

# CONFRONTING THE RISE OF DOMESTIC TERRORISM IN THE HOMELAND

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## HEARING BEFORE THE COMMITTEE ON HOMELAND SECURITY HOUSE OF REPRESENTATIVES ONE HUNDRED SIXTEENTH CONGRESS FIRST SESSION

MAY 8, 2019

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## CONFRONTING THE RISE OF DOMESTIC TERRORISM IN THE HOMELAND

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Wednesday, May 8, 2019

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

The committee met, pursuant to notice, at 10:03 a.m., in room 310, Cannon House Office Building, Hon. Bennie G. Thompson (Chairman of the committee) presiding.

Present: Representatives Thompson, Jackson Lee, Langevin, Payne, Jr., Rice, Correa, Torres Small, Rose, Underwood, Slotkin, Cleaver, Green of Texas, Clarke, Titus, Demings, Rogers, King, McCaul, Katko, Walker, Higgins, Green of Tennessee, Taylor, Joyce, and Crenshaw.

Chairman THOMPSON. The Committee on Homeland Security will come to order. The committee is meeting today to receive testimony on confronting the rise of domestic terrorism in the homeland.

Good morning. This issue of domestic terrorism is not new. In fact, Democrats on the committee have been following this issue for years. Over the last 8 years, Democratic Members of this committee have sent request after request asking for then-Republican Majority to hold hearings on domestic terrorism in the homeland. Each and every request was either ignored or denied.

I am looking forward under my leadership and the Ranking Member's leadership to address any problem that we might see in the homeland or internationally, so we want to address terrorism wherever we find it. Instead, the victims and survivors of domestic terrorist attacks time and time again have been offered moments of silence and prayers rather than Congressional actions.

For those of you in the hearing room, when you see the monitor screens, the images and headlines of the domestic terrorist attacks that have been torn through our Nation while the Republicans were in charge of this committee and the House of Representatives. To all the victims, survivors, and communities who have felt like the terror you suffered was ignored or minimized, know that it ends with today's hearing.

Today is a new day and this committee's silence on domestic terrorism now ends because in recent years we have seen a dramatic and disturbing rise in domestic terrorism, particularly far right extremists, violence tied to White supremacist extremism, and White nationalism. The few pieces of Government data that we have seen confirmed that domestic terrorism is an urgent and growing threat to the homeland.

In the last 2 years, there have been more domestic terrorism-related arrests than international terrorist-related arrests. Last year, nearly all extremism-related murders in the United States were committed by right-wing domestic terrorists.

Of course, we only need to look at the news to know that this is a serious problem. Just 2 weeks ago, a domestic terrorist attacked Jewish worshippers at a synagogue near San Diego, killing one woman. In February, a former Coast Guard Lieutenant was indicted after stockpiling weapons and drugs, planning attacks targeting prominent Democratic politicians including a Member of this committee, Congresswoman Jackson Lee. Last October, a domestic terrorist killed 11 Jewish worshippers at a synagogue in Pittsburgh. That same month, a domestic terrorist sent pipe bombs to domestic politicians all across the country, and that is just in the last few months.

From Charleston to Oak Creek to Charlottesville to Garden City, we have seen these violent ideologies rear their ugly heads over and over. Unfortunately, President Trump has tried to play both sides with domestic terrorism. On April 26, 2019, President Trump doubled down on his stance that there were fine people on both sides of the August 2017 Unite the Right Rally in Charlottesville, Virginia. His unwillingness to denounce and distance himself from these extremists has been taken by many as tacit support.

The President and all of us must be willing to stand up to all ideologically-motivated violence in America. Unfortunately, far right extremism is not limited to the United States. It is evolving into a global phenomenon. Earlier this year, the terrorist who killed 50 people and wounded 50 more at two mosques in New Zealand wrote that he was inspired by American and European far-right extremists. It is well past time to take action.

But in order to really get a handle on this evolving threat, we need to understand it. The lack of public information on domestic terrorism coming out of the Federal agencies is nothing short of alarming. What is the nature of the threat, and what is the Government doing about it? This hearing is the first step toward transparency, but there is much more information we need. That is why I am developing legislation to require the Federal Government to regularly and publicly report data on domestic terrorism. I am optimistic that it will become a bipartisan effort.

Finally, I want to welcome our witnesses from the Department of Justice, Federal Bureau of Investigation, and Department of Homeland Security. I look forward to your testimony, but I want to be clear about my frustration with your agencies. After the attack on mosques in New Zealand, I asked to speak to Director Wray about domestic terrorism. To date, the FBI director has not made himself available for a conversation.

In early April during a Classified briefing on domestic terrorism, Members of this committee asked you for several follow-up items and get-backs. My staff followed up many times over the last month. We only received get-backs from the FBI on Monday night. We received incomplete get-backs from I&A last night. It has been more than a month. In fact, while all of the witnesses have known about this hearing and topic since April 3, more than a month ago,

we received all your testimony late yesterday evening, mere hours before this hearing.

Further, despite a decade-long history of bipartisan briefing on threats to our Nation including domestic threats, threats from international terrorist organizations, and counterintelligence threats, the FBI decided to stop briefing this committee on a monthly basis after the Democrats took the Majority. Stonewalling this committee in our efforts to carry out our Constitutional oversight duties is unacceptable.

I urge the Justice Department, the FBI, and the Department of Homeland Security to recommit to working with this committee on behalf of the American people.

[The statement of Chairman Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

MAY 8, 2019

The issue of domestic terrorism is not new. In fact, Democrats on our committee have been following this issue for years. Over the last 8 years, Democratic Members of this committee sent request after request asking the then-Republican majority to hold hearings on domestic terrorism in the homeland. Each and every request was either ignored or denied. Instead, the victims and survivors of domestic terrorist attacks time and time again have been offered moments of silence and prayers, rather than Congressional action.

For those of you in the hearing room, what you see on the monitor screens are the images and headlines of the domestic terrorist attacks that have torn through our Nation while the Republicans were in charge of this committee and the House of Representatives. To all of the victims, survivors, and communities who have felt like the terror you suffered was ignored or minimized, know that it ends today. Today is a new day—and this committee's silence on domestic terrorism ends now. Because in recent years, we have seen a dramatic and disturbing rise in domestic terrorism—particularly far-right extremist violence tied to White supremacist extremism and White nationalism.

The few pieces of Government data we have seen confirm that domestic terrorism is an urgent and growing threat to the homeland. In the last 2 years, there have been more domestic terrorism-related arrests than international-terrorism-related arrests. Last year, nearly all extremism-related murders in the United States were committed by right-wing domestic terrorists.

Of course, we only need to look at the news to know that this is a serious problem. Just 2 weeks ago, a domestic terrorist attacked Jewish worshipers at a synagogue near San Diego, killing 1 woman. In February, a former Coast Guard lieutenant was indicted after stockpiling weapons and drugs and planning attacks targeting prominent Democratic politicians, including a Member of this committee, Ms. Jackson Lee. Last October, a domestic terrorist killed 11 Jewish worshipers at a synagogue in Pittsburgh. The same month, a domestic terrorist sent pipe bombs to Democratic politicians all across the country. That is just in the last few months.

From Charleston to Oak Creek to Charlottesville to Garden City, we have seen these violent ideologies rear their ugly heads over and over. Unfortunately, President Trump has tried to play “both sides” with domestic terrorism. On April 26, 2019, President Trump doubled down on his stance that there were “fine people” on both sides of the August 2017 Unite the Right Rally in Charlottesville, Virginia. His unwillingness to denounce and distance himself from these extremists has been taken by many as tacit support. The President, and all of us, must be willing to stand up to all ideologically motivated violence in America.

Unfortunately, far-right violent extremism is not limited to the United States. It is evolving into a global phenomenon. Earlier this year, the terrorist who killed 50 people and wounded 50 more at two mosques in New Zealand wrote that he was inspired by American and European far-right extremists. It is well past time to take action. But in order to really get a handle on this evolving threat, we need to understand it. The lack of public information on domestic terrorism coming out of the Federal agencies is nothing short of alarming. What is the nature of the threat? What is the Government doing about it?

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Chairman THOMPSON. With that, I now recognize the Ranking Member of the full committee, the gentleman from Alabama, Mr. Rogers, for an opening statement.

Mr. ROGERS. Thank you, Mr. Chairman. I thank the Chairman for calling this important hearing today.

I condemn all acts of violence. I condemn all acts of violence done in the name of disturbed political, racial, or religious ideologies. I know every Member of this committee agrees with me, and to imply otherwise is inaccurate.

Today's hearing is important. We must use this opportunity to have a meaningful discussion and learn how we as Congress can help root out evil in our society. I sincerely hope this hearing isn't used for political grandstanding. A YouTube clip won't solve these problems but a serious discussion with serious people can help inform how Congress and this committee can act.

As Members of this committee know, acts of domestic terrorism are not a new phenomenon. Throughout our history, deeply disturbed individuals have resorted to violence to avenge real or imagined grievances. What has changed is that almost 20 years ago, terrorists attacked 4 planes and murdered nearly 3,000 Americans. Since then, Americans have awoken to the threat of foreign terror organizations but have not fully understood the influence they have on our society.

Bad actors in our country have adopted strategies from foreign terrorist organizations. Terrorists at home are learning from terrorists abroad. The pervasiveness of the internet and social media have made connecting extremists fast, free, and anonymous. Movements preaching violence have found new homes and broader audiences on-line. The same tools that allow us to communicate globally are allowing networks of radicals to connect once-isolated fringe groups. The recent wave of attacks targeting religious institutions is inspired and amplified by social media and fringe websites. Fringe websites have become havens for the most abhorrent behavior in our society.

A quick search yields hundreds of results from the most disturbing and hateful ideologies ever written. These searches lead to



communities built around hate, conspiracy theories, and most worryingly, images of graphic murder and suicide. These are not Facebook or Twitter. These fringe sites house videos of terrorist propaganda, shooter manifestos, and gory content alongside fresh calls for violence.

Many posts are dares to commit violence or suicide. Others respond with ideas of how to carry out violence. This image, which has been edited, and you can see on the TV monitors, promoting the killers was recently shared in response to a post by the terrorist attack. It lists the attackers, alleged ideology, photo, and name. The list then awards points to mass shooters, terrorists, and murderers. Points are provided for each killer, each person killed, a killer's mental status, killing cops, and if the attacker killed himself.

These images and their vile call to action create a vortex of despair and viciousness. The sinister force is clearly capturing the minds of troubled people at a greater rate than ever before. This is not a single, sure-fire way to stop violence before it occurs, but there are steps that we can take to reduce future violence.

Working with industry and law enforcement, we can build a comprehensive strategy to detect, monitor, and disrupt on-line fronts for terror and violence. We must expand outreach to communities and educate them about the radicalization process and find ways to help troubled individuals early enough to stop their attacks. We must continue to encourage individuals to say something to law enforcement if they ever see or hear something suspicious.

Finally, we must encourage the State and local law enforcement to continue their participation in the FBI's Joint Terrorism Task Force program and State and local fusion centers. Both initiatives bring State and local law enforcement together with Federal law enforcement to share intelligence and leverage authorities to counter threats including domestic terrorism. Now is not the time for cities to withdraw from the programs to score pity political points.

I look forward to working with the Chairman and our colleagues on the Judiciary Committee on ways to end the scourge of domestic terrorism, and I yield back.

[The statement of Ranking Member Rogers follows:]

#### STATEMENT OF RANKING MEMBER MIKE ROGERS

MAY 8, 2019

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The recent wave of attacks targeting religious institutions was inspired and amplified by social media and fringe websites.

Fringe websites have become havens for the most abhorrent behavior in our societies.

A quick search yields hundreds of results for the most disgusting and hateful ideologies ever written.



















Those searches lead to communities built around hate, conspiracy theories, and, most worryingly, images of graphic murder and suicide.

They are not Facebook or Twitter.

These fringe sites house videos of terrorist propaganda, shooter manifestos, and gory content alongside fresh calls for violence.

Many posts are dares to commit violence or suicide. Others respond with ideas of how to carry out violence.

This image, which we have edited to avoid promoting the killers, was recently shared in response to a post about a terrorist attack.

<p>/b/</p>  <p>KILLS: 12 KIDS 12 ADULTS 1 KIDSLAY NO KIDS BONUS +10xp PSYCHOLOGY: Bully +4xp SUICIDE: Yes +10xp TOTAL: +28xp RATING: C (1999)</p>	<p>/lit/</p>  <p>KILLS: 12 ADULTS 12 KIDS NO KIDS BONUS +10xp PSYCHOLOGY: Anxiety +2xp SUICIDE: Yes +10xp TOTAL: +86xp RATING: A+ (2007)</p>	<p>/v/</p>  <p>KILLS: 25 KIDS 1 ADULT NO KIDS BONUS +10xp PSYCHOLOGY: Autism +10xp SUICIDE: Yes +10xp TOTAL: +52xp RATING: B+ (2012)</p>	<p>/tw/</p>  <p>KILLS: 1 KID 1 ADULT NO KIDS BONUS +10xp PSYCHOLOGY: Bipolar Disorder +5xp SUICIDE: No +10xp TOTAL: +28xp RATING: C (2012)</p>	<p>/pol/</p>  <p>KILLS: 69 KIDS 1 ADULT NO KIDS BONUS +10xp PSYCHOLOGY: Paranoid +2xp SUICIDE: No +10xp TOTAL: +87xp RATING: A+ (2011)</p>	<p>/r9k/</p>  <p>KILLS: 7 ADULTS NO KIDS BONUS +10xp PSYCHOLOGY: Narcissist +8xp SUICIDE: No +10xp TOTAL: +40xp RATING: B (2014)</p>	<p>/int/</p>  <p>KILLS: 2 KIDS 3 ADULTS NO KIDS BONUS +10xp PSYCHOLOGY: Schizophrenia +5xp SUICIDE: No +10xp TOTAL: +73xp RATING: A+ (1996)</p>	<p>/soc/</p>  <p>KILLS: 14 ADULTS NO KIDS BONUS +10xp PSYCHOLOGY: Depression +2xp SUICIDE: Yes +10xp TOTAL: +50xp RATING: B+ (1996)</p>	<p>/sp/</p>  <p>KILLS: 1 KID 1 ADULT NO KIDS BONUS +10xp PSYCHOLOGY: Swindler +4xp SUICIDE: No +10xp TOTAL: +23xp RATING: D (2013)</p>
<p>/k/</p>  <p>KILLS: 13 KIDS 149 ADULTS NO KIDS BONUS +10xp PSYCHOLOGY: Rager +20xp SUICIDE: No +10xp TOTAL: +377xp RATING: AAA+ (1995)</p>	<p>/a/</p>  <p>KILLS: 8 ADULTS NO KIDS BONUS +10xp PSYCHOLOGY: Depression +2xp SUICIDE: No +10xp TOTAL: +38xp RATING: B (2007)</p>	<p>/x/</p>  <p>KILLS: 1 KID 5 ADULTS NO KIDS BONUS +10xp PSYCHOLOGY: Personality Disorder +5xp SUICIDE: No +10xp TOTAL: +19xp RATING: F (2011)</p>	<p>/mu/</p>  <p>KILLS: 5 ADULTS NO KIDS BONUS +10xp PSYCHOLOGY: Self-Destructive +5xp SUICIDE: No +10xp TOTAL: +30xp RATING: C+ (2008)</p>	<p>/vg/</p>  <p>KILLS: 13 KIDS 2 ADULTS NO KIDS BONUS +10xp PSYCHOLOGY: Depression +2xp SUICIDE: No +10xp TOTAL: +40xp RATING: B (2009)</p>	<p>/d/</p>  <p>KILLS: 7 KIDS 50 ADULTS NO KIDS BONUS +10xp PSYCHOLOGY: Bored +5xp SUICIDE: No +10xp TOTAL: +127xp RATING: A+ (1982)</p>	<p>/n/</p>  <p>KILLS: 8 KIDS 13 ADULTS NO KIDS BONUS +10xp PSYCHOLOGY: Swindler +10xp SUICIDE: No +10xp TOTAL: +307xp RATING: AAA (2015)</p>	<p>/lgbt/</p>  <p>KILLS: 49 ADULTS NO KIDS BONUS +10xp PSYCHOLOGY: Swindler +8xp SUICIDE: No +10xp TOTAL: +114xp RATING: A+ (2015)</p>	<p>/co/</p>  <p>KILLS: 3 ADULTS NO KIDS BONUS +10xp PSYCHOLOGY: Gender Dysphoria +4xp SUICIDE: No +10xp TOTAL: +20xp RATING: C+ (2017)</p>

Committee Staff has modified this image to conceal attackers' identities and fit this screen.  
All other information is presented as found.

