth to violently beat an Orthodox Jew and post a video of the assault on the platform.

Mr. Gonzalez, I turn to you now. Can you explain why it is important for Congress to focus on all types of political violence and not just one?

Mr. GONZALEZ. Thank you, Congressman.

Obviously, in a democracy, the voter has to hear from both sides, and the voter cannot be intimidated—cannot be feared to be canceled or afraid to speak. If we continue on the path we've been on in which one side justifies the violence of those it deems to be on their side, then we're just condoning them, and we're going to get more violence. In my experience, we get more of what we condone and less of what we discourage.

So, I think it is proper and necessary to discourage and condemn the violence that took place on January 6 and the violence that took place during 2020. Both sides need to be condemned, especially by our leaders.

Thank you for your question.

Mr. BIGGS. So, you also said in your statement that, "Our media and pundits, having taken a side in our political debates—itsself a dangerous development—do not speak of the BLM violence in the same context of political violence as that on January 6." Will you please expand on that and tell us why you think it is important that we not treat acts of political violence differently?

Mr. GONZALEZ. Yes, sure. The media, in my opinion, my humble opinion, all through 2020 did not really report or cover what was happening, the BLM-led violence. They rather covered for them. Again, this is not informing the public, which is the role of the media.

The media should be impartial, should be objective, should report as it did on January 6. But it should also report on what happened in Kenosha, what happened in Portland, what happened in Seattle, what happened in many, many, many cities during 2020. Let's not forget what we lived through in 2020.

Thank you.

Mr. BIGGS. Thanks, Mr. Chairman. I will yield back.

Mr. RASKIN. All right. Thank you for your questioning, Mr. Biggs.

Coming now to the gentlelady from Massachusetts, Ms. Pressley.

Ms. PRESSLEY. Thank you, Chairman Raskin.

Echoing the sentiments expressed by my sister colleague there from Illinois, I would just like to say how deeply offensive it is and inaccurate to equate the Black Lives Matter movement with militia groups. Just know that when you do that, as many of my colleagues are prone to quote Dr. King, that you are, in fact, spitting on Dr. King, on his name, on his legacy, an original architect of the Black Lives Matter movement. He was protesting police brutality, poverty, racism, and militarism.

But I digress—and doing it nonviolently and was affirming that Black lives mattered and was murdered because of it. But I digress. The oppression, the struggle continues, and white supremacy continues to thrive, and it is—and these militia groups are a threat to our democracy, to every American, especially minoritized and marginalized groups who call this country home.

And it is especially alarming that these violent extremists are operating with the tacit and explicit support of police officers who

have taken an oath to keep us safe. Militia groups like the Oath Keepers, who we saw in that video, openly bragging about having active duty law enforcement in their membership. And leaked data suggest that two-thirds of their members have law enforcement or military affiliation.

The Three Percenters, as have been mentioned, another white supremacist militia who actively recruit from law enforcement and military communities and including members who were arrested for their role in the January 6 attack. And we cannot ignore that the violent, racist, anti-Semitic, white supremacist mob that endangered the lives of myself, my colleagues, staff, and current—included current and former police officers.

Professor Simi, you study this link between policing and extremism, are you surprised by the prevalence of Oath Keepers and the Three Percenters with law enforcement and military affiliation?

Mr. SIMI. Thank you for the question.

No, I'm not surprised. Again, this is a—you know, these specific groups represent a broader problem, which is the infiltration of rightwing extremism into law enforcement ranks, which has been, you know, a problem that we've been dealing with for a long time, but again, not necessarily addressing in nearly as an aggressive manner as we should have been.

And so it doesn't surprise me. It concerns me greatly, and I really think it speaks to the need for a national initiative to try and root out—first of all, try and identify, because we really don't know the extent of the actual problem in terms of the number of rightwing extremists that actively hold positions in law enforcement.

And it's not just those that are members of groups either. It's folks who are adherents on some level, that have the beliefs, that have certain animus that is undeniably going to influence how they conduct themselves on the job. And so, we know that having these kind of strong beliefs affect a person's behavior on the job.

So, it's both the membership, but it's also folks that have the beliefs that aren't necessarily connected to any specific groups. And so, I think we need to have a national tracking initiative to try and identify this and then root it out.

Thank you.

Ms. PRESSLEY. Thank you. And how would you say that the presence of law enforcement and military personnel, could you unpack it a little bit more, how does that make militia groups more dangerous? What is the impact?

Mr. SIMI. Well, yes. One, it's, you know, the authority that you have as a law enforcement officer, and in terms of military, of course, you're receiving highly skilled training. And so one of the things that a lot of these types of groups really are looking for are folks with certain kinds of skill sets in terms of, you know, experiences with weapon training, explosives, and just, frankly, leadership training as well.

And so, these groups, oftentimes one of the reasons why they go after, in terms of recruitment, veterans is that they're looking for those kind of skill sets. And then on the front end is that in many cases, groups will encourage their members to join the military. So, that is individuals who are already of this mindset, you know, go

into the military for very strategic purposes, in order to, again, acquire that kind of training.

So, I would say the training is the big kind of threat there in terms of, you know, threat to public safety.

Ms. PRESSLEY. Thank you.

And again, we have repeatedly seen how covert and overt law enforcement allegiance to militia activity has emboldened white supremacist extremists, and it contributes to vigilante activity. In Salem, Oregon, officers advised militiamen to stay out of sight leading up to the curfew to avoid arrest. In Philadelphia, an officer stood by as white supremacist vigilantes assaulted a reporter.

In Albuquerque, police allegedly referred to a local militia as “armed friendlies.” And in Kenosha, Wisconsin, the police praised militia members shortly before one of them, Kyle Rittenhouse, shot and killed two protesters.

The direct partnership between law enforcement and white supremacist militias must be called out and must be confronted. Attorney General Grewal, how has your office been able to successfully prevent infiltration of state law enforcement by Oath Keepers, Three Percenters, and others?

Mr. RASKIN. The gentlelady’s time has expired, but Attorney General, please answer the question.

Mr. GREWAL. Thank you, Chairman, and thank you, Congresswoman Pressley.

I’m the chief law enforcement officer for my state, and I have oversight authority over 38,000 law enforcement officers and 530 law enforcement agencies. And I have the ability in my state, which is unique for AGs, to issue law enforcement directives, which are binding on all law enforcement officers.

So, we’ve been working with our Division on Civil Rights, with our Office of Homeland Security and Preparedness, to do a survey of white supremacist groups that are active here, to include Oath Keepers, to include Three Percenters, to compile their insignia and the signatures that they use, to better inform our chiefs of police so they can formulate policies, whether uniform policies not to allow folks to wear patches, which we’ve seen in the past, the Three Percenter patches on uniforms and things of that nature. Because we think that has no place in law enforcement, and people with these ideologies have no place in law enforcement.

And we’re also working on the front end to screen out those individuals from coming into law enforcement. So, we’re doing more as far as background checks, social media scrubs, to make sure that these types of individuals don’t come into law enforcement. Because I can think of nothing that undermines the trust of the public more quickly, which we’re trying to build every day, than allowing these types of individuals who hold these ideologies to enter into law enforcement.

Ms. PRESSLEY. Thank you.

Mr. RASKIN. Thank you very much, Ms. Pressley.

I come now to Mr. Franklin for his five minutes.

Mr. FRANKLIN. Thank you, Mr. Chairman.

And thank you to our witnesses today. I really appreciate the effort you put into your testimony, and I found it all to be very informative.

Attorney General Grewal, in looking in your comments, your testimony, I see that you made an assessment that New Jersey classifies white supremacists or extremists and home-grown violent extremists as the most persistent hostile actors in the state. And that was after the background you gave in your testimony.

You started with Timothy McVeigh, which I think for most—or for myself as an adult, that was my first clear memory of domestic terrorism, though obviously back in the 1960's, we had the Weather Underground and other groups like that. But that was a very significant event. Timothy McVeigh was clearly, at least from what we learned of him, a white supremacist. He was also anti-government.

You also referenced the attack in New Jersey in 2019 that killed six. That was actually perpetrated by an African-American anti-Semite. You referenced the gentleman—well, not gentleman, but Mr. Breheny from New Jersey, who was arrested January 6. He is currently awaiting trial on a number of charges.

And then also the Parkland shooting in Florida that was attributed to a person with severe mental illness that should have never happened. And that was known, and had the system worked, that tragedy could have been avoided.

But I was kind of puzzled from your testimony at how you drew that white supremacy is such—is the overarching threat to the state of New Jersey. And then I thought, well, maybe you had made reference to a source that was cited also in this memorandum about the hearing we have today that was done by the Department of Homeland Security. It is the Homeland Threat Assessment.