It lists the attacker's alleged ideology, photo, and name.

The list then awards points to mass shooters, terrorists, and murderers.

Points are provided for each person killed, a killer's mental status, killing cops, and if the attacker killed himself.

These images and their vile call to action create a vortex of despair and viciousness.

This sinister force is clearly capturing the minds of troubled people at a greater rate than ever before.

There is not a single sure-fire way to stop violence before it occurs. But there are steps we can take to reduce future violence.

Working with industry and law enforcement, we must build a comprehensive strategy to detect, monitor, and disrupt on-line fronts for terror and violence.

We must expand outreach to communities and educate them about the radicalization process and find ways to help troubled individuals early enough to stop attacks.

We must continue to encourage individuals to say something to law enforcement if they see or hear something suspicious.

Finally, we must encourage State and local law enforcement to continue their participation in the FBI's Joint Terrorism Taskforce program and State and local Fusion Centers.

Both initiatives bring State and local law enforcement together with Federal law enforcement to share intelligence and leverage authorities to counter threats, including domestic terrorism.

Now is not the time for cities to withdraw from these programs to score petty political points.

I look forward to working with the Chairman and our colleagues on the Judiciary Committee on ways to end the scourge of domestic terrorism.

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

[The statement of Honorable Jackson Lee follows:]

STATEMENT OF HONORABLE SHEILA JACKSON LEE

MAY 8, 2019

Thank you, Chairman Thompson, for holding today's hearing on "Confronting the Rise of Domestic Terrorism in the Homeland."

It is a well-known fact that before you can begin to address any problem, you must first recognize the symptoms.

I want to note that only through your leadership on the issue of domestic terrorism is this committee holding this hearing today.

I look forward to the testimony of today's witnesses:

- Mr. Brad Wiegmann, deputy assistant attorney general, National Security Division, Department of Justice (DOJ);
- Mr. Michael McGarrity, assistant director for counterterrorism, Federal Bureau of Investigation (FBI); and
- Mr. Brian Murphy, principal deputy under secretary for intelligence & analysis (I&A), Department of Homeland Security (DHS).

Despite the escalation in violent attacks over the last two Congresses the leadership of this committee refused to acknowledge that our Nation had a domestic terrorism problem.

The problem is further complicated by a President who thinks that Neo-Nazis, White Nationalist and White Supremist are fine people.

And worst he makes an equivalence argument between hate groups and protestors opposing hate and racism.

President Trump has tried to play "both sides" with White nationalism and domestic terrorism.

On April 26, 2019, President Trump doubled down on his stance that there were "fine people" on both sides of the August 2017 Unite the Right Rally in Charlottesville, Virginia.

His unwillingness to denounce and distance himself from these extremists has been taken by many as tacit support.

The President must be willing to stand up to all ideologically-motivated violence in America.

Committee Democrats asked the then-Republican Majority for hearings on domestic terrorism 8 times since 2011.

Five requests were outright denied by the Republicans, and 3 requests went unanswered.

As a senior Member of the House Committee on Homeland Security and Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security this topic has significance due to the number of violent acts committed in the United States since November 2011.

Attacks include:

- Wisconsin Sikh temple shooting (2012)
- Boston Marathon bombing (2013)
- Charleston Church Shooting (2015)
- San Bernardino shooting (2015)
- Orlando nightclub shooting (2016)
- Las Vegas Shooting (2017)
- Pittsburgh synagogue shooting (2018)
- Austin Bombings (2018)
- Poway synagogue shooting (2019)
- St. Landry Parish, Louisiana Church Fires that destroyed Mount Pleasant Baptist Church in Opelousas, St. Mary Baptist Church in Port Barre, and Greater Union Baptist Church in Opelousas (March–April 2019).

According to the Southern Poverty Law Center (SPLC), in the immediate aftermath of Election Day, a wave of hate crimes and lesser hate incidents swept the country—1,094 bias incidents in the first 34 days following November 8, 2016.

SPLC reports that anti-immigrant incidents (315) remain the most reported, followed by anti-Black (221), anti-Muslim (112), and anti-LGBT (109). Anti-Trump incidents numbered 26 (6 of which were also anti-White in nature, with 2 non-Trump related anti-White incidents reported).

The purpose of this hearing is to receive testimony from the witnesses about efforts to address the threat of domestic terrorism.

Prior to September 11, 2001, the Federal Government had a wide range of law enforcement, National security, and benefits management agencies that collected information, but jealously guarded this information from other agencies.

The 9/11 Commission Report allowed an in-depth assessment of the failures that led to the horrific terrorist attacks against the United States that cost the lives of nearly 3,000 people.

The House Committee on Homeland Security was created to implement the recommendations of the 9/11 Commission Report and ensure that resources were provided to support the mission of homeland security.

The most significant task of the committee was guiding the establishment of the Department of Homeland Security and making sure that it had all that it would need to carry out its mission.

I, along with other Members who have served on this committee since its inception, made a commitment that a terrorist attack of the magnitude that occurred on September 11, 2001 would never happen again.

An essential component of our ability to keep this commitment was the establishment and sustainment of information sharing among Federal agencies and extending the network of data collection, retention, and sharing with local and State law enforcement partners.

Issues of domestic terrorism of greatest concern are:

- The number of incidents, although small in number, that have involved Government employees or contractors;
- The targeting of places of worship;
- Politically-motivated attacks or attempted attacks; and
- Use of social media for domestic and international hate groups to collaborate and stoke hate.

#### GOVERNMENT CONTRACTORS AND EMPLOYEES

Last year, I offered an amendment during Full Committee Markup of H.R. 6374, the “Fitness Information Transparency Act of 2018” or the “FIT Act,” after it came to my attention that a National security clearance holder was part of a White supremacist group and had traveled to Charlottesville to participate in violent acts against others.

On July 6, 2018, by PBS Frontline about Michael Miselis, an active member of the California-based Rise Above Movement (RAM), a well-known violent White supremacist group.

Mr. Miselis has a security clearance and worked for Northrup Grumman, a major defense contractor, at the time he engaged in physical violence against persons protesting racism and White supremacy in Charlottesville, Virginia.

In May 2018, Northrup Grumman was informed of Mr. Miselis membership in RAM and the violent assaults he initiated while he was in Charlottesville participating in activities in support of White supremacy, which were captured on video and in photos.

Mr. Miselis worked for a Government contractor and held a security clearance authorizing him to work on projects that were of vital interest to our Nation and its defense.

Northrup Grumman did not dismiss him until the story broke that Mr. Miselis engaged in at the White supremacists’ rally held in Charlottesville, Virginia.

The violence of RAM members has been a hallmark of the group and its members.

The Anti-Defamation League describes RAM as a White supremacist group whose members believe they are fighting against a “modern world” corrupted by the “destructive cultural influences” of liberals, Jews, Muslims, and non-White immigrants.

For this reason, I offered a Jackson Lee Amendment establishing an “Exigent Circumstances Fitness Determination Review” process for this bill.

The [sic] stated that “The Chief Security Officer may conduct an immediate review of a contractor employee’s fitness determination when a contractor employee has engaged in violent acts against individuals, property, or public spaces based on the contractor employee’s association with persons or organizations that advocate,

threaten, or use force or violence, or any other illegal or unconstitutional means, in an effort to prevent others from exercising their rights under the Constitution or laws of the United States or of any State, based on factors including, at a minimum, race, religion, National origin, or disability.”

The United States is a Nation of laws, which gives us the freedom to agree and most importantly disagree with not only each other, but with our Government.

But the limitations to the right to disagree can be best described by the ancient wisdom: “Your right to swing your arms ends just where the other person’s nose begins.”

There is a limit to the expression of free speech and the freedom to assemble and that limit is violence.

The awarding of security clearances to contractors must be better managed and the consequences for involvement in activities that would be cause for dismissal from the armed services or any Federal agency should not go unnoticed.

Most recently, a Coast Guard lieutenant was accused of stockpiling firearms and drafting a hit list of prominent Democrats and journalists.

#### AUSTIN BOMBINGS

On March 2, 2018, the first of 7 bombs were detonated in what became a terrorizing series of attacks that killed Anthony Stephan House, 39, and Draylen Mason, 17.

We can focus our efforts on a range of topics that impact homeland security, but we should not ignore how policies and public acts by individuals can contribute to the threat of home-grown terrorists or lone wolves as well as contribute to the recruitment efforts of ISIL, al-Qaeda, or other terrorist groups.

There seems to be an implied if not expressed belief that violent acts carried out against certain persons living within the United States can be carried out without fear of a Justice Department led by Jeff Sessions or a White House with senior staff known to hold bias views toward minorities, immigrants, and others.

The United States cannot make more enemies than we are making friends—we cannot afford to turn our friends into enemies or absent allies when we need them to fight terrorist threats.

In the last decade, domestic terrorism has become an increasing concern in the United States.

In 2018, domestic extremists killed at least 50 people in the United States, a sharp increase from the 37 extremist-related murders documented in 2017, though still lower than the totals for 2015 (70) and 2016 (72).

The 50 deaths made 2018 the fourth-deadliest year on record for domestic extremist-related killings since 1970.

According to an analysis by the *Washington Post*, between 2010 and 2017, right-wing terrorists committed a third of all acts of domestic terrorism in the United States (92 out of 263), more than Islamist terrorists (38 out of 263) and left-wing terrorists (34 out of 263) put together.

Recent unpublished FBI data leaked to the *Washington Post* in early March 2019 reveal that there were more domestic terrorism-related arrests than international terrorism-related arrests in both fiscal year 2017 and fiscal year 2018.

From 2009 to 2018 there were 427 extremist-related killings in the United States. Of those, 73.3 percent were committed by right-wing extremists, 23.4 percent by Islamist extremists, and 3.2 percent by left-wing extremists.

In short, 3 out of 4 killings committed by right-wing extremists in the United States were committed by White supremacists (313 from 2009 to 2018).

The culmination of the 2016 mid-term election was consumed by bombs placed in the mail addressed to Democrats.

The list of incidents continues to grow and this committee cannot continue to turn a blind eye.

I thank the Chairman, and I look forward to the testimony of today’s witnesses. Thank you.

Chairman THOMPSON. I now welcome the first panel of witnesses and our only panel to this hearing. Without objection, the witnesses’ full statements will be inserted in the record, and let me introduce, for the committee Members, our panel.

Our first witness is Mr. Brad Wiegmann who currently serves as deputy assistant attorney general for the National Department of Justice. Prior to joining the Department of Justice, Mr. Wiegmann has had a career as a Government attorney for the past 20 years.

Our next witness is Mr. Michael McGarrity who currently serves as the assistant director of counterterrorism for the Federal Bureau of Investigation. Prior to joining the Counterterrorism Division, Mr. McGarrity most recently served as a special agent in charge of the Criminal Division of the New York field office.

Finally, we are joined by Mr. Brian Murphy who currently serves as the principal deputy under secretary for intelligence and analysis with the Department of Homeland Security. Prior to this selection, Mr. Murphy served as the acting principal deputy for intelligence and analysis.

I thank you gentlemen for agreeing, and I remind each witness that you have 5 minutes for your statement.

Mr. Wiegmann.

**STATEMENT OF BRAD WIEGMANN, DEPUTY ASSISTANT ATTORNEY GENERAL FOR NATIONAL SECURITY, U.S. DEPARTMENT OF JUSTICE**

Mr. WIEGMANN. Thank you, Chairman Thompson, Ranking Member Rogers, Members of the committee. Thanks for the opportunity to testify on behalf of the Department of Justice.

Protecting the American people from terrorism and other National security threats has long been a top priority of the Department. Domestic terrorism continues to pose a serious threat to the public as the number of recent attacks and plots demonstrate. We have seen individuals conduct attacks far too many times, whether motivated by anti-Government animus, racism, or other ideologies. Regardless of the motivation, our goals at DOJ are to prevent such attacks and to bring those responsible to justice.

This morning I would like to give you just a brief overview of how the Department of Justice is organized to handle domestic terrorism cases and the legal authorities on which we rely. On the front lines are our 94 U.S. Attorneys' Offices. Each office coordinates a group of Federal, State, and law enforcement in the district called the Anti-Terrorism Advisory Council or ATAC.

The ATAC works in close partnership with its corresponding FBI Joint Terrorism Task Force. The ATACs promote training and information sharing among Federal, State, and local law enforcement. Each U.S. Attorney's Office also has designated a senior prosecutor to serve as the ATAC coordinator. This designee is specially trained and serves as the lead counterterrorism prosecutor for the district.

Many offices have also designated National security sections that focus on counterterrorism and other National security threats. At main Justice here in Washington, the National Security Division was created in 2006 to integrate the Department's counterterrorism and other National security work Nation-wide. We have a counterterrorism section with more than 40 attorneys, all of whom are equipped to work on both domestic and international terrorism. We also have a counsel for domestic terrorism and two domestic terrorism coordinators. NSD attorneys are notified and available to provide assistance when any domestic terrorism investigation or prosecution is initiated.

In addition, other divisions of the Department play an important role. For example, the Civil Rights Division is responsible for over-

seeing the prosecution of hate crimes, some of which may also qualify as acts of domestic terrorism.

Finally, we have the Domestic Terrorism Executive Committee which reports to the Attorney General. This committee is not operational but provides a National-level forum for information sharing on domestic terrorism matters.

Turning quickly to our legal authorities, we have prosecuted domestic terrorists using a wide range of criminal statutes. These include weapons and explosive charges, threat, hoax, or riot charges, and charges proscribing attacks on Federal officials and facilities.

As I mentioned, hate crimes charges may also be appropriate where conduct is motivated by bias against a race, religion, or ethnicity. It is also a crime to knowingly provide material support or resources in support of certain offenses designated as terrorism-related.

We also work closely with our State and local partners to confront domestic terrorism. Some cases don't involve violations of Federal law but are prosecuted under State law. Other cases may involve violations of both Federal and State law, and the State charge may, in some cases, be the most effective way to prosecute. In those circumstances, we support our State and local partners where we can.

Now, the criminal code also includes a definition of domestic terrorism and the Federal crime of terrorism. These definitions provide us with an array of expanded investigative tools and sentencing enhancements in domestic terrorism matters. For example, judges can issue Nation-wide search warrants. Government attorneys have additional authority to share Grand Jury information. Congress has also created a rebuttable presumption of pretrial detention for offenses that are listed as Federal crimes of terrorism, and then the sentencing guidelines then provide a significant sentencing enhancement for these offenses.

In my written testimony, I have provided a number of examples of recent domestic terrorism cases that we have brought. In many of these cases, we work with FBI to arrest and charge the individuals before violence occurred. Consistent with long-standing Department policy, our practice is always to charge and pursue the most serious, readily-provable offense available based on the facts of the case.

It is important to emphasize that we prosecute domestic terrorists for their criminal acts, not for their beliefs or based on their associations. In fighting domestic terrorism, we respect the Constitutional rights of freedom of speech, association, and assembly of all Americans. The FBI may not investigate solely on the basis of First Amendment protected activity.