And in that assessment—so I went looking for that, thinking, well, surely there must be a lot of meat on that document there that I would like to learn about. What we received was an unclassified summary of a document. So, I have to assume that if we got an executive summary, there is an underlying document.

This was unclassified. Our staff tried for a couple of days to dig that up, we're finally told, no, we can't get that. There is not an unclassified, but apparently, there is a classified document, which I think would be very informative for this committee. I would love to know what that document gets into, and I think it is something we should have a followup meeting about.

But within the bulletized executive summary, it says the intelligence community assesses that U.S. racial and ethnically motivated violent extremists who promote superiority of the white race are the domestic violent extremist actors with the most persistent and concerning transnational connections. The reason—and the reasoning that it cites is because they have similar ideological beliefs with people outside the United States, and they frequently communicate with and seek to influence one another.

To me, I am not really sure how those two criteria there justify white supremacists being the most violent threat that we face in the country, but I am sure there is more in that classified document that I would hope we get to.

But we look at events that have happened over the—well, also the document makes further reference to other groups—domestic violent extremists; racially or ethnically motivated violent extremists; animal rights, environmental violent extremists; abortion-related violent extremists; anti-government, anti-authority violent ex-

tremists; and then all other domestic terrorism threats. So, this DHS document refers to a lot of different threats, with white supremacy only being one of those, and yet that seems to be the only topic or the only focus of this hearing today. That is a little concerning to me.

But moving on to Professor Simi, I really appreciated your work. Obviously, you spent a lot of years studying this topic, and I found that to be very informative. You talked about Timothy McVeigh as well, the Olympic bombings. But then you mentioned that had the perpetrators been people of color or Muslim, you could be sure the response would have been dramatically different.

So, I actually had our staff do a little research over the last couple days pulling domestic attacks just over the last 10 years, and we really do become desensitized to this as a country. I started going—there were at least 15 here. But I have got to tell you, some were high-profile like the Boston Marathon bombing. Obviously, that was a Muslim extremist.

We had the San Bernardino, California, shooting that killed 14. Muslim extremist there. The Orlando nightclub shooting just down the road from me in Florida, Central Florida, that killed 49 people. Also not white supremacy. New York City truck attack in 2017 that killed eight. Again, not white supremacy.

Now there are examples of that, and I am not trying to say that there aren't. But there is a lot of violence in our country and a lot of people are being killed unnecessarily, and yet we are choosing to zero in on a very small piece of this.

I know I am almost out of time, but Professor Simi, I would love to hear your comments about what terrorist extremists look like? Because it seems to me, and to cite—not spitting on Dr. King's grave, I have tremendous respect for him. I think he would be ashamed of what has been happening in our country. He would have never condoned \$2 billion of violence in a two-week period last year.

But it does make me wonder when you say extremism and terrorism are not about what you look like. Extremism and terrorism are defined by a person's beliefs, feelings, and characters. And just a question for you, sir. Would it be fair to summarize that as saying that it is about a person's character and not the color of their skin?

Mr. RASKIN. OK, the gentleman's time has expired, but you can answer that, Dr. Simi.

Mr. SIMI. Thanks for the question.

That would be fair in terms of what I'm trying to get at. It's about beliefs, feelings, and behavior, not about what we think in our mind an extremist or terrorist looks like based on our preconceived notions and our biases.

You know, there is research that shows, for instance, mainstream media outlets do treat acts of violence differently based on race and religion, ethnicity of the perpetrators. So, we do have these biases that are swirling around that affect how we see different types of violence.

I'm not suggesting that there aren't various sorts of different acts of violence committed by a whole host of different actors, but we treat different kinds based on race, ethnicity, religion, and other

characteristics differently than the kind that we're talking about here today in terms of white supremacists and the anti-government militia extremism.

Mr. FRANKLIN. Thank you, Mr. Chairman. I apologize for going long.

Mr. RASKIN. Not at all. Thank you, Congressman Franklin.

I come now to Congresswoman Norton, who is recognized for her five minutes of questioning. The gentlelady from the District of Columbia.

Ms. NORTON. Thank you, Mr. Chairman.

Mr. Franklin went through a series of things that weren't white supremacy. I would like to look definitionally at what we are talking about because we certainly are not talking simply about white supremacy, even though many of these attacks have been by white supremacists.