With that, I will close, and I appreciate the opportunity to discuss these issues today, and I look forward to answering your questions.

[The prepared statement of Mr. Wiegmann follows:]

PREPARED STATEMENT OF BRAD WIEGMANN

MAY 8, 2019

Good morning Chairman Thompson, Ranking Member Rogers, and distinguished Members of the committee, and thank you for the opportunity to testify on behalf

of the Department of Justice. Protecting the American people from terrorism and other National security threats has long been the top priority of the Department. This includes protecting against both international and domestic terrorism.

Domestic terrorism continues to pose a significant threat to the public, as a number of recent attacks and plots amply demonstrate. In the United States, espousing an extremist ideology is not a crime, nor is expressing hateful views or associating with hateful groups. But where an individual tries to impose or promote an ideology through acts of violence, often on a mass scale, those acts can be among the most serious crimes we confront as a society. We have seen individuals conduct domestic terror attacks too many times, whether motivated by anti-government animus, racism, or other ideologies. At the Department of Justice, we are committed to protecting all Americans from such attacks, regardless of the motivation. No matter who is behind the violence and intimidation, we will use every tool at our disposal to deter and disrupt domestic terrorists and bring them to justice.

The FBI is the lead Federal agency for investigating domestic terrorist threats. In my testimony today, I will focus first on how the Department of Justice is organized to handle domestic terrorism cases, working in close collaboration with the FBI. I will then describe the legal authorities we rely on in prosecuting domestic terrorists. Last, I will explain how we have used those authorities in some of our recent cases.

# I.

On the front lines of our efforts to prosecute domestic terrorism as well as international terrorism are our 94 U.S. Attorney's Offices. Each U.S. Attorney's Office coordinates a group of Federal, State, and local law enforcement in the district, called the Anti-Terrorism Advisory Council ("ATAC"). The ATAC works in close partnership with its corresponding FBI Joint Terrorism Task Force ("JTTF") in each FBI field office across the country. The ATACs, in conjunction with the JTTFs, promote training and information sharing among Federal, State, and local law enforcement, as well as private-sector partners, in matters relating to terrorism, both international and domestic. This training and information sharing is critical because there are many more local law enforcement officers on the ground than there are Federal agents and they may be the first to come across individuals planning terrorist acts within their communities. We thus often have Federal, State, and local officials evaluating the same threats, including assessing whether Federal or State charges are available to disrupt them, with the goal being prevention of terrorist attacks before they occur. Each U.S. Attorney's Office has also designated a senior prosecutor to serve as the National Security/ATAC Coordinator. The National Security/ATAC Coordinator serves as the lead counterterrorism prosecutor for the district as well as the primary Point of Contact for the Department on terrorism matters. Many U.S. Attorneys' Offices have also designated National Security Sections or Units within the office that are specifically focused on counterterrorism and other National security matters. The National Security/ATAC Coordinator and other National security prosecutors in the U.S. Attorney's Offices are specially trained in domestic and international terrorism matters and work closely with the JTTFs to investigate and prosecute terrorism matters.

At Main Justice here in Washington, the National Security Division ("NSD") was created in 2006 to integrate, coordinate, and advance the Department's counterterrorism and other National security work Nation-wide. The National Security Division has a Counterterrorism Section with more than 40 attorneys, all of whom are equipped to work on both domestic and international terrorism cases in concert with U.S. Attorney's Offices. Those NSD attorneys include a Counsel for Domestic Terrorism and two domestic terrorism coordinators who focus on domestic terrorism cases. Our National Security Division is closely connected with the U.S. Attorney's Offices around the country for purposes of all terrorism matters. For example, NSD attorneys are notified and available to provide assistance when any domestic terrorism investigation or prosecution is initiated and when significant developments in those cases occur. They serve as important resources and partners in litigating legal issues and can also participate actively as co-prosecutors. Domestic terrorism cases share a core of practice, including common motions and defenses, which makes these attorneys' experience invaluable.

In addition, other divisions of the Department play an important role in countering domestic terrorism. The Civil Rights Division, for example, is responsible for overseeing the prosecution of hate crimes, some of which may also qualify as acts of domestic terrorism. Anti-Government extremists who are engaged in domestic terrorism sometimes refuse to pay taxes. The Tax Division is responsible for overseeing prosecution of tax offenses committed by such individuals.



Finally, a Domestic Terrorism Executive Committee (DTEC) reports to the Attorney General. The DTEC includes representatives of the U.S. Attorney's Offices, the National Security Division, other divisions of Main Justice, the FBI, DHS, and other law enforcement agencies. The DTEC provides a National-level forum for information sharing at the leadership level on domestic terrorism matters. Extensive collaboration within the Department, the whole Federal Government, and the Nationwide law enforcement community is vital to addressing the threat from domestic terrorism.

## II.

### A.

The Department of Justice has prosecuted individuals whose conduct involves domestic terrorism or a threat thereof using a range of criminal statutes. These include weapons charges, e.g., 18 U.S.C. §§ 922, 924; charges relating to use or possession of explosives, e.g., 26 U.S.C. §§ 5845, 5861; threat, hoax, or riot charges, e.g., 18 U.S.C. §§ 871, 875, 876, 1038, 2101; and charges proscribing attacks on Federal officials or facilities, e.g., id. §§ 111, 115, 351, 844, 930, 1114, 1361, 1751. Hate crimes charges, e.g., id. § 249, may be appropriate where individuals engage in domestic terrorism that is motivated by biases against a race, religion, ethnicity, or other specified factors. Arson, id. § 844, or specific charges relating to violence against animal enterprises, id. § 43, may apply to eco-terrorists or animal rights terrorists. Moreover, several statutes reach conduct that may be associated with terrorism, without regard to whether the offense itself involves domestic or international terrorism. These include statutes relating to aircraft sabotage, id. § 32; weapons of mass destruction, e.g., id. §§ 175, 175b, 175c, 229, 831, 832, 2332a, 2332h, 2332i; arson and bombing of Federal property, e.g., id. §§ 844, 2332a, 2332f; and causing injury or death to a Federal official, e.g. id. §§ 111, 115, 351, 1114, 1751; among others. And it is a crime to provide material support or resources to another knowing or intending that they be used in preparation for or carrying out certain terrorism-related offenses. Id. § 2339A.

We also work closely with our State and local partners to confront domestic terrorism. Some cases of domestic terrorism do not involve violations of Federal law, but are prosecuted by State and local authorities under State law. Other cases may involve violations of both Federal law and State law, and the State charge, in some circumstances, may be the most effective way to prosecute an individual. In those circumstances, we support our State and local partners where we can.

It is important to emphasize that we prosecute domestic terrorists for their criminal acts, not for their beliefs or based on their associations. In fighting domestic terrorism, we respect the Constitutional rights of freedom of speech, association, and assembly of all Americans. The FBI opens cases on suspected criminal violations, not ideologies. The FBI may not investigate solely on the basis of First Amendment-protected activity.

### B.

The criminal code also includes a definition of “domestic terrorism” that enhances our authority in cases involving this conduct. The definition covers activities that—

- (A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State;
- (B) appear to be intended—
  - (i) to intimidate or coerce a civilian population;
  - (ii) to influence the policy of a government by intimidation or coercion; or
  - (iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and
- (C) occur primarily within the territorial jurisdiction of the United States[.]

18 U.S.C. § 2331(5).

Where incorporated into other authorities, this definition provides us with an array of expanded investigative tools and sentencing enhancements in domestic terrorism matters:

- Judges can issue Nation-wide search warrants in cases involving domestic terrorism, just as they are authorized to do in cases involving international terrorism. Typically, judges can only issue warrants pertaining to their districts. This expanded authority reduces delays and burdens on investigations with regional or national scope. Fed. R. Crim. P. 41(b)(3).

- Judges may grant orders giving investigators greater access to certain educational and taxpayer records in domestic and international terrorism investigations. 20 U.S.C. § 1232g(j)(1)(A), 9573(e); 26 U.S.C. § 6103(i)(7)(C).
- Investigative and law enforcement officers have additional authority to share intercepted communications and derivative evidence, including with appropriate Federal, State, local, or foreign officials, when disclosing information revealing a threat of terrorism, including domestic terrorism. See 18 U.S.C. § 2517(8).
- Government attorneys also have additional authority to share grand-jury matter, including with those same officials, when disclosing information to prevent or respond to a threat of terrorism, including domestic terrorism. See Fed. R. Crim. P. 6(e)(3)(D).
- Some statutes, particularly ones relating to conduct that impedes our investigations, carry enhanced statutory maximums if the offense involves or is intended to facilitate domestic or international terrorism. See id. § 1001 (material false statements); id. § 1505 (obstruction of justice); see also id. § 1028 (fraudulent identification); cf. id. § 226 (including definition within an element of the offense for bribery affecting port security).

In addition, the criminal code contains a definition of “Federal crime of terrorism,” which means an offense that “is calculated to influence or affect the conduct of government by intimidation or coercion, or to retaliate against government conduct,” and violates one of the enumerated statutes prohibiting terrorism-related offenses, such as statutes related to weapons of mass destruction. 18 U.S.C. § 2332b(g)(5). That definition includes domestic as well as international terrorism. It enhances our authority with respect to investigations, detention, sentencing, and supervised release. Congress has extended the statute of limitations, id. § 3286, and created a rebuttable presumption of pretrial detention for the offenses listed in the definition of “Federal crime of terrorism,” id. § 3142(e)(3). The Sentencing Guidelines then provide a significant sentencing enhancement for offenses that involve, or are intended to promote, a “Federal crime of terrorism”—often increasing the guideline range to the statutory maximum. See USSG § 3A1.4. The Sentencing Guidelines also provide for a similar upward departure for other offenses that were calculated to influence or affect the conduct of government by intimidation or coercion, to retaliate against government conduct, or to intimidate or coerce a civilian population. See id. cmt. n.4. Further, once a sentence has been served, Congress has authorized lifetime supervised release for the offenses listed in the definition of “Federal crime of terrorism,” see 18 U.S.C. § 3583(j), which helps to prevent recidivism.

### III.

As noted above, the Department’s goal is to stop terrorist attacks before they occur, and to bring the perpetrators of such attacks to justice. While we do not always succeed in preventing attacks, we will use whatever legal authorities are available in support of this objective.

Our U.S. Attorney’s Offices and National Security Division have worked together in recent cases to bring charges under a variety of terrorism-related statutes, including ones prohibiting weapons of mass destruction. In several, we have disrupted, prosecuted, and convicted domestic terrorists before violence occurred:

- David Ansberry was arrested in October 2016 after placing an improvised explosive device (IED) in the parking lot of the Nederland, Colorado Police Department, believing that law enforcement had murdered a member of a 1960’s–1970’s counterculture group of which he had also been a member. He was indicted for use and attempted use of a weapon of mass destruction, in violation of 18 U.S.C. § 2332a. Ansberry pleaded guilty and, in January 2019, was sentenced to 27 years.
- Jerry Varnell was arrested in August 2017 after trying to detonate an inoperable Vehicle-Borne Explosive Device at the BancFirst building in downtown Oklahoma City to send an anti-government message. He was indicted for attempting to use a weapon of mass destruction, in violation of 18 U.S.C. § 2332a, and attempting to destroy by fire or explosive a property used in interstate commerce, in violation of 18 U.S.C. § 844(i). Varnell was convicted on both counts in February 2019.
- Cesar Sayoc was arrested in October 2018 for mailing 16 IEDs to 13 victims throughout the United States, including Democratic politicians and a media outlet. He was charged in the Southern District of New York with use of a weapon of mass destruction, in violation of 18 U.S.C. § 2332a; interstate transportation of explosives, in violation of 18 U.S.C. § 844(d); threatening interstate communications, in violation of 18 U.S.C. § 875(c); illegal mailing of explosives,

in violation of 18 U.S.C. § 1716(j)(2); and use of explosives to commit a felony, in violation of 18 U.S.C. § 844(h). Sayoc pleaded guilty in March 2019.

We continue to work on pending domestic terrorism cases as well:

- William Allen was arrested in October 2018 for allegedly sending threatening letters to the President, Secretary of Defense, director of the CIA, director of the FBI, Secretary of the Air Force, and chief of Naval Operations. He was indicted in Utah for threatening to use a biological toxin, ricin, as a weapon, in violation of 18 U.S.C. § 175(a); mailing a threat against the President, in violation of 18 U.S.C. § 871(a), and mailing threatening communications to an officer or an employee of the United States, in violation of 18 U.S.C. § 876(c).
- In late 2018, Robert Rundo, Robert Boman, Tyler Laube, and Aaron Eason were indicted in the Central District of California for rioting, in violation of 18 U.S.C. § 2101, and conspiring to riot, in violation of 18 U.S.C. § 371. Benjamin Daley, Thomas Gillen, Michael Miselis, and Cole White were indicted in the Western District of Virginia in connection with the same conduct. They are purported members of the White supremacist group Rise Above Movement, and are alleged to have assaulted multiple people at political rallies, including at the Unite the Right rally in Charlottesville, Virginia. Some have pleaded guilty.
- Joseph Dibee, an alleged environmental extremist and member of a group known as “The Family,” was indicted in 2006, along with 12 co-conspirators in California, Oregon, and Washington. “The Family” has been linked to over 40 criminal acts and \$45 million in property damage. Dibee was charged with arson, conspiracy to commit arson, conspiracy to destroy an energy facility, and other offenses, in violation of 18 U.S.C. §§ 371, 844(f), (i), (n), 924(c), and 1366. He was returned from Cuba to the United States in August 2018, and his trial is set for October 2019.

In addition, the Department’s Civil Rights Division has worked with U.S. Attorney’s Offices and the National Security Division to pursue domestic terrorism cases involving hate crimes or violations of civil rights statutes. In 2016, Curtis Allen, Patrick Stein, and Gavin Wright were arrested for plotting to attack an apartment complex and mosque used by Somali immigrants in Kansas. Last year, they were convicted of conspiracy to use a weapon of mass destruction, in violation of 18 U.S.C. § 2332a—a terrorism-related offense—as well as conspiracy to violate the housing rights of their victims, in violation of 18 U.S.C. § 241. They received sentences between 25 and 30 years.

The Civil Rights Division has led other domestic terrorism cases involving civil rights charges too, including some of the most serious attacks in recent years:

- In June 2015, Dylann Roof killed 9 African-American parishioners engaged in religious worship and Bible study at Emmanuel African Methodist Episcopal Church in Charleston, South Carolina. In December 2016, he was convicted of 33 counts of Federal hate crimes, civil rights, and firearms charges, including 9 capital counts of obstruction of exercise of religion resulting in death, in violation of 18 U.S.C. § 247, and 9 capital counts of use of a firearm to commit murder during and in relation to a Federal crime of violence, in violation of 18 U.S.C. § 924. In January 2017, the jury sentenced Roof to death on all 18 capital counts. The sentence of death has been imposed by the court but not yet carried out.
- In August 2017, James Fields Jr. intentionally drove a car into a diverse crowd of counter-protestors at the Unite the Right rally in Charlottesville, Virginia, killing 1 woman and injuring dozens. In March 2019, he pleaded guilty to 1 count of a hate crime act that resulted in death and 28 other hate crimes charges, all in violation of 18 U.S.C. § 249. He has not yet been sentenced, but each of the 29 counts carries a maximum sentence of life imprisonment.
- In October 2018, Robert Bowers killed 11 Jewish congregants gathered to engage in religious worship at the Tree of Life Synagogue in Pittsburgh, Pennsylvania, according to the indictment. Bowers has been indicted with 63 counts of hate crimes and firearm offenses, including 11 counts of obstruction of free exercise of religious beliefs resulting in death, in violation of 18 U.S.C. § 247, and 11 counts of use and discharge of a firearm to commit murder during and in relation to a crime of violence, in violation of 18 U.S.C. § 924.

The Department also supports efforts to prosecute domestic terrorists under State and local laws. For example, in 2013, the Department secured the first conviction under the District of Columbia’s Anti-Terrorism Act. Floyd Corkins was charged for an attempted shooting at the Family Research Council. He was motivated based on disagreement with the organization’s stance against gay marriage. He was sentenced to 25 years. Our State and local partners have been successful in prosecuting domestic terrorism cases too. For example, in January 2019, James Jackson pleaded guilty to New York State offenses of murder, terrorism, hate crimes, and weapons

offenses relating to a racially-motivated stabbing of an African-American man. In February, he was sentenced to life in prison.

Some domestic terrorists never get prosecuted because they die in the course of their attack. In July 2016, Micah Johnson killed 5 police officers in Dallas, Texas, out of racial animus in the deadliest incident for U.S. law enforcement since 9/11. Later that month, Gavin Long shot 6 police officers in Baton Rouge, Louisiana, killing 3. In June 2017, James Hodgkinson wounded 4 people at a Congressional baseball practice, including House Majority Whip Steve Scalise. The perpetrators died in those cases, but the Department's role continued. When domestic terrorists are killed during their attacks, the Department's Main Justice divisions and U.S. Attorney's Offices will assist the FBI and other law enforcement to run down possible leads, including any domestic conspirators or copycats.

In recent weeks, we have been seeing a disturbing trend, set off by the mass shooting in Christchurch, New Zealand, in which religiously motivated or racially-motivated violent extremists seek to outdo one another by targeting innocent people, purportedly inspired by or retaliating for prior attacks. The tragic attack at the Chabad of Poway synagogue and the planned bombing in Southern California are two examples. The Department's Main Justice Divisions and U.S. Attorney's Offices have been assisting the FBI and local law enforcement with those cases and will continue to do so. Domestic terrorism cases are top priorities.

The Department is committed to using every tool, and working with every partner, to fight domestic terrorism. I appreciate the opportunity to discuss these issues with you, and I would be pleased to answer your questions.

Chairman THOMPSON. Thank you very much.

The Chair now recognizes Mr. McGarrity.

**STATEMENT OF MICHAEL C. MCGARRITY, ASSISTANT DIRECTOR FOR THE COUNTERTERRORISM DIVISION, FEDERAL BUREAU OF INVESTIGATION, U.S. DEPARTMENT OF JUSTICE**

Mr. MCGARRITY. Good morning, Chairman Thompson, Ranking Member Rogers, and Members of the committee. Thank you for the opportunity to appear before you today.

As Chairman Thompson mentioned earlier, my name is Mike McGarrity. I am the assistant director of the FBI's Counterterrorism Division. I have the unique honor and privilege to represent all the men and women that work counterterrorism with the FBI on our Joint Terrorism Task Forces around the Nation. I will be providing an overview of the FBI's efforts to counter domestic terrorism by explaining what we do and how we do it.

The FBI is the lead Federal agency for investigating terrorism. The FBI categorizes terrorism investigations into two main categories, international terrorism, and domestic terrorism. International terrorism includes members of designated foreign terrorist organizations, FTOs, state sponsors of terrorism, and home-grown violent extremists or HVEs.

Domestic terrorists are individuals who commit violent criminal acts in furtherance of ideological goals, stemming from domestic influences such as racial bias and anti-Government sentiment. Despite the many similarities, the FBI distinguishes domestic terrorism extremists from home-grown violent extremists in that the latter are global Jihad-inspired while domestic terrorists' inspiration emanates from domestic influences like racial bias or anti-authority.

The FBI organizes domestic terrorism into four categories. First, racially-motivated violent extremism is defined by the FBI as threats derived from bias related to race held by the actor against others. These threats are often directed at religious or racial minorities. Anti-government, anti-authority extremism is defined as

threats advocating for ideology contrary to established government systems such as anarchistic extremism, militia extremism, and sovereign citizen extremism.

Third, animal rights and environmental extremism is defined as threats derived from a belief that criminal actions are necessary to end cruelty and exploitation of animals and the environment. The fourth, abortion extremism is defined as threats derived from both pro-life and pro-choice individuals who seek to advance their social and political agenda wholly or in part through the force of violence or in violation of Federal law.

While domestic terrorism activity may fall outside of these four categories, the vast majority of our investigations can be characterized as one of the above. Domestic terrorism, as previously stated, is defined by Federal statute 18 USC 2331, Section 5. It is important to note that no investigation can be open based solely on First Amendment-protected activity. This includes hateful rhetoric and participation in rallies and protests.

The FBI assesses domestic terrorists collectively posing persistent and evolving threat of violence and economic harm to the United States. In fact, there have been more arrests and deaths in the United States caused by domestic terrorists than international terrorists in recent years. Individuals affiliated with racially-motivated violent extremism are responsible for the most lethal and violent activity.

Racially-motivated violent extremists are responsible for the majority of lethal attacks and fatalities perpetrated by domestic terrorists since 2000. Tactics and trends within individual movements continue to evolve, but most drivers for domestic terrorists remain constant. These include perceptions of Government or law enforcement overreach, racial tensions, socio-political conditions, and reactions to legislation.

Radicalization of domestic terrorists primarily occurs through self-radicalization on-line which can sometimes present mitigation difficulties for law enforcement to identify, detect, and disrupt. The internet and social media enables individuals to engage other domestic terrorists without face-to-face meetings.

We have seen devastating attacks committed by domestic terrorists in recent months, most recently, the shootings in the synagogue in California, and the synagogue in Pennsylvania. In 2018, domestic violence extremists conducted 6 lethal attacks, killing 17 victims. In 2017, domestic violent extremists conducted 5 lethal attacks, killing 8 victims.

Central to our effort to combat terror attacks is the Joint Terrorism Task Force model. We work hand-in-hand with Federal, State, and local agencies to effectively combat the threat. In fact, 50 percent of our domestic terrorism investigations are open based upon information received from either the public or from referrals from our partners on the Federal, State, and local side.

Despite successes that result from the hard work of men and women of the FBI, our JTTFs and our partners across the Government, domestic terrorism continues to pose a persistent threat to the homeland. We currently have 850 predicated domestic terrorism investigations. As we just saw a few weeks ago in Cali-

ifornia, the threat of domestic terrorism exists in every region of the United States and affects all walks of life.

Our commitment to you and to our fellow citizens is that we will continue to confront the threat posed by domestic terrorists with determination and dedication to our mission to protect the American people and uphold the constitution of the United States.

Thank you again for the opportunity to appear before you today. The men and women of the FBI are grateful for the support that you have provided us and continue to provide. I look forward to answering any questions you might have.

Thank you.

[The prepared statement of Mr. McGarrity follows:]

PREPARED STATEMENT OF MICHAEL C. MCGARRITY

MAY 8, 2019

Good morning, Chairman Thompson, Ranking Member Rogers, and Members of the committee. Thank you for the opportunity to appear before you today. I welcome the opportunity to discuss the FBI's efforts to combat the threat posed by domestic terrorism. While the threat posed by terrorism has evolved significantly since 9/11, preventing terrorist attacks from foreign and domestic actors remains the FBI's top priority. We face persistent threats to the homeland and to United States interests abroad from foreign terrorist organizations ("FTO"), home-grown violent extremists ("HVE"), and domestic terrorists, also referred to as domestic violent extremists. The threat posed to the United States has expanded from sophisticated, externally-directed plots to include individual attacks carried out by HVEs, who are inspired by FTOs to take action within the United States. We now see similar insular, self-radicalized actors in the domestic terrorism realm.

The FBI categorizes terrorism investigations into two main programs: International terrorism and domestic terrorism. International terrorism includes cases in which subjects are members of designated FTOs, state sponsors of terrorism, and HVEs. The latter are individuals inside the United States who frequently are inspired by what we refer to as global jihad, who have been radicalized primarily in the United States, and who are not receiving individualized direction from FTOs. Domestic terrorists are individuals who commit violent criminal acts in furtherance of ideological goals stemming from domestic influences, such as racial bias and anti-government sentiment.

Our operational tempo has risen significantly in the last few years and has remained high. Still, we, along with our law enforcement partners, face significant challenges in identifying and disrupting HVEs and domestic terrorists who seek to perform terrorist attacks within the United States. This is due, in part, to the ease of on-line self-radicalization to violence and the corresponding lack of direct connections between unknown radicalized violent extremists and known terrorists or FTOs, which shortens the window of opportunity for our investigative teams to identify and disrupt an individual before that individual decides to act.

Domestic terrorism is defined by statute as any act dangerous to human life that violates U.S. criminal laws and appears to be intended to intimidate or coerce a civilian population, influence the policy of a government by intimidation or coercion, or affect the conduct of a government by mass destruction, assassination, or kidnapping. The act in question must occur primarily within the jurisdiction of the United States. We believe domestic terrorists pose a present and persistent threat of violence and economic harm to the United States; in fact, there have been more arrests and deaths caused by domestic terrorists than international terrorists in recent years. We are most concerned about lone offenders, primarily using firearms, as these lone offenders represent the dominant trend for lethal domestic terrorists. Frequently, these individuals act without a clear group affiliation or guidance, making them challenging to identify, investigate, and disrupt.

The FBI classifies domestic terrorism threats into four main categories: Racially Motivated Violent Extremism; Anti-Government/Anti-Authority Extremism; Animal Rights/Environmental Extremism; and Abortion Extremism. The drivers of these domestic violent extremists include perceptions of government or law enforcement overreach, socio-political conditions, and reactions to legislative actions, and they remain constant. Although domestic terrorism activity may fall outside of these four categories, the vast majority of our investigations can be characterized as one of the

above. We anticipate racial minorities, the U.S. Government, and law enforcement will continue to be significant targets for many domestic terrorists. Domestic terrorists have targeted law enforcement officers both proactively and directly as primary targets, as well as reactively, within the context of routine duties or other law enforcement encounters. Individuals adhering to Racially Motivated Violent Extremism ideology have been responsible for the most lethal incidents, however, and the FBI assesses the threat of violence and lethality posed by Racially Motivated Violent Extremists will continue.

Radicalization to violence of domestic terrorists is increasingly taking place online, where violent extremists can use social media for the distribution of propaganda, recruitment, target selection, and incitement to violence. Through the internet, violent extremists around the world have access to our local communities to target and recruit and spread their messages of hate on a global scale, as we saw in the recent attack in Christchurch, New Zealand. In recent years, we increasingly have seen domestic terrorists communicating with like-minded individuals overseas and the domestic terrorists traveling to meet with these individuals. The increasingly global nature of the threat has enabled violent extremists to engage other like-minded individuals without having to join organized groups. We are working with our foreign partners to investigate subjects in their countries who may be radicalizing Americans to take violent action inside this country.

In line with our mission to protect the American people and uphold the Constitution of the United States, no FBI investigation can be opened solely on the basis of First Amendment-protected activity. Thus, the FBI does not investigate mere association with groups or movements. In order to predicate a domestic terrorism investigation of an individual, the FBI must have information that the individual is perpetuating violent, criminal actions in furtherance of an ideology.

As the threat to harm the United States and United States' interests evolves, we must adapt to and confront these challenges, relying heavily on the strength of our Federal, State, local, Tribal, territorial, and international partnerships. Along with our domestic and foreign partners, we constantly collect and analyze intelligence concerning the on-going threats posed by FTOs, HVEs, and domestic terrorists. We also continue to emphasize the importance of information sharing with Federal, State, local, Tribal, and territorial agencies assigned to our Joint Terrorism Task Forces around the country, and with our military and international partners.

Chairman Thompson, Ranking Member Rogers, and Members of the committee, thank you for the opportunity to testify concerning the evolving terrorism threat to the homeland. Be assured the FBI continues to strive to work and share information more efficiently, and to utilize all lawful investigative techniques and methods to combat these terrorist threats to the United States. We are grateful for the support that you and this committee have provided to the FBI. I look forward to answering any questions you might have on this topic.

Chairman THOMPSON. Thank you very much.

The Chair now recognizes for 5 minutes Mr. Murphy.

**STATEMENT OF BRIAN MURPHY, PRINCIPAL DEPUTY UNDER SECRETARY FOR THE OFFICE OF INTELLIGENCE AND ANALYSIS, U.S. DEPARTMENT OF HOMELAND SECURITY**

Mr. MURPHY. Thank you, Chairman Thompson, Ranking Member Rogers, and Members of the committee, thank you for the opportunity to present to you today the DHS intelligence enterprise efforts to ensure that all forms of violence, that are threats to the Homeland Security, are being addressed.

I can assure the committee and the American public that throughout the careful calculus of balancing resources and adapting to an ever-changing threat landscape, DHS remains acutely focused on the threat from domestic terrorism.

Domestic terrorism threat to the homeland may come from a diverse range of movements. As you have heard from my FBI colleagues, and as described before, the lone actors from those movements subscribing to these ideologies pose the greatest threat to the homeland due to their ability, in many instances, to remain un-

detected by law enforcement and to operational and their general willingness to attack soft targets with simple weapons.

The DHS intelligence enterprise constantly evaluates how to improve our ability to provide information and intelligence to a wide array of partners as fast as we can, and I compliment the U.S. Government efforts to combat all threats to the homeland, ensuring at the same time that our finite resources are best aligned and not being applied in a manner that duplicates the efforts of our partners.

To that end, in 2018, the Department established mission centers to drive the integration of intelligence across the DHS enterprise and look at threat streams as they come at us, and this includes counterterrorism.

My testimony today will outline the holistic and agile manner in which we continue to apply resources against the serious threat of domestic terrorism while avoiding unnecessary duplications.

The importance of an integrated and collaborative approach cannot be understated in today's CT environment as we enter the post-September 11 era, and CT investments across the Government are being reconsidered, and in some cases, reallocated against developing threat streams such as foreign influence, cybersecurity, and transnational organized crime.

Of note, CT practitioners across the Government recognize that the threat from CT is not going away. The ability to execute this demanding mission remains the same, and the future of CT efforts are based on efficient interagency modelling.

Historically, as noted by the FBI and the Department of Justice, the FBI has been well-positioned to produce intelligence on domestic terrorism and hate crimes. They lead for the U.S. Government domestic terrorism and hate crimes investigations, and the FBI owns a preponderance of the information and resources to support these investigations and analysis.

For that reason, DHS domestic terrorism-related intelligence production was sometimes used as duplicative as we relied on the data from our colleagues. We have now transitioned to a more active intelligence phase and are producing more original and unique reporting. As part of our establishment of mission centers, we now have a 24/7 open-source collection team which was established to identify potential threats to intelligence.

Due to this shift, the DHS intelligence enterprise increased open-source collection and reporting on domestic terrorism. As a result, our increase in production has risen by 40 percent on this issue since last fiscal year. We have done this and still kept our finished intelligence products consistent since 2014.

Overall, I believe fiscal year 2018 represents the highest level of production ever achieved by the Department in the domestic terrorism context. Additionally, the number of personnel assigned and supporting the domestic terrorism portfolio has substantially increased. For example, we maintain a robust presence in the field that engage with all our State and local partners. They are forward deployed at fusion centers and among our police colleagues and work on JTTFs throughout the country.

Additionally, through the Homeland Security Information Exchange, or as I will call HSIN-Intel, we enable the sharing of prod-



ucts and information between all levels of government. HSIN-Intel is utilized by over 4,000 professionals across the country and includes over 40,000 products on a range of Homeland Security threat issues, and that includes domestic terrorism.

Since 2016, we have increased that number of products by approximately 64 percent of the number of products shared. We measure the effectiveness of these products. In fiscal years 2017 and 2018, we saw a 325 percent increase in terms of how these products and how often they are being viewed. Additionally, feedback from the products we post receive above 90 percent in terms of how they are viewed in their usefulness to our partners.