So, I found that the Office of the Director of National Intelligence—and I think that is a source that all of us would take as objective—they describe militia extremists as domestic violent extremists who—and here I am quoting them now—who “take overt steps to violently resist or facilitate the overthrow of the U.S. Government.” That is who I am focusing on.

I would like to ask Ms. McCord, is it fair to say that it has been the goal of the MVEs to overthrow the U.S. Government?

Ms. MCCORD. I think that it has been the goal of—I think being a check on what they perceive as the tyranny of the state, whether that's state government or Federal Government, is a common theme among militia and violent extremists. It's not the only theme, but it's definitely a common theme.

But I want to be clear that we see that at every level of government. We've seen dramatic plotting and attacks and militia activity in opposition to county-level public safety measures, state-level COVID-related public safety measures, and of course, you know, Federal-level activity, including the joint session of Congress seeking to certify the election.

So, one of the dangerous things is that these groups make their own decisions about what they think the Constitution means, and if they think that what any elected official is doing doesn't comport with their view of the Constitution and their own civil rights and civil liberties, then they think they are empowered to use arms, to take up arms against that.

Ms. NORTON. Well, let me move on to Attorney General Grewal and, again, trying to focus on what it is we are talking about. In October 2020, Federal law enforcement arrested 13 members of what are called the Wolverine Watchmen. Now that is a private militia group in Michigan. They were arrested for plotting to kidnap and execute Governor Gretchen Whitmer.

Attorney General Grewal, did you consider the foiled plot against Governor Whitmer to be a significant escalation of militia activity?

Mr. GREWAL. I certainly do, Congresswoman. And it obviously caused us to be on alert as far as protecting other elected officials in my own state, to do better on monitoring suspicious activity reporting in our state. So, I certainly saw that to be a significant escalation when a plot can be so brazenly attempted to target a governor, a sitting governor of a state.

Ms. NORTON. Well, what Federal resources would your office have needed to effectively respond to a similar threat and—

Mr. GREWAL. Well, I think—

Ms. NORTON [continuing]. yes.

Mr. GREWAL. Yes, you know, I think, again, New Jersey is a bit unique in that I have complete criminal jurisdiction, and I have really strong relationships with our Federal partners here. And when Parkland happened, as was alluded to earlier in my testimony, I referenced that for the notion that we didn't want to see what happened there happen here, which was gaps in reporting.

So, in the wake of the Parkland shootings, we tightened up our reporting system. So, any time that there is a suspicious activity report filed with one of our municipalities, that's shared at our county level, it's shared at our state level, and it's shared with our Federal partners. And we followup on all those leads.

That's why we have a better understanding in my state of the number of bias incidents that are happening, where they're happening, and that's why we share that information in real time. So, policymakers can use it to address concerns in their municipalities or in their districts. And so, we could use it to deploy law enforcement resources where we see a problem escalating.

Ms. NORTON. Thank you. Here is another example. This is for Professor Simi.

Following the election, and that is what I am interested in now—the effect on democratic elections—Three Percenters armed with semi-automatic rifles surrounded the Arizona state capitol and election officers to protect vote counting. In Georgia, Secretary of State Brad Raffensperger had to be escorted from his office under armed guard, as militiamen surrounded the capitol.

Professor Simi, were you surprised by the willingness of militia networks to target free and fair elections, and how does militia activity post-election, including January 6, relate to the militia movement's opposition to civilian authority in these elections?

Mr. SIMI. Thank you for the question.

I wasn't particularly surprised by it, and that was actually one of my most significant concerns leading up to the most recent Presidential election would be the use of this kind of intimidation and threatening behavior on the part of these types of groups. And so I see this as a substantial kind of central component to their basically motive for existing, which is to exert their will and intimidate democratic forces to bend in their direction and to actually really overcome the democratic process.

And so this is one of, I think, the most substantial concerns that we face with these groups, and our tendency to kind of neglect them is really concerning.

Mr. RASKIN. Great. The gentelady's time has expired. Thank you very much.

Let us see, is Mr. Donalds still with us? OK. I am going to go to Congresswoman Tlaib, you are recognized for your—

Mr. DONALDS. I am here, Mr. Chairman. Still here.

Mr. RASKIN. Oh, all right. Mr. Donalds is here. I recognize you for your five minutes, Mr. Donalds.

Mr. DONALDS. Thank you, Mr. Chairman. And witnesses, thanks for being here. I do appreciate it.