Last, we have recently announced internal to our internal intelligence enterprise to realign our efforts, and we are introducing a new program to enhance reporting of tips and leads to partnerships with our colleagues here regarding potential mass shooting casualty events, links to terrorism, and other incidents.

Last, I appreciate the opportunity to appear before you today and represent the men and women of DHS pending your questions. Thank you.

[The prepared statement of Mr. Murphy follows:]

#### PREPARED STATEMENT OF BRIAN MURPHY

Chairman Thompson, Ranking Member Rogers, Members of the committee, thank you for the opportunity to present to you the U.S. Department of Homeland Security (DHS) Intelligence Enterprise efforts to ensure that all forms of violence that are a threat to homeland security are being addressed regardless of ideological motivation. I am pleased to be here today with my colleague, Mr. Michael McGarrity, assistant director for counterterrorism from the Federal Bureau of Investigation (FBI), to discuss our coordinated efforts to combat the threat from domestic terrorism. Alongside its interagency partners, DHS remains committed to preventing all forms of terrorism, both international and domestic, as well as preventing acts of targeted violence that threaten homeland security.

Before detailing our efforts against the threat, I would like to begin by responding directly to recent inaccurate press reporting that DHS has dramatically reduced its efforts on domestic terrorism.

I can assure the committee and the American public that throughout the careful calculus of balancing resources and adapting to an ever-changing threat landscape, DHS remains acutely focused on the threat from domestic terrorism.

The domestic terrorism threat to the homeland may come from a diverse range of movements—including, but not limited to, racially motivated extremism, militia extremism, anarchist extremism, sovereign citizen extremism, environmental and animal rights extremism, anti-abortion extremism, and anti-government extremism. Lone actors subscribing to these ideologies pose the greatest threat to the homeland due to their ability, in many instances, to remain undetected by law enforcement until operational and their general willingness to attack soft targets with simple weapons, as in the October 2018 White supremacist extremist shooting at a Pittsburgh, Pennsylvania synagogue and the most recent synagogue attack in Poway, California.

The DHS Intelligence Enterprise constantly evaluates how to improve our ability to provide information and intelligence to a wide array of partners that compliment U.S. Government (USG) efforts to combat all threats to the homeland, ensuring that our finite resources are best aligned and not being applied in a manner that duplicates the efforts of our partners. To that end, in 2018 the Department established Mission Centers to drive the integration of intelligence across align to threat streams affecting the homeland—including counterterrorism (CT).

My testimony today will outline the holistic and agile manner in which we continue to apply resources against the serious threat of domestic terrorism while avoiding unnecessary duplication.

The importance of an integrated and collaborative approach cannot be understated in today's CT environment as post-September 11 CT investments across the USG are being re-considered and in some cases re-allocated against developing threat streams such as foreign influence, cybersecurity, and transnational crime. Of

note, CT practitioners across the Government recognize that the CT threat is not going away, as much as the other threat streams are gaining pace. The ability to execute the demanding CT mission of the future will be based on efficient inter-agency/departmental models more so than new resources.

Historically, the FBI has been well-positioned to produce intelligence on domestic terrorism. As the USG lead for domestic terrorism investigations, the FBI owns the preponderance of domestic terrorism information and had the requisite resources to support analyzing that data. For that reason, DHS domestic terrorism related intelligence production was sometimes viewed as duplicative as we relied on that data for our analysis.

DHS decided that it should pivot to reporting on domestic terrorism to better support the National Strategy for Counterterrorism, enable DHS to more effectively coordinate our resources and capabilities, and better serve the needs of States and local communities that rely on the rapid production of information to combat this threat. The change in approach was also coordinated with a wide range of inter-agency and State and local law enforcement partners.

DHS and the FBI have improved collaborative efforts, increased our effectiveness, and even increased in several instances, the resources DHS utilizes to produce effective intelligence that anticipates threats in the pursuit of preventing these types of attacks on the American people. Specifically, we have significantly increased our open-source collection against domestic violent extremist groups. We have also been working with our partners in the FBI to provide context on the domestic terrorism threat with particular attention to tactics and techniques domestic violent extremists utilize to conduct their attacks. For example, in the wake of the horrific shootings in San Diego we supported the DHS Office for Civil Rights/Civil Liberties on an unclassified conference call with members of the faith-based community Nation-wide to provide them information and context on the threats to religious facilities and best practices for securing their facilities.

The DHS Intelligence Enterprise recognizes the importance of executing its mission against domestic terrorism and has allocated resources appropriately to lead and support efforts against this threat stream. In order to meet the CT requirements of today and tomorrow, the Department's Counterterrorism Mission Center (CTMC) uses a plan based upon interagency relationships, personnel deployments, and de-confliction. To that end, the CTMC has, or plans to deploy personnel to the National Counterterrorism Center, the FBI, and the DHS components within the DHS Intelligence Enterprise with CT equities to better meet customer requirements.

As noted, the Office of Intelligence and Analysis (I&A) previously produced domestic terrorism analytic intelligence products primarily based off information from other agencies for consumption by our State and local partners. While I&A still facilitates information sharing with those partners, we have focused on continued collaboration with the FBI and other CT partners at the Federal level on these finished intelligence products. Additionally, we have now transitioned to a more active intelligence phase and are producing more original and unique reporting. As part of the establishment of Mission Centers, a 24/7 open-source collection team was established to identify potential threat intelligence. Due to this shift, the DHS Intelligence Enterprise has increased open source collection and reporting on domestic terrorism. As a result, I&A has produced over 250 analytic and tactical intelligence products related to domestic terrorism last fiscal year and is on pace for similar production this fiscal year.

In addition to this enhanced open-source collection effort, we maintain a robust presence in the field that engages with our State, local, Tribal, territorial, and private sector (SLTTP) partners and continues to expand reporting on domestic terrorism. The DHS Intelligence Enterprise executes this mission through its Field Operations Division (FOD), which is comprised of over a hundred intelligence operations specialists forward deployed to State and major urban area fusion centers and other strategic locations Nation-wide. Through continued engagement and integration with SLTTP partners in the field, FOD personnel work tirelessly to execute the intelligence cycle at the local level. This effort includes conducting intelligence collection and reporting, strategic intelligence analysis, and intelligence dissemination in an effort to further strengthen local information sharing.

We are actively engaged with partners throughout the public and private sectors.

Through the Homeland Security Information Network—Intelligence (HSIN—Intel), I&A enables the sharing of products and information between all levels of government. HSIN—Intel is utilized by over 4,000 professionals across the country, and includes over 40,000 products on a range of homeland security threats to include domestic terrorism.

In addition, we have recently announced plans to utilize existing resources to develop a National Threat Evaluation and Reporting (NTER) program to enhance the reporting of tips and leads associated with potential mass casualty events linked to terrorism and mass casualty incidents involving targeted violence threatening homeland security in the United States. The effort advances our partners' abilities to identify, evaluate, and report certain violent behaviors, and builds on the success of the Nation-wide Suspicious Activity Reporting Initiative (NSI). As currently envisioned, the NTER Program will train partners to identify and evaluate homeland security threats where victims in mass casualty events are chosen because of their race, religion, or ethnicity. We believe NTER could prove a valuable tool for our partners across both the public and private sectors in preventing domestic terrorism.

CTMC also plays an integral role in terrorism prevention efforts across DHS, and will expand upon current opportunities with the newly-established Office for Targeted Violence and Terrorism Prevention in the DHS Office of Strategy, Policy, and Plans. Information requirements from the DHS prevention office routinely are ingested directly by CTMC, which serves as the conduit to produce and/or procure and provide requested information. DHS intelligence recently assigned a liaison officer to the Office of Strategy, Policy, and Plans to enhance the identification of DHS and interagency intelligence information necessary to inform policy, including on domestic terrorism.

The DHS Office for Civil Rights and Civil Liberties (CRCL) leads the execution of Incident Community Coordination Team (ICCT) National calls in response to incidents of National significance. The focus is to provide information about available Federal resources including infrastructure protection, non-profit security grant programs, active-shooter training, and mechanisms to communicate and coordinate with the appropriate Federal agencies. These calls are open to stakeholder organizations and agencies nationally, includes Federal, State, and local partners, as well as faith-based community partners. CRCL has recently activated ICCT calls following the attack on the Tree of Life Synagogue in Pittsburgh, PA, the attacks on Mosques in Christchurch, New Zealand, and the attacks in Sri Lanka.

Through the Department's Cybersecurity and Infrastructure Security Agency (CISA), participants on these calls receive information on risk mitigation solutions that are available to address a wide range of attack methods. CISA Protective Security Advisors also engage directly with owners and operators of facilities, including places of worship, schools, commercial facilities, and others to conduct vulnerability assessments and support the enhancement of security procedures to better position facilities to mitigate the impacts of an attack, or prevent them altogether.

I would like to conclude by again assuring the committee that DHS remains focused on protecting the American people against the threat from domestic terrorism and violence in all forms. I am proud of the work that is performed by DHS intelligence professionals in this space, and the contribution we make every day to the difficult work our Federal, State, local, Tribal, and territorial partners perform in combatting this threat. Thank you for your time, and I look forward to our discussion on this critical topic.

Chairman THOMPSON. Thank you very much.

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

One of the reasons for having this hearing is since 2005, we have not had the production of domestic terrorism data available, not just to this committee but to the public. So what we are trying to do is get from an informational standpoint what is out here. From what I have heard from the witnesses today, it has been very good in terms of what you know.

One of the things I want to do as a takeaway from this hearing, as I indicated in my opening statement, is to make sure that if it is a resource issue for the Department that you can't produce this information, then we need to make those resources—and I am talking to Mr. McGarrity in terms of the FBI providing that data because for Members of this committee, we need to understand what the threat is, if it is changing, and those kind of things. So I thank you for that information.

One of the more looming comments you made is that there is some 850 investigations under way. You know, that tells me you are doing your job. But as important in the history of this committee is we have always had access to this information, some of it in a Classified setting for over 10 years, and the Department now has pulled back on that. I am indicating that we would still like to have the briefings on a monthly basis from the Department on these and any other areas that you think might be beneficial to us, but not to have this information doesn't allow us the full breadth of what we need.

Some of the Members have been on the committee and have participated in the briefings, and they have been very helpful, and so we are going to renew that effort to try to get you to the briefings to share that information with the committee.

Now, the last briefing we did have, we asked for certain information. It was over 5 weeks ago, and we just got it yesterday. That is too long, and we need to work out a process that when there are get-backs relative to whatever, those get-backs come within a reasonable period of time. We are not asking for information that's not currently available.

So if you can assure the committee to the extent practicable, Mr. McGarrity, that on that kind of data you will make it available to us, I would appreciate it.

Mr. MCGARRITY. Chairman, just first, as far as what we did provide that you received on Monday, please take a look at it. We are certainly open to a conversation as to the details that we are giving if that is helpful or not, so certainly my commitment is to make that product and see if there is anything else that would be beneficial.

As far as the monthly briefings, certainly working with our Congressional Affairs Office in the Department of Justice to have that dialog. We will continue to do that and see if that is appropriate.

Chairman THOMPSON. Thank you very much.

Mr. Wiegmann, thank you for the prosecutions that you all have generated over time. Are there any resources identified or you lack to continue to pursue those prosecutions?

Mr. WIEGMANN. No, sir. Not at this time.

Chairman THOMPSON. Can you share the demographics of the prosecutions with the committee?

Mr. WIEGMANN. Share information concerning the cases that we bring? Is that what you mean?

Chairman THOMPSON. Yes.

Mr. WIEGMANN. Sure. Yes, we can. Consistent with, you know, if there are cases under seal and obviously there can be exceptions about what type of information we can share, but absolutely we can share information about the cases that we have brought.

Chairman THOMPSON. So I am really talking about the cases that you have prosecuted, not the ones that you are looking to prosecute.

Mr. WIEGMANN. That is right. Our charges are public, and so we can make those—

Chairman THOMPSON. Can you make that available to us?

Mr. WIEGMANN. We can.

Chairman THOMPSON. So Mr. McGarrity, let me again compliment what you do on providing this information, but one of the challenges we have is the changing of the threat landscape. When we first started as a committee, we were focused on the international terrorist threat to the homeland. Over time, it appears that that threat, based on testimony, is changing to a different threat. Nonetheless, it is still the homeland. I would reaffirm the committee's interest in having access to that kind of information so if there are some policy changes we need to implement, we could have access to that data in a reasonable period of time.

Again, I am going to do the legislation to provide the resources to help the Department produce that legislation, that information that you used to do up until 2005. But I just—it is just a comment.

I yield back to the Ranking Member for 5 minutes.

Mr. ROGERS. Thank you, Mr. Chairman.

The Trump administration released an updated National strategy for counterterrorism in October of last year, and for the first time, the strategy includes domestic terrorism. How significant is the inclusion of domestic terrorism in the National strategy for counterterrorism?

Mr. McGarrity.

Mr. MCGARRITY. Sure. I have been working this obviously since 9/11, and it is the first time I am aware that domestic terrorism is included in the National security tragedy.

Mr. ROGERS. What does that mean for you?

Mr. MCGARRITY. What does that—so from that point, first, it is in there, so whatever we talk about, I think everyone would agree it is what we are focused on, right, so we are highlighting that there is a domestic terrorism threat, that it is persistent. In fact, the strategy actually calls out that domestic terrorism notably is on the rise. What we are seeing and we see now in the international terrorism side and we are seeing it on the domestic terrorism side, we are seeing an evolution of the threat from what we perceive the threat used to be.

What I mean by that, on the international terrorism side, we certainly still have al-Qaeda, AQAP, ISIS. What we have and what we have seen in the last 4 to 5 years is the home-grown violent extremist threat where someone can get on the internet and self-radicalize. We are seeing that same type of threat in the domestic terrorism world where individual actors, lone wolves, insular-type people can find their ideology to justify their violence and their actions on line. So we are actually seeing similar-type threats within the homeland that we, frankly, have not seen in this regard if you look 20 years ago, and part of that is due to the internet to be able to become radicalized fairly quickly and then mobilize to that violence quickly. We are seeing it both on the international terrorism side where there are HVEs and our domestic terrorism, lone actors.

Mr. ROGERS. You made that point that you weren't seeing it 20 years ago. When did you start seeing this phenomenon occur where they were adopting—domestic terrorists were adopting the techniques of international terrorist to radicalize people? Was it 5 years ago, 10 years ago? When do you think it started occurring because it is a relatively recent phenomenon, or it seems to me.

Mr. MCGARRITY. I just would put it with the internet, sir, and social media, the ability of people all over to communicate without doing face-to-face meetings, so that same that we saw on the HVE side, we are seeing on the domestic terrorism side. I wouldn't say they are necessarily copying international terrorists and HVEs. I think they are just seeing the same platform and the medium that they can use to exploit and gain information that fits their ideology to pursue violence.

Mr. ROGERS. OK. Do you have any recommendations for what could be done to address the viral hate speech and incitement of violence found on fringe sites like 8chan and Gab, and that is for any of you?

You all don't have any suggestions for us? That is scary. We can't make policy without good advisement.

Mr. MCGARRITY. Sir. Sir, I would just add within the Department, we actively pursue forums that are available to the public where we see central acts of violence, and we are continuing to refine that and get better at it. We operate obviously within the corners of our civil rights, civil liberty, and privacy efforts, but those efforts are increasing. That was one of the things I think in the written statements that we provided as well as in my testimony today. Our numbers bear that out.

We continue to look at those areas where the domestic terrorism and other forms of violence aggregate and talk among themselves and spot and identify those, and we in the Department then provide that to the JTTF State and locals for enforcement, if appropriate.

Mr. ROGERS. Well, there has to be some point at which your right to free speech ends when you start threatening violence, particularly in a mass setting, so I think there is a place for policy to be implemented that can be helpful, and I do the job thinking about we can to do help you do your job more effectively.