My first question is pretty simple. For any of the witnesses who choose to answer, are you guys aware of what is actually happening in Portland, Oregon, right now?

Anybody can answer. It is an open question. Come on, guys. Don't be shy. Are you guys aware of what is happening in Portland, Oregon, right now, or what has happened in Portland, Oregon, for the last year, basically, with respect to consistent, repeated attacks, targeting of Federal buildings, et cetera, and local municipality buildings in the city of Portland?

Ms. MCCORD. I'm certainly aware of some of what has happened in Portland. When you said "right now," I literally—I did not know if you meant literally right now, and I've been in this. I have not been monitoring the news. So, I apologize for not speaking up.

Mr. DONALDS. I am sorry. I am good, thanks.

Sorry, I am in a Dick's Sporting Goods with my son.

Explain something to me. Can you guys expound for me what has actually taken place over the last year in the city of Portland or in the city of Seattle or in some respects in the city of Minneapolis over the last year?

Mr. GONZALEZ. Congressman, if I can answer, I think that maybe the difficulty in answering this is that the media has not been accurately reporting on what has happened in these cities. So, a lot of people just—a lot of Americans plainly just do not know.

Mr. DONALDS. Well, look, I am going to end my comments here. I have been listening to the committee for about an hour, and I think it is important for everybody to recognize that, yes, what happened on January 6 was a tragedy. The Department of Justice is currently going through all of the investigations with everybody that they found that was involved, and they are continuing to look for new people that were involved.

I totally support them going through this. They should continue their investigations. People who either through conspiracy or through actual actions entered the Capitol should be prosecuted to the fullest extent of the law. That is my belief.

But at the same time, I am a freshman Member. So, obviously, I didn't know this was the sixth hearing this committee has had on this subject of domestic terror, white supremacy, or however you want to call it. But I think it is important for the Oversight Committee, and this committee in particular, to actually open up the scope of their investigations because it is clear, if you actually talk to law enforcement people in these various communities, that there is a strain of extremist political violence that is overtaking the country.

And if you want to talk about people on both sides, let us go ahead and say that, too, because it does exist. It has been existing. We can't

[inaudible] since the second it started, but we have to look at it all together. We can't pick and choose which ones we want to focus on and which ones we don't want to focus on.

Because while the Department of Justice is actively investigating what happened in the Capitol building on January 6, like they should be doing and I am glad that they are doing that, we do have political extreme organizations that have been consistently attacking law enforcement and Federal buildings across the United

States. And we should be investigating that, too, with the full force of Congress like we are doing to people who did perpetrate a frankly heinous attack and a tragedy on the Capitol on January 6.

With that, I yield back.

Mr. RASKIN. Thank you, Mr. Donalds. I recognize Ms. Tlaib for your five minutes.

Ms. TLAIB. Thank you so much, Chair Raskin. Thank you so much for all the panelists for being here.

I think it is really important to note that this hearing is supposed to be about white supremacist militias, which everyone in this room virtually, whether you want to admit it or not, knows that it is a deadly problem. The fact that some are trying to shift the focus away from white supremacy to Black Lives Matter movement is an example of upholding white supremacy. So, I say enough, and let us focus on this really important, critical issue.

I would like to zero in on one particularly disturbing element of law enforcement coordination with militia movement. It is an organization called Constitutional Sheriffs and Peace Officers Association. Very, very misleading, OK? We are going to call them CSPOA for short.

So, CSPOA was founded by the former Arizona sheriff, so-called Oath Keeper board member named Richard Mack. The organization coordinates a network of hundreds of what they call “constitutional sheriffs”—these are their names—who claim the power to reject state and Federal laws they consider to be unconstitutional, outside of our courts, OK?

On its own website, it even claims “the power of the sheriff even supersedes the powers of the President.” An absolute absurd statement, to say the least. Mack even claims that over 400 sheriffs participated in a coordinated training effort that includes at least 265 private sessions per year, you all.

So, Attorney General, do you know any law enforcement officials in your state who are associated with this organization, and would you be concerned if they were?

Mr. GREWAL. I do not, Congresswoman, and I would be if they were. And again, I go back to how New Jersey is different. I have oversight over all law enforcement, including all of our chiefs and our sheriff’s offices. And so, if something happens where they’re not abiding by the rules we set, the policies that we have in place, our state’s laws, I have the ability to supersede their authority and take over those departments. And we’ve exercised that authority in other instances.

So, I would be incredibly concerned because I think that undermines public trust in law enforcement, which is something we’re desperately trying to build, which is the cornerstone of public safety.

Ms. TLAIB. Absolutely. And the CSPOA has a clear link to white supremacist Oath Keepers. They rallied alongside the Oath Keepers and other militias in support of Bundy during his 2014 stand-off, hosted joint fundraisers, and even in 2019, the Oath Keepers founder Stewart Rhodes was even a featured speaker at the CSPOA’s convention.

Furthermore, leaked documents from the Oath Keepers revealed that the organization CSPOA is a core component of the militia’s—

their program, sheriffs outreach program. Members are instructed to ask local sheriffs if they would be interested in hosting a seminar from Sheriff Mack. The Oath Keepers have advertised CSPOA trainings online as recently as last year or in 2019.

Ms. McCord, can you briefly explain the ideological link between CSPOA's views of called "county supremacy" and the militia movement?

Ms. MCCORD. Yes, I can. Thank you for that question.

Because this is something we've seen is a real problem and one of the reasons we see so much lack of enforcement at the local level of state anti-militia laws. Most states—as Attorney General Grewal has explained, most state attorney generals, unlike him, do not have general criminal enforcement authority. So, the enforcement against militia falls on the local law enforcement, on local elected district attorneys.

So, in places where you have constitutional sheriffs, you know, in charge of local law enforcement who are oftentimes not only supportive of the local militia, but sometimes members of the local militia, sometimes have even advocated for county recognition of local militias, this is obviously a situation where we're not going to have enforcement against those militias.

And we've seen that in Virginia. We've seen that in many other states by constituents who have reached out to contact my organization to ask is this legal, is this OK? We've seen—consistent with that idea that they report only to the Constitution as they understand it, we've actually seen advocating for county resolutions that would bar, criminally bar county officials from enforcing certain new laws. For example, new gun safety legislation.

So, the constitutional sheriffs movement is a dangerous movement. It has no really authority under law. It's a made-up thing, but it has a real impact.

Ms. TLAI. Yes, and Ms. McCord, I really want my colleagues to hear this because it is—this past year, they actually opposed COVID-19 public health measures and now advertise a six-week course in ending "tyranny and taking down—" these are their words—"the deep state." So, sheriffs affiliated with CSPOA have spoken in defense of militia-based terrorists who has tried to kidnap Governor Whitmer, my own governor, and even organized civilian posse, you all, which is a nice name for a lynch mob, in my opinion, to respond to racial justice protests.

So, I just really want our colleagues to understand this critically important hearing, that we really need to focus on this because it is dangerous for all of us to live with these groups in our backyard.

Thank you so much, and I yield.

Mr. RASKIN. The gentlelady's time has expired. Thank you.

You can answer. Was that a question, Ms. Tlaib, or no?

Ms. TLAI. No, Chairman. I just wanted everyone to know how dangerous they were. Thank you so much.

Mr. RASKIN. Thank you for your statement.

All right. Now I am going to recognize myself. I think the ranking member and myself, we have both deferred our questions to the end here.

So, I want to do some rapid-fire questions here. First, starting with you, Ms. McCord. You demonstrated some of the success you

have had in using the anti-militia laws, the anti-insurrection laws, and anti-paramilitary laws at the state level. Why do we need a Federal law, and what could we do with that that is not happening now?

Ms. McCORD. So, these state level cases have—well, we’ve and one recently with success, and one that’s pending, and there is some success historically. But we’re really—you know, it’s novel litigation because you’re using criminal laws to try to bring civil enforcement actions, which state by state is either something that is permissible or is not. And we’ve seen, as we’ve been discussing, that there’s a lack of enforcement on the criminal side by local law enforcement.

I think, importantly to your question, though, these are not local problems. As we’ve seen repeatedly, and it’s not just in the last year, but even historically, even if you look back at the armed standoffs at the Malheur Wildlife Refuge in Oregon or in Bunkerville, Nevada, we had militias traveling from across the country to gather in opposition to the Federal agents in both of those cases.

We had militias travel—the conspiracy charges against members of the Oath Keepers who participated in the insurrection involved people from six different states. So, this is not a local problem. And as the attorney general has explained, they’re trying to synthesize more information, but the Federal Government has superior access to that information and superior ability to share it all the way through the states and locals.

And so, coming in to fill that gap and, importantly, to include civil enforcement measures that can really go after the organizations and not just individuals who commit acts of violence would allow for dismantling it more effectively and systemically.