I yield back, Mr. Chairman.

Chairman THOMPSON. Thank you very much.

The Chair recognizes the gentlelady from New Mexico, Ms. Torres Small.

Ms. TORRES SMALL. Thank you, Mr. Chair. Thank you all for being here. As you know, recently there has been an uptick in attacks against non-profit institutions, specifically faith-based organizations. These types of institutions are eligible for Federal funding to improve their physical security through FEMA's non-profit security grant program, and that is important.

For example, my church back home recently did a safety and security assessment only to find there were a lot of needs and no money to help fill those needs. The problem exists, however, where institutions located outside of urban area security initiative jurisdictions which traditionally have less resources and are unprepared for an attack usually have less access to Federal funds. That is why I was proud to support Chairman Thompson's recently introduced bipartisan legislation that would increase Federal funding for organizations outside of the WASI jurisdictions like many of the rural non-profit organizations in New Mexico.

Aside from Federal funding, information sharing between intelligence agencies and local law enforcement is essential to keep our

communities safe. Can you all please speak on how your respective agencies share information with law enforcement, houses of worship, and community centers, specifically in rural locations?

Mr. MCGARRITY. Thank you. Good questions. Certainly something we have been actively engaged on certainly over the last couple of years. We rely on the Joint Terrorism Task Force model obviously to work with our State, local, Federal partners and our Tribal partners as well. That mechanism, when you have two officers, task force officers and agents sitting with our analysts in the field in the local community is the best way to move the information quickly, and we will also do the same with our fusion cells.

How we move information now to the State and local partners, specifically threats or after an attack occurs, is through our joint intelligence bulletins. These are bulletins. When we go out from the FBI, we do it jointly, dual-sealed with the Department of Homeland Security, and we push them out.

So in the last year, in fiscal year 2018, we had an increase certainly from the year before, and in 2019, we are certainly well above where we were in 2018 in putting out these joint intelligence bulletins that go to State and local partners and fusion cells.

Specifically as to the faith-based organizations, I can tell you Mr. Murphy and I have been on several calls with our religious security officials set up either through DHS, where they are sponsoring the call, or the FBI where we get on the call specifically after an attack, and we will walk through different things on what we have seen, if there is any intelligence that is out there, and we have done that.

We rely on our partnerships. We at the FBI send both locally and through our Special Agent in Charge on the Joint Terrorism Task Force working with our local police, State locals to go out to the religious community and make sure we are engaged with them at the local level because even though there are National threats, the local threat on a lot from domestic terrorism is where it is going to percolate, and we will have to address that.

Then just in a more broad sense, where we hit the chiefs of police, the International Association of Chiefs of Police, the major city sheriffs, I personally have briefed them and will continue to do that every year through our FBI partner engagement which when we do that and we set that up, they all come, and we give them threat briefings on domestic terrorism, on international terrorism. We talk about specific threats and cases, and we absolutely have talked about domestic terrorism in the last year with the major city chiefs.

Ms. TORRES SMALL. If anyone else is going to contribute, can you also just specifically address anything different that you do in rural communities who are sometimes harder to reach?

Mr. MURPHY. Yes, ma'am. As we speak right now, we have an effort on-going to complement the intelligence networks of rural sheriffs to combat the threats. New Mexico is a part of that campaign. It is not specifically designed to combat domestic terrorism but rather look at all threats that the rural counties are facing, so we have several efforts like that that we traditionally do, and we just happen to be in the middle of one of them.

Ms. TORRES SMALL. My last question. How can we improve the security of rural non-profit organizations which often don't have the extensive resources for robust security systems?

Mr. MCGARRITY. Well, I am not going to speak to grant money or anything, but certainly engagement with our Joint Terrorism Task Forces wherever. When I said that, I said State and local as well as Tribal partners. So when we do that, obviously engagement with the Joint Terrorism Task Force to make sure there is a dialog going on.

We push threat information out to our 56 field offices through the over 200 Joint Terrorism Task Forces across the United States to push that information out. We just have got to make sure there is a dialog at the local level.

Mr. MURPHY. Yes, ma'am. I would add one other thing. The Department does a lot of effort as well as DOJ does with the faith-based community. One thing that I would bring out as a possibility is connecting with these groups, rural, urban, whatever, is always an on-going effort and challenge, so anything we can do to partner with Members of Congress to improve that, we are happy to engage in.

Ms. TORRES SMALL. Thank you.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentleman from New York, Mr. King.

Mr. KING. Thank you, Mr. Chairman.

At the outset, let me take strong exception to your opening statement. The inference that there was somehow Members of this committee were not concerned about terror attacks carried out by groups like wHite nationalists, Nazis, whatever. That really is re-writing history.

First of all, I will just put on the record that my recollection is during the 4 years you were Chairman, you never had one of those hearings either. Second, all the hearings, and I was the Chairman for 2 years and then 4 years later on, there was—every year there is at least one hearing on terror threats. I don't recall you bringing any witnesses at all to talk about domestic terrorism.

Let's go back to the start of this. This committee was formed after the Department of Homeland Security was formed because we have always had terror groups in this country, Ku Klux Klan, American Nazi Party, Weather Underground, Animal Rights League. In the early 1970's, we had more than 65 NYPD cops killed in the line of duty. There has always been a form of domestic terrorism.

This Department of Homeland Security was formed and probably the greatest and largest reorganization of our Government in history because of the magnitude of the attack on 9/11 and because we struggled. We were unprepared, and we had to bring Departments together, and this was the first time we had threats that were being directed from overseas with supporters here in this country, and that was the reason.

Again, that 3,000 killed—there is no domestic terror attack that I know that comes close to 3,000 people being killed. We have to worry about issues like chemical plant security. I am not aware of domestic terror groups going after chemical plants. That took us—



to get legislation through on that alone in the year that I was—or the 15 months that I was Chairman—that must have taken 6, 7, 8 months alone to get that done.

Because not only do we have to fight off industry, we have to fight off the other committees in the Congress who are trying to restrict our jurisdiction and that was implemented. After a long tough fight. The same with port security. The same with airline security. The same with rail and mass transit security.

This was a new phenomenon in our country, and we did all we could do address it. We had to set up a system of grants to make sure that the funding was sent to the cities and States and local governments that needed that funding. For instance, in New York alone, we set up to Secure the Cities program over the objections of the Obama administration. This was \$26 million that was put in to protect us against dirty bomb attacks. I am not aware right now of domestic groups being trained overseas how to use nuclear dirty bombs against our cities.

This is all the things we were doing at that time. We had plots, and we had to adapt to plots as they came along. There was an attempt to blow up John F. Kennedy Airport with installing gasoline pipes below the airport. There was the Christmas day bombing we saw.

If you are talking about a domestic attack, the attack that was stopped when Zazi, who was born overseas, educated in New York, went back to Afghanistan to be trained and come back here, he and 3 others were planning a liquid explosive attack that came within hours of succeeding in 2009. That would have made 9/11 look—look less than it was. There would have been hundreds, maybe thousands of people that would have been killed.

Then we observed about what was happening overseas. We saw the bombings on the London subways. We had to then try to adapt here in this country how we would counter that. We saw the Mumbai attack where we saw using fire as a weapon. These are all things we were doing. No one at that time was minimizing any attack by domestic terrorists.

We had to, I believe, answer the message that was sent to us by the Congress, by the President of both administrations of combating terrorism. We had Secretary Napolitano coming up to brief us and Secretary Jeh Johnson coming up. Ninety-nine percent of what they told us was about Islamist fundamentalist terrorism from overseas being directed here.

Now, one of the reasons why when people say in the last several years, there has been more people killed by domestic terrorists rather than by international terrorists, one of the reasons for that is we have been successful. We have set up defenses. We do have them on the run. It is under both administrations. I am not trying to make this a partisan issue at all. We worked together. I think it does injustice to this committee, and it does injustice to what we are trying to do, but somehow saying because this committee didn't work on and did not have hearings exclusively on domestic terrorism that we didn't care about it, that is like saying somebody who is in the burglary squad doesn't care about rape. Somebody on the homicide squad doesn't care about bank robberies.

We had our own lane and we were told what we had to do. It was the Judiciary Committee which had prime jurisdiction over the issue of domestic terrorism, and then there was prime jurisdiction over the FBI. We actually had no real jurisdiction over the FBI. We had to fight hard enough to get what we had.

So, Mr. Chairman, all I am saying is listen. I fully support these hearings. We are at the stage now where this is a new threat, an evolving threat, a more sophisticated threat, and this is a very important hearing to have on domestic terrorism. But somehow to say that people didn't care about it before and didn't care about the loss of human life and didn't care about the victims of that and their families is wrong. It is an injustice to this committee, and I take strong exception to it, Mr. Chairman, especially when you were Chairman and did nothing on it yourself.

Chairman THOMPSON. Is the gentleman from New York finished?

Mr. KING. I am finished.

Chairman THOMPSON. Well, let me just for the record indicate that the briefings we started, we started under my committee. I assure you that we will continue to address any form of terrorism, international or domestic. The hearing today is to talk about domestic terrorism, how it looks, what the departments are doing to combat it, and that is why our witnesses are presenting their testimony here today.

So at this point, we will go forward, and we will ask the questions, but the goal is to find out what domestic terrorism in the United States looks like today. Our witnesses are trying to share that with us, and this is just part of what our responsibility as a committee is to do. As long as I am Chair, we will do just that.

Mr. KING. Mr. Chairman would you yield on that?

Chairman THOMPSON. We will get back to you.

I will now recognize the gentlelady from Illinois, Ms. Underwood.

Ms. UNDERWOOD. Thank you, Mr. Chairman, and thank you for holding this hearing today. One of the biggest challenges that we face, as we confront domestic terrorism, is the ease and speed with which the racists, misogynists, and other extremists ideologies that can fuel terrorism are spread on-line.

In March, representatives from social media companies briefed Members of this committee on on-line extremism. While I appreciated their willingness to join the conversation, I was, frankly, really disappointed by how unprepared they were to provide sufficient answers in that briefing.

On-line extremism is not a new issue by any means, and yet many social media companies have been slow to respond to the serious threat that it poses to American lives. They may not have uniform community standards or adequate content reviewing processes or good information sharing with law enforcement.

So my first questions are to the whole panel. How can social media companies like YouTube, Facebook, and Twitter improve their efforts to work with your agencies to counter domestic terrorism, and what are they doing right, and what needs to get better?

We can start with Mr. Murphy. Thank you.

Mr. MURPHY. Thank you for the question.

The Department over the last few years has engaged with social media companies to encourage the social media companies to continue to police their websites. I think we have seen some fruit of that by working them, and I think those efforts are on-going, and we welcome a continuing dialog with the social media companies to improve on that process.

Ms. UNDERWOOD. So you think that the level of engagement is sufficient?

Mr. MURPHY. Ma'am, so the Department is engaging with the social media companies. It is a coalition of the willing. We are making strides, and we would like to continue to make those strides.

Ms. UNDERWOOD. Thank you.

Mr. McGarrity.

Mr. MCGARRITY. Sure. So we obviously have a very robust engagement with the social media companies, both as a training platform where we will go out and we will give briefings on international terrorism and domestic terrorism as we do with many of our private-sector partners, banks, on-line companies, shippers, anything that there could be tripwire that could help really to inform people for the see something, say something strategy. So we certainly do that, and we are very robust with that.

Then when we do have an interest in something on social media or on the internet through a company, we obviously have judicial process that we will go through the U.S. Attorney's Office or through a National security letter on the international terrorism side to do a process, a legal process to request records and content, whether it is a search warrant or a subpoena.

Ms. UNDERWOOD. Thank you.

Mr. Wiegmann.

Mr. WIEGMANN. I guess the only thing I would add is just to note that when you are talking about extremist content on-line, the First Amendment does impose some significant constraints. We can't initiate—even if a social media company was to report to us this terrorist has put a manifesto or this person has put up a thing criticizing various ethnic groups or whatever, on-line, that is not something that we can initiate an investigation solely on the basis of that information. So it is not as if just knowledge, in other words, if social media companies report to us extremist content on-line doesn't necessarily give us the basis to initiate investigative activity.

Ms. UNDERWOOD. In your perspective, how would you compare a social media company's ability to respond to foreign terrorist threats to their ability to respond domestically? Would you say they are equal, more, or less?

Mr. MCGARRITY. I have been in this role 15 months. I will say when I got here, even on the international terrorism side, the self-regulation of their term of use agreements, they have gotten much better. I will say on the domestic terrorism side, I will say that there is likely going to be an increase. There is a learning curve there as to what the social media companies have to do. I can tell you it appears, and this is open source, that they are hiring a lot of retired analysts, agents, and detectives to do that, and so that is a good thing that they are doing it.

But I can tell you just a few years ago, you did not see the social media companies self-identifying content. They are doing that now, and it will just take time, I think, with this evolving threat on both on the home-grown violent extremist threat and the domestic terrorism threat here in the United States, that they will do the same on that.

Ms. UNDERWOOD. Thank you.

Facebook recently announced that it would begin redirecting users who search for White supremacist terms to an anti-extremism organization called Life After Hate based in my home State of Illinois. Life After Hate is one of the only organizations in the country dedicated to helping people leave White supremacist ideologies, but the Trump administration canceled critical grant funding for the organization in 2017, and it has never replaced it.

Facebook alone has over 2 billion users, and Life After Hate is one of the relatively small organizations, and so with this cut in funding, this organization cannot be expected to neutralize every neo-Nazi on the internet.

Did any of your agencies or departments engage with Life After Hate following Facebook's announcement to ensure they have the resources to make this partner successful?

Do you know?

Mr. MCGARRITY. I am not aware that we did.

Ms. UNDERWOOD. Others?

Mr. MURPHY. Ma'am, I will have to get back to you. I am not sure.

Ms. UNDERWOOD. OK. We know that domestic terror incidents related to White supremacists are on the rise. We know that Congress is willing to fully resource DHS. I have only been here a few months, and I have already voted to increase funding for the agency. Resources are important, but so is directing them appropriately. DHS and other agencies need to ensure that these issues are being taken seriously and doing so in an open and transparent way. American lives depend on it.

Mr. Chairman, I am looking forward to working with you and other colleagues on this committee to make sure that happens. Thank you.

Chairman THOMPSON. Thank you very much.

The Chair now recognizes the gentleman from North Carolina, Mr. Walker.

Mr. WALKER. Thank you, Mr. Chairman. I want to get away from my notes just for a second and speak freely.

I understand what this hearing is about, and there was a time when our Government, specifically even the DOJ, and as a pastor for 16 years, even the church looked the other way at some of the atrocities from some of these hate crimes and the terrorist activity that we saw in our communities. I was raised in the deep south, and I saw it myself at times.

However, I do want to acknowledge that this country has made great strides in stepping out this bigotry and these racist thugs and the damage that they would try and do, and I would hope that you know and fellow Members that we will stand arm-in-arm with you when we see this, whether there is a 17 percent increase or a 17 percent decrease.

I do believe that we also have to make sure that we don't infringe on the free speech component as well, and that is a concern, so my first question for Mr. Wiegmann is how does your agency define a hate crime when prosecuting one of these cases?

Mr. WIEGMANN. Thank you for that question. I actually have the definition of hate crime here that Congress has provided in the Federal code.

Mr. WALKER. If it is less than 15 or 20 seconds, I would like to hear it.

Mr. WIEGMANN. OK. I will try to read it quickly. This is in Section 249. Whoever willfully causes bodily injury, and I am paraphrasing a little bit here, to any person through the use of fire or firearm, dangerous weapon, et cetera, to any person because of the actual or perceived race, color, religion, or national origin of any person.

Mr. WALKER. Thank you.

Mr. WIEGMANN. So causing violence to people on the basis of race, color, religion, national origin is essentially what a hate crime is.