Mr. RASKIN. OK. That is a really important answer, and I thank you for your clarification of that point.

Attorney General and Professor Simi, I want to get your reaction to something that has been troubling me. In his opening statement, Mr. Gonzalez wrote, “Obviously, Black Lives Matter and Antifa are not the only sources of political violence in America, although they do represent the majority of it.”

And I went to a study that I had come across when I was getting ready for the hearing by the Center for Strategic & International Studies, a nonpartisan thinktank which said, “White supremacists, extremist militia members, and other violent far-right extremists were responsible for 66 percent of domestic terrorist attacks and plots in 2020, roughly consistent with their share in other recent years.” And this is consistent with what we have been told by the FBI Director and Department of Homeland Security.

That is two-thirds of all instances of violent domestic terror incidents. And I don’t know why people seem to feel like if we are pointing out extremist activity by violent rightwing groups, they have got to somehow say, well, Antifa did this or whatever. We are trying to deal with a real security problem that is confronting state legislatures, the U.S. Congress as recently as January, and other institutions in the country.

Again, there was a claim that 25 Americans have been killed because of “a period of instability instigated by Black Lives Matter.”

Well, the *Washington Post* reviewed 27 deaths that were allegedly linked to last summer's protests and found that when a suspect was identified, they were almost never linked to Black Lives Matter. In many cases, the violence was precipitated by far-right extremist provocateurs associated with groups like the Boogaloo Bois or militiamen like Kyle Rittenhouse.

So, and one other study I found from the Armed Conflict Location and Event Data Project said that 93 percent of Black Lives Matter demonstrations were peaceful and that when violence occurred, it was isolated, confined to specific blocks, and again was subject to that kind of the infiltration of provocateurs.

In any event, Attorney General, let me start with you. What do you make of the claim from your experience that Black Lives Matter or Antifa make up the majority of political violence in this country or in your state, and what is wrong with interjecting these kinds of claims when we are trying to seriously study the problem of racist, violent white supremacy in the country?

Mr. GREWAL. The problem is that it's distracting, Chairman, and the other problem is that in my experience in New Jersey, it's completely inaccurate. Like other states—in fact, we're the most densely populated state, 9 million residents, one of the most diverse. We have had a year's worth of protests just like every other state in the country. We had the Movement for Black Lives take to the streets in New Jersey, but our experience was completely different. We had maybe a handful of arrests, but 99.9 percent of those protests were peaceful.

We had law enforcement officers marching with protesters because we've worked to build trust between law enforcement and community. We had community partners helping us keep our cities safe. We had thousands of people during the height of these protests protesting not too far from where I am in Newark, and it was peaceful. It was community safety partners helping law enforcement. It was us leveraging the relationships that we had developed throughout the last number of years to make sure that those protests resolved peacefully.

And the other thing is in our experience, we engaged the protesters, and we listened to them. We acknowledged the shortcomings that they identified in our law enforcement practices, and we've worked with community members to improve them. You can't improve police-community relations without engaging the police and without engaging the community.

So, we used the whole summer to sit down and have listening sessions in the midst of COVID, many of them virtually. But again, we didn't see that violence in my state.

And I think another reason we didn't see that violence in my state is because of those commonsense gun safety laws that I talked about. We don't have open carry. It's very difficult to get a carry permit in our state. You can't get just show up to our state-house protest or counter-protest in an armed way. We didn't see that militia-type presence that Professor McCord was talking about at our BLM protests.

So, again, it's distracting. I have a hate problem in my state, 1,400 incidents. The majority of them, 60 percent, anti-Black racist incidents last year, and we have an escalation and a radicalization

problem that I'm afraid of with our young people. So, that's what I'm trying to stop, and that's what I want to focus on.

Mr. RASKIN. Thank you, Attorney General. And Dr. Simi, you can answer my final question, too.

Mr. SIMI. OK, thank you for the question.

So, we're talking about violent extremism, and we talked about violence. We need to think about what does that mean exactly? Certainly one of the most important indicators of violence would be fatalities.

So, if you were to look at, for example, the Anti-Defamation League's data on this, this idea that Black Lives Matter and/or Antifa are committing more violence is certainly not consistent with what we know about fatalities, at least as the data that's collected by the Anti-Defamation League and one of the most significant trainers of law enforcement across the country on these issues. So, that just doesn't seem to be borne out in that respect.

Another issue here to consider is that we are dealing with a perceptual bias problem. And so, the attorney general mentioned the distraction. Sometimes it's intentional. Sometimes it's unintentional.

But in any case, when the effort to discuss militias and white supremacist extremism is consistently met with "what about so-and-so," it is a distraction, but it also reflects this I think fairly deeply entrenched perceptual bias. And we need to root that out in addition to dealing with the type of extremism we've been talking about today.

Mr. RASKIN. Well, thank you very much.

I am going to introduce into the record an article that just came out of great relevance to our hearing today, which says "Nevada County GOP Canceled Meeting Amid Fear of Proud Boy Insurgency," and there were threats of the Proud Boys to this Republican meeting.

Mr. RASKIN. And obviously, both parties were targeted on January 6 at the RNC and the DNC with explosive devices. So, I don't see any reason why we should think of this as some kind of, you know, partisan tit-for-tat where we have got to point at other sides. I don't identify anybody here with the violent militias and the movements of violent white supremacy that we are talking about.

Congressman Sessions, I don't know if you had any final words you wanted to add today?

Mr. SESSIONS. Chairman, thank you very much.

I would just like to thank our witnesses, who have taken time to not only properly prepare, but also to prescribe their viewpoints on sheets of paper that would allow us an opportunity to really drill down on some of the facts of the case.

I think all four of our witnesses presented information that was pertinent to the needs of this committee and I think overwhelmingly perhaps the viewpoint that we have got to work together if we are going to stop this. It does make a difference, and working together means that we not just find common ground, but that we find that violence is what we are against.

We are against extremism, and we would be against the use of force. We brought in other ideas today, as others have, about perhaps religion in this also, religion, that might take place against

people of Jewish content and faith. Perhaps we have other ideas about things that are violent, and I just think that we should stand together and say we are against use of force. We are against violence. We are against any group of people, whether they are official or nonofficial, using their ideas and ideals to overcome this country.

I find it very interesting that—and it is a longer debate. It is just a longer debate, but that there would be people who might be considered dangerous to this country because they were “anti-government,” but others can show up and be anti-capitalism and not be considered a threat to this country.

And it is staggering to me because, as I have told you during my time—my dad’s time as FBI Director, there were large numbers of people that were really anti-IRS. They did not like the tax code that we had. They were violent. They killed a Federal judge during a period of time several years ago.

And whether it is anti-IRS, whether it is anti-Federal judges or Federal Government, whether it is some things that ride the view of economics, I think that we need to understand that the basis of what makes this country work is rule of law and avoiding extremism.

So, Mr. Chairman, I want to thank you again for trying to work to the middle, work to the middle of ideas, but I think we have got to acknowledge that whether you are anti-capitalism or whether you are anti-Jewish, to use violence is something that we should all be against. Use of force and violence as an outcome is a danger to not just keeping our country safe, but the individuals who find themselves somewhere in the middle of that.

So, I want to thank you and our witnesses. Thanks very much.

Mr. RASKIN. Well, thank you, Mr. Sessions, for your thoughtful and perceptive remarks there.

And I guess I would just close by underscoring the public service that all of our witnesses have done today. We need to remember that the militias that are referred to in the Constitution are those that are authorized and well regulated by the Government, not those that some people just declare to be a militia in order to engage in vigilante action against other citizens.

And so, there is no constitutional protection for people taking up arms against the Government or taking up arms against fellow citizens or appointing themselves police officers who can go around and enforce the law on their own. That cuts against everything we know about the Supremacy Clause and the idea that Congress owes it to the people to guarantee a republican form of government to the people of all of the states. And as much as I love the GOP, that is not a capital “R” Republican, that is a small “r,” a republican representative form of government, a civilian form of government for all of the people.

So, we will work with all of these great witnesses going forward to see whether, indeed, there is a place for Federal legislation in the field. And members have an opportunity to introduce additional statements if they have any, and we will make sure that those become part of the record.

And I want to thank all of you for coming, and I want to commend my colleagues for participating.

And members have five legislative days within which to submit any additional written questions for—to the witnesses, and submit them to the chair.

And I am submitting, finally, a document I have received from the Southern Poverty Law Center, their testimony.

Mr. RASKIN. And if there is nothing else, this hearing is adjourned.

Thank you all.

[Whereupon, at 4:08 p.m., the subcommittee was adjourned.]