Mr. WALKER. Based on the definition that you just gave, I want to give you an example from this week. Brian Sims, a Pennsylvania State representative, verbally attacked three teenage girls, threatening to dox them which means to basically go after them on social media or on the internet, even offered \$100 if somebody would give up their names to be able to embarrass them, to trash them. Would you say that that would fall under a hate crime?

Mr. WIEGMANN. I would have to have all the facts. I am just really reluctant to comment on any particular—

Mr. WALKER. OK. So even the facts I gave you just there, you don't want to comment on them today?

Mr. WIEGMANN. I am just really reluctant, particularly if there an investigation which I don't know of that particular matter, to comment on it and get out in front of what—

Mr. WALKER. I understand. OK. Well, then let me ask you this. How does the Department of Justice draw the line between the right to assemble protected by the U.S. Constitution and investigation and prosecution of a case as domestic terrorism?

Mr. WIEGMANN. So people have the right to assemble, petition, march in support of a particular cause, whether it is one that people generally find popular or not. That is something they can do. What they can't do is cross the line over into violence. So the line that we draw and the FBI draws is you are free to assemble. You are free to petition.

Mr. WALKER. So you can say pretty much anything. In the case of Mr. Sims, he said, "Bring it, Bible Bullies!" On-line he tweeted this: "You are bigots, sexists, and misogynists, and I see right through your fake morals and your broken values." So he has got clear lanes to be able to say anything he wants to in that aspect, is what you are saying?

Mr. WIEGMANN. You can say a lot of things that most people in this room would find repulsive and inappropriate, repugnant. But unless you are crossing that line over into either a threat—if it is a threat, that can be prosecuted, we have a number of threat stat-

utes—or unless you are intending to incite violence, as the Supreme Court has defined the line on that.

Mr. WALKER. Basically people are OK to say something stupid, and check our Facebook pages if you need any evidence of that.

What I would like to transition is for a couple questions for Mr. Murphy.

How would you define the DHS's role in combatting domestic terrorism?

Mr. MURPHY. Thank you for that question, sir.

So we have several roles in the Department. One of them is to work with our State and local colleagues to make sure that they have all the information they need at that level. They are the closest ones to the fight against domestic terrorism, and we work every day to provide them that information.

Mr. WALKER. OK. Have you seen an increase, decrease, or about the same number of resources from your agency being devoted to domestic terrorism over, say, the last decade?

Mr. MURPHY. So I would say, within the last 2 years we have approximately doubled that number of people that are in my office that work on the domestic terrorism aspect of things.

Mr. WALKER. What is the process like for your agency to be able to share that information?

Mr. MURPHY. So right now one of the ways which we do it—there is not just one way—we work with all our partners here at this table. But for the Department we look at what I described earlier, HSIN-Intel, which is an intelligence-sharing platform for law enforcement. We take the metrics we put on there very seriously. We continue to evaluate those numbers.

As I stated earlier, our number of products we are sharing is up by 64 percent, and the quality of the products has far increased. One of the metrics we use is how often they get looked at and the return that we see.

So those numbers are soaring, quite frankly, around 325 percent increase, and 90 percent approval rating of the products we put out there.

Mr. WALKER. Mr. Chairman, my time has expired. I yield back.

Chairman THOMPSON. Thank you very much.

The Chair now recognizes the gentlelady from Michigan, Ms. Slotkin.

Ms. SLOTKIN. OK. Thank you for being here.

Thank you, Mr. Chairman, for having this hearing.

Can you tell me, Mr. Murphy, on the intelligence side, we are seeing an increase in domestic terrorism, can you explain to me why, based on your analysis?

Mr. MURPHY. So, ma'am, I think I would answer the question this way. We look continually for threats of violence. We continue to readjust how the threats of violence manifest themselves in the homeland.

Part of our efforts have looked at that agile nature of which home-grown violent extremists, regardless of ideology, pick up a reason to perform acts of violence against others and how quickly that manifests.

So as we have been more targeted in the way we do it, we have seen our numbers in terms of those that could be acting on violence

increase. We refer those leads over for investigation to State and local law enforcement and the FBI.

Ms. SLOTKIN. So just so I understand, then your answer is you are looking harder so you are finding more cases? That is the reason we have had an increase in domestic terrorism cases?

Mr. MURPHY. So, ma'am, as I think we said before, we have adjusted to a 24/7 cycle. Part of that has been explained by myself and others here in terms of how the internet has been a major factor in all threats of violence and the ability of adversaries to talk to each other over the internet, anonymously sometimes, and avoid those face-to-face meetings. As that has changed in society writ large, we have adjusted to that.

Ms. SLOTKIN. So for both Mr. Murphy and Mr. McGarrity, so you are referencing the use of social media. So then we should see a straight line increasing in domestic terrorism from the advent of the internet to today. Do we see a straight line in an increase in domestic terrorism?

Mr. McGarrity, why don't you take this one.

Or has it been—I mean, I am just trying to be honest here about the nature of the threat. I think you guys have done a phenomenal job on preventing another foreign terrorist attack. I think we have to give you guys a ton of credit for the fact that we haven't had another large-scale attack in the United States.

But I want to be honest about the way the increase has happened. Has it been continuous since the advent of the internet, or are there other factors? Has it been precipitous in the past few years?

Mr. MCGARRITY. I can't speak back to the internet, but I think that is a good question to look at.

What I can speak to, if you look at points in time as far as our case numbers now, I gave the number of 850. If you just look 6 months ago, we are actually down in cases.

But cases are a point in time. We can literally open and close cases every day. So it is two data points, but certainly worth looking at.

What I can tell you of what we are seeing is the velocity in which our subjects and the velocity in which we are working our cases, both on the domestic terrorism side and the international terrorism side with home-grown violent extremists, that velocity is much quicker than it has ever been before.

Now, Mr. Murphy and I spoke before about the insular nature and the internet. When you can go on the internet and find content that justifies what you want to do, your specific ideology, whatever that ideology is, that and the ability not to have to travel to meet someone, not to have to go into a group setting, first, it makes it harder for us to detect you from a law enforcement perspective because you are finding; but second, less conspiratorial.

So you are less engaged with other people to conspire to commit attacks. You are finding the ideology. You are radicalizing fairly quickly, quicker than we have seen before, certainly years ago, even before 9/11 or after when we saw the foreign fighters. Now, on the domestic terrorism side that mobilization of violence is much quicker.

Ms. SLOTKIN. So you said you had 850 cases that were open. I understand they are just a spot check at a moment in time. How many of those cases are White supremacist cases?

Mr. MCGARRITY. So from our racially-motivated violent extremism, the term we use, of the 850, approximately half are anti-government, anti-authority. Another 40 percent are racially-motivated violent extremism cases, so 40 percent of the 850. Within that, a majority, but it is a significant majority, are racially-motivated extremists who support the superiority of the White race.

Ms. SLOTKIN. OK. Thank you for that.

I have seen a report, but please correct me, that out of 2,000 counterterrorism analysts or specialists that you have—agents, excuse me—that you have 350 of those 2,000 are focused on domestic terrorism. Is that figure right, wrong? Please correct me if I have that wrong.

Mr. MCGARRITY. So, again, I am going to put it in a different way, but I think it answers your question.

If you look at the way we are set up on our counterterrorism, our agents in the field and our agents at headquarters, our agents in the field, it is about an 80/20 split as far as the number of cases in international terrorism. So 80 percent of those cases we work are international terrorism cases, which includes home-grown violent extremists, which are about 1,000, and I gave you a number of 850.

If you look, the agents in the field marry up about 80 percent, 20 percent as to our case ratios and then the agents working. So we have about 20 percent of our counterterrorism agents working domestic terrorism in the field and about 80 percent international terrorism. But that marries up almost exactly to the number of cases we have in the field as international terrorism and domestic terrorism.

Back at headquarters we have an entire section, Domestic Terrorism Operations Section, just like we do an International Terrorism Operations Section, in the homeland. They are both sections, equal sections. We have analysts and then we have—we use our HUMINT section and everything else to augment that.

But we are set up—we are mirrored right now in our Domestic Terrorism Operations Section to do the same work we do as our International Terrorism Operations Section absent the laws that we are allowed to do different things for international terrorism, but the way we are structured within the Counterterrorism Division is the same.

Ms. SLOTKIN. OK. I think my time has expired. Is that correct? Sorry. I am happy to go by the clock if you want me to go by the clock, but I think it has expired.

So thank you, gentlemen.

Chairman THOMPSON. Thank you.

The Chair will recognize the gentleman from Louisiana, Mr. Higgins.

Mr. HIGGINS. Thank you, Mr. Chairman.

I would like to commend the Chairman and the Ranking Member for the tone I am witnessing of this hearing. This is an important hearing, and I am finding the questions very fair and bipartisan and focused on the issue at hand, and that certainly comes from



the example set by leadership here. So I thank you, Mr. Chairman, Mr. Ranking Member.

Gentlemen, thank you for your service to your country and your testimony today.

Mr. McGarrity, our research shows that the FBI currently has approximately 900 domestic terrorism investigations on-going. Is that correct?

Mr. MCGARRITY. Five hundred eight was our current number, but like I said—

Mr. HIGGINS. Round number.

Mr. MCGARRITY. It can hover, 850. Right now it could be 850.

Mr. HIGGINS. Just for perspective for the American people and for this committee, how does that number compare to investigations past, let's say a decade ago?

Mr. MCGARRITY. That I can't speak to, but we certainly can get that number and get it back to you.

Mr. HIGGINS. Would you agree that the investigations into domestic terror have grown though at the FBI over the course of the last decade?

Mr. MCGARRITY. Let's see, what—

Mr. HIGGINS. Investigations into domestic terror.

Mr. MCGARRITY. We have always been set up to work domestic terrorism. We have always, obviously, the history we show, we have worked it.

Mr. HIGGINS. Do you believe there is a heightened awareness within the investigative community of the FBI?

Mr. MCGARRITY. I would say it is a very heightened awareness.

Mr. HIGGINS. OK. That is a fair statement. Would you agree?

Mr. MCGARRITY. Yes.

Mr. HIGGINS. Of course, all of us here need to ensure that these investigations are conducted thoroughly. It is critical for the safety of all Americans. I am concerned regarding some exit from the Joint Terrorism Task Forces Nation-wide—in my opinion, that is the front line of this mission to combat domestic terror—working with and sharing critical information with local law enforcement agencies as they conduct criminal investigations, which can lead ultimately to the reveal of domestic terror intent. Recently certain jurisdictions have withdrawn from the Joint Terrorism Task Forces.

Mr. McGarrity, to what extent, in your opinion, does withdrawal from Joint Terrorism Task Force, how would that impact our ability as a Nation, considering the relationship between local law enforcement, where these investigations commonly begin, and Federal law enforcement? What is your opinion on how important the Joint Terrorism Task Forces are, sir?

Mr. MCGARRITY. I would say that our Joint Terrorism Task Force, as stated before, is really the recipe for our success in what we have done over the last year since 9/11. Nothing the FBI does in the counterterrorism world we do alone. We do with partners.

Those cases, I spoke about the referrals that we get, 50 percent of our referrals for our cases come in not only from State and local partners, so whether on the JTTF or not, but from the public. There is no one better than a State and local law enforcement officer that knows the public.

So that information intake into the Joint Terrorism Task Force is crucial, having membership there. Nothing beats two people sitting side-by-side working a case together for a disruption as far as how we will be successful in that case.

Mr. HIGGINS. Yes. I concur with that assessment, and thank you for clarifying for us all.

In my home State of Louisiana, actually in my neighborhood, recently 3 Christian, predominantly African American churches were burned to the ground. That investigation was conducted with incredible professionalism by the Louisiana State Fire Marshal and his team, working with local law enforcement and ultimately Federal law enforcement. Fire Marshal Butch Browning did an amazing job leading the investigation.

This initially began as an arson investigation. Then, when a second church burned, of course, the team was on the ground. The sharing of data at the local, State, and Federal level was just an uplifting thing to behold. Ultimately the arrest was made and the suspect was found to be involved in following pagan religion rituals of burning old steeples, which were found in rural areas.

My question to you again, Mr. McGarrity, are there additional investigative or prosecutorial authorities needed to better address—is there a piece of this puzzle that we are missing that this body can help you fill?

Mr. MCGARRITY. As far as any certain legislation from this body, certainly I will defer to the Department of Justice, and I know they are committed to working through possibilities.

From my perspective, whether I am working gangs, MS-13, or terrorism, any tool in the toolbox helps me when I am looking at that threat every day as to what my options are and how I can disrupt that threat before an attack.

Mr. HIGGINS. Thank you, gentlemen, for your service and your testimony today.

Mr. Chairman, I yield.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentleman from Missouri, Mr. Cleaver.

Mr. CLEAVER. Thank you, Mr. Chairman.

Ms. Holland, my teacher, she taught us, you know, oh, be some other name. What is in a name? That which we call a rose by any other name smells as sweet.

We learned that out of “Romeo and Juliet” because we were studying semantics. Semantics. That is where I would like for this conversation to go, if you will.

In the FBI, in your report, there is a category of domestic terrorism called racially motivated violent extremism. Then in the 2017 FBI Counterterrorism Division a report was distributed called “Black Identity Extremists Likely Motivated to Target Law Enforcement Officers.”

Semantics. I don’t understand.

First of all, can you tell me what “Black identity extremists” is, Mr. McGarrity?

Mr. MCGARRITY. So it is a term that we don’t use and I haven’t used in how we look at the threats since I have been here for the past 15 months. What it was is, it is a term that came out from

an effort to better define the threat that we saw specifically 2015, but specifically in July 2016, the July 7 two attacks against law enforcement and then the July 17 attack as well, and then the follow-on attack.

So you had attacks in Tennessee, Baton Rouge, as well as Dallas, and then a follow-on attack in the fall. It was a perspective, something where they saw a change, and the analysts' attempt to highlight that change and analyze it.

I can tell you, since I am here and I think your next part of that, why are we calling it racially motivated violent extremism? Because that is what we are focused on, is the violence.

You know, everything is First Amendment-protected right. You could be a White supremacist. I am not going to investigate you because you have an ideology. I am going to investigate you because you have an ideology that you are pursuing violence to attack others. That is where I am going to investigate.

Mr. CLEAVER. Good. I can appreciate that, because I think one of my—I have got a little 3-year-old grandson, and I am wanting desperately for him to grow up in a Nation where we are not bitterly divided by partisan politics and race and so forth.

So I appreciate your response and that you don't use that term. But it is out in the world. I am hoping that we can, if we are going to use race—for example, we don't say White supremacist extremism. We say racially motivated.

So do you think it would be more helpful if we are just going to put everything in one category, and that is racially motivated violent extremism? I mean, in other words, and here we say racially motivated violent extremism, and so we leave out White supremacy. But then in 2017 we have Black identity supremacists, you know—

Ms. CLARKE. Identity extremists.

Mr. CLEAVER. Yes, identity extremists. I don't know why we are separating it.

Mr. MCGARRITY. So right now I can tell you, the way we are set up, the way we look at it, racially motivated violent extremism, and that is a term that when we were doing—

Mr. CLEAVER. No. No. No. You said racially motivated violent extremism.

Mr. MCGARRITY. Violent extremism.

Mr. CLEAVER. I am talking about the 2017 says Black identity.

Mr. MCGARRITY. That was a report that was done, as I said, based upon the acts in 2016 to analyze a set of circumstances and events. I can tell you we don't use that term since I have been here.

Mr. CLEAVER. OK.

Mr. MCGARRITY. We use the term racially motivated violent extremism.

Mr. CLEAVER. Which would include everything?

Mr. MCGARRITY. Well, it includes everything, but it allows us also to track if there is an ideology where someone is looking to push forward the supremacy of the White race or if someone has a perceived injustice because of something to use violence.

So if we need to track numbers, we can do that because we do need to understand the threat. But what I need to do is I need to

train my task force officers, my analysts, my agents, that it is the violence we are focused on. It is the violence, it is not the ideology. The ideology will likely get you to the violence and the hate. But we need to focus on the violence, and that is why we use the term we use now.

We have been using it for 15 months. I have had a conversation with members of NOBLE, on the Black Law Enforcement Executive Committee. We have reached out, obviously, to Black congressional Caucus offering to speak to them, and we have also had one of our senior executives in charge of domestic terrorism speak at the NOBLE conference.

Mr. CLEAVER. Thank you, Mr. Chairman.

Chairman THOMPSON. Thank you very much.

The Chair recognizes the gentleman from Pennsylvania, Mr. Joyce.

Mr. JOYCE. Thank you, Mr. Chairman.

Thank you, Ranking Member Rogers.

I would like to thank the witnesses for being here today to continue this on-going dialog.

Recently, Members of this committee had the opportunity to hear representatives from social media. Their concerns were our concerns as well.

Regarding this, what level of cooperation do you receive from the major social media companies when they identify threats or acts of violence that are on their platforms that are being actively discussed? Do they proactively share this information with you? What steps do you then take?

Mr. McGarrity, I will ask you to address first, please.

Mr. MCGARRITY. I can't speak to every company, but certainly many of the major companies do give us leads, tips, when they see something.

Now, when we get that information that doesn't mean we can do something if it is strictly First Amendment activity. But we can run checks. We might be able to take an assessment and predicate a full investigation or a preliminary investigation.

I can't say they all do that. Now, there are certainly companies out there that don't. But we are seeing a tide change in social media companies being more proactive policing their own. When they see something, partly because they have retired law enforcement analysts in there, when they see something that is noteworthy and alarming beyond First Amendment they will give us leads.

Mr. JOYCE. Can you quantitate that, Mr. McGarrity? Can you see trends that you can share with us?

Mr. MCGARRITY. As to leads coming in?

Mr. JOYCE. Yes, sir.

Mr. MCGARRITY. We can look—I mean, we haven't looked at that, whether it is—I can tell you from where I sit, on the threats we are working at, we do get leads coming in from some of the major social media companies. I haven't looked at the statistical analysis or trends, but it is certainly more than I am sure we got in years past.

Mr. JOYCE. Is this something that will be easily quantitated? Is that something that you have the resources to do and provide?

Mr. MCGARRITY. It is certainly something we could do. It is resources, obviously you are taking people off to do different things. But it is certainly something we can look at to see if it is possible, to see if it is something that is worth tracking.

Mr. JOYCE. Are there additional measures that you think the social media platforms should be dialoguing with you regarding that?

Mr. MCGARRITY. We are certainly training them on what the threats are when we talk about the international terrorism and domestic terrorism threats. As far as what they do on their own use agreements and with their lawyers, that is what they do internally.

We certainly educate people to the threat, whether they are a social media company or a bank or shipping company.

Mr. JOYCE. You talked earlier about the radicalization and how easily that is to be obtained, that information on the internet. Do you think they are taking the appropriate response from the social media platforms in addressing this with the education that you provide them?

Mr. MCGARRITY. I can't speak to—I mean, there is a lot of hate out there on the internet. I can't speak to exactly how much of their efforts that they are doing.

I can tell you in open source different companies have been more forthcoming in what they are producing as far as self-identifying content that is unacceptable. But I can't tell you exactly what they are doing inside the companies.

Mr. JOYCE. Mr. Murphy and Mr. Wiegmann, would you be interested in commenting to this as well?

Mr. MURPHY. I would say that the Department in the last few years has looked at working with the major social media companies, and through a coalition of the willing and others, which is largely known as the Global Internet Forum to Counter Terrorism, we do see that those efforts are bearing some fruit. I think we have a long way to go with it, and we look forward to continuing to engage with the social media companies in that environment.

Mr. JOYCE. Mr. Wiegmann.

Mr. WIEGMANN. I don't have anything further to add.

Mr. JOYCE. Thank you. Thank you for your comments.

Mr. Chairman, I yield.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentlelady from New York, Ms. Clarke.

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

I thank our Ranking Member, Mr. Rogers.

I thank our panelists for bringing their expertise to the panel today.

Mr. Wiegmann, you mentioned something that has not sat well with me, and I wanted to give you an opportunity to explain, because I understand the delicate balance between First Amendment rights and operationalizing things. But if it was brought to your knowledge that there was a manifesto on-line, is there a process that you have to sort-of vet that?

You made it sound as though, oh, anyone can print the manifesto and this is like a common practice. But we are finding that these manifestos are sort-of a precursor to operationalizing events. So can you give me a sense of exactly what you were saying?

Mr. WIEGMANN. Yes. So I totally get your concern because these on-line statements, as Mr. McGarrity has explained, are exactly the kind of things that can lead people to radicalize and turn to violence.

The challenge really lies in—and I will just talk briefly about the First Amendment jurisprudence here. There is a famous Supreme Court case——

Ms. CLARKE. No, I don't want to go that far. I don't want you to go that deep.

Mr. WIEGMANN. OK.

Ms. CLARKE. I am saying, you mentioned that if you saw a manifesto on-line it is commonly viewed as freedom of speech.

Mr. WIEGMANN. Yes.

Ms. CLARKE. What I am saying is that what we have found the trend has been that as these manifestos appear something—or we usually find out after the fact that someone operationalized the use of a manifesto, right?

So what I am asking is, have there been new protocols put in place? Because I don't want it to be said out there that, oh, manifestos can pop up on-line, we have nothing in terms of vetting or there is no process when it is brought to our knowledge.

Mr. WIEGMANN. Yes. My point is just that we are going to need more than just a statement, depending on what the statement says. If it is a statement that indicates threats of violence, we can investigate that. If we have additional information about the individual—yes, it is a manifesto, but we know the person is out buying a gun or we have a source inside that says this person we think is turning to violence——

Ms. CLARKE. So there is a process?

Mr. WIEGMANN. So there is a process that the FBI is doing in an individual case to evaluate do we have that, enough evidence to predicate an investigation and open it. We are pushing up against that line, in other words, in every case to say, OK, do we have enough, do we not have enough?

Ms. CLARKE. It is not as though the FBI hasn't done it before, so——

Mr. WIEGMANN. That is right. So they are going to be looking in those cases to see whether they have enough information and material to, consistent with the policy of——

Ms. CLARKE. So why don't I switch over to Mr. McGarrity because we don't have a whole lot of time, and sort-of get your opinion on that.

Mr. MCGARRITY. I think if you look at some of the manifestos that we have seen more recently in the last year, a lot of those manifestos will actually have the intent to violence in there as well. So when we get that, that is a clue, that is a lead that we can look at and start.

It is still going to come in under a guardian to look at. There are very few things we can do. But as we build upon that and certain predications are met, we can then likely take it into——

Ms. CLARKE. Because I want to just sort-of do a comparison between when you find that type or you are giving that type of intelligence from an international perspective. Your job then is to mobi-

lize, to disrupt any act of violence that may—that you believe can be operationalized from that type of chatter, that type of material.

Is that the same type of, sort of intelligence that you use when one comes across these types of materials?

Mr. MCGARRITY. So if I am looking at a threat, whether it is IT, international terrorism, or domestic terrorism, I am looking at that threat the same way to stop it.

Ms. CLARKE. OK.

Mr. MCGARRITY. But the difference on the international terrorism side is the foreign terrorism organizations, those that are designated foreign terrorist organizations, whether it is al-Qaeda or ISIS, that does give us more latitude because you are actually saying: I am going to do something for ISIS or I am with ISIS. That does give us more latitude to look at—

Ms. CLARKE. How does it give you more latitude?

Mr. MCGARRITY. Because they are actually designated as a terrorist organization.

Ms. CLARKE. So we don't designate White supremacist organizations as terrorist organizations?

Mr. MCGARRITY. So a White supremacist organization is an ideology. It is a belief. But it is not—

Ms. CLARKE. But they are not designated as a terrorist organization?

Mr. MCGARRITY. We don't have designated terrorist organizations—

Ms. CLARKE. That are domestic?

Mr. MCGARRITY. Correct.

Ms. CLARKE. That is good to know.

Mr. McGarrity, I am concerned about the FBI not having dedicated sufficient personnel and resources to combatting domestic terrorism, along with the fact that we don't even label our organizations as domestic terrorists.

What is the breakdown of FBI agents, analysts, headquarters, and analysts in the field dedicated to White supremacists, militia threats, or other forms of domestic terrorism versus forms of Islamic extremism?

Mr. MCGARRITY. Good question, ma'am. I alluded to it before. We are set up—we have actually looked at that. Those agents in the field that work domestic terrorism, about 20 percent, and we have about 80 percent working international terrorism.

But if you look at our case numbers, so if you look at those things that come in that we can predicate into an investigation, they line up about 20 percent domestic terrorism, 80 percent international terrorism.

We have domestic terrorism squads in major field offices. We at least have one counterterrorism squad in every field office, 56. We have single domestic terrorism squads in the larger ones.

But if you are working in a rural area, say you are in an area where it is 5 agents in that area, covering that area, and that threat comes in, whether it is domestic terrorism, international terrorism, public corruption, or white collar, and that is a threat, that is taking priority.

So as much as we are set up that way with cases, we are certainly set up to deal with the threats as they come in.

At headquarters we have done a realignment within the Counterterrorism Division. We have always had a Domestic Terrorism Operations Section the last couple years, but we are lined up as how we work at our HUMINT, our source, our collection, our analysis, and our ops, mirrors up between Domestic Terrorism Operations Section and our International Terrorism Operations Section.

The only difference is we also have another section that is overseas for those cases, investigations that take us extraterritorial.

Ms. CLARKE. Very well.

I yield back, Mr. Chairman. Thank you.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentleman from New York, Mr. Katko.

Mr. KATKO. Thank you, Mr. Chairman. Thank you for convening this hearing. It is very important that we give the domestic terrorism its due as a problem in this country that is escalating, and I will get to more of that in a moment.

I want to pause for a few seconds to thank someone from my office, Tim Wang. Today is his last day. Since he has been with me, he spent every day working to help keep our country safe and keeping me ready for these hearings.

So thank you, Tim, and good luck.

Mr. McGarrity, I want to talk to you briefly about—you said about 80 percent versus 20 percent international/domestic split as far as resources in these investigations. Is that true for the JTTFs as well?

Mr. MCGARRITY. Yes. So the JTTFs are the components that work these cases in the field, so it would marry up.

What it doesn't count is our task force officers assigned to both domestic terrorism and international. I don't know the numbers on that, but I would assume that would line up pretty much the same as well, because that is our field component.

Mr. KATKO. OK. Fine. Thank you very much.

Mr. Murphy, I want to talk to you a little more about the social media component. To me, one of the biggest problems we have had with domestic terrorism and the spread of international terrorism in the United States is the ability of the internet to unlock the latent tendencies of somewhat dormant people that are angry.

They can scratch their itch by going to a certain site or talking to a certain person, and next thing you know you go from someone with some feelings to someone with actions, and it is very, very hard to detect.

I think social media companies need to be held accountable more and be more active. I know from what I have seen with cybersecurity issues, I am Ranking Member on Cybersecurity, different performances based on companies. Some companies are much more diligent about it and some people care a lot less about it.

So is there anything we should or could be doing in Congress to hold those social media companies' feet to the fire more about being better stewards of what is being posted and how it is being posted?

Mr. MURPHY. Sir, thank you for the question.

So the Department continues to work with the social media companies. I had brought up before the larger social media companies



seem to be more engaged. I can't explain the exact reasons for that. I know we will——

Mr. KATKO. Self-preservation probably, but that is OK. I mean, whatever the motivation, it is good that they are engaged. Some just aren't though, you know.

Mr. MURPHY. We will look to continue to expand those relationships to include all social media companies if possible and working with our partners here to educate those social media companies about the threats. Then what they do with that information, as my colleague said, it does vary from social media company to social media company.

Mr. KATKO. OK. Thank you.

I am going to switch gears one more time, and that is with "if you see something, say something" campaigns that are throughout the country.

An outgrowth of that, something I have pushed very hard for, is red flag bills—my bill has due process considerations in it—to keep firearms out of the hands of people that are about to go into a school and do a shooting, and try and find those needles in a haystack, listen to the concerns, listen to the warnings, and then try and act upon them before they actually happen.

Is a red flag concept something that might be advisable in a domestic terrorism realm?

Mr. MCGARRITY. Red flag as to training people to understand what the indicators are?

Mr. KATKO. Right. But also intervening with these people before they act if they are exhibiting sufficient signs of about ready to commit acts of violence or that they have mental health issues and they are talking about and engaged in this extreme language. They are exhibiting signs that they might be ready to pop off.

Is there something we can do to intervene with them and perhaps get the firearms out of their hands before they actually act?

Mr. MCGARRITY. So certainly that is a possibility. What we want to do is we want to train people to see what those indicators are. So NCTC, the FBI, and DHS put out the indicators of mobilization to violence. It is a couple years old, but it is specific to the home-grown violent extremist threat, which mirrors the domestic terrorism threat as to these lone offenders, once they have access to a firearm, can do an attack.

So what we want, we want our schools, our teachers, our communities to know that. The bystander effect that we talk about, many times when you look back, and we have studied this on the home-grown violent extremist side and the attacker side, you look back, there is at least one person who sees that radicalization change, who sees that mobilization, likely one indicator or a grievance that——

Mr. KATKO. Like San Bernardino, for example.

Mr. MCGARRITY. Yes. We want to get that.

So this is what is out there. We can throw that out to State, locals, as well as schools. But that is what we want to do, is get them to know what those indicators are and what behavior changes could be there.

I am all for if someone can get to someone before I see them and stop something, that is great.

Mr. KATKO. Or get the information to you so you can do it.

Mr. MCGARRITY. Absolutely.

Mr. KATKO. Yes.

Mr. MCGARRITY. I will tell you, if you look at our tips that come in, obviously 50 percent come from State, local, or public tips. So when I look at a State or local tip through the Joint Terrorism Task Force, many of those secondarily, collaterally are from the local community.

We have seen an increase in community tips coming in. That is a good news story from years of “see something, say something,” but it is also getting it out that there is likely one person who saw this or saw the change.

Mr. KATKO. Thank you very much.

I yield back, Mr. Chairman. Thank you.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentlelady from New York, Miss Rice.

Miss RICE. Thank you, Mr. Chairman and Mr. Ranking Member.

I would just like to start by saying that I would ask every one of my colleagues on this committee to take the bold step, and I hope our other colleagues from both sides of the aisle will join us, in being willing to be courageous enough to condemn any kind of incendiary rhetoric coming from either side of the aisle.

That is what the public expects, and yet what we do time and time again is R’s pick on D’s and D’s pick on R’s, and they make a distinction where there is no difference.

I think that in the positions that we are in we owe it to the public to be courageous enough to stand up and say, yes, you are from my party, but what you said is wrong. I hope that we can do that and set the tone, because if we are doing that, I think the influence we will have over the general public will be much more positive in nature.

This question is to everyone on the panel. On April 16 a militia group called United Constitutional Patriots was videotaped on the Southern Border holding migrants in their custody at gunpoint. These men were shown wearing military-style uniforms, surrounding migrants with rifles, and issuing commands to stop or sit. Needless to say, this is extremely disturbing, private citizens acting in the role of law enforcement.

Shortly afterward, the leader of the group was arrested by the FBI for illegal firearms possession.

We know that unauthorized militias pose a problem to law enforcement across the country, and the militia movement has resurged in the past decade.

Recently, in separate incidents, in Nevada in 2014 and Oregon in 2015–2016, Cliven Bundy and his sons—I guess that is how you say his first name—and his sons Ammon and Ryan engaged in large armed stand-offs with Federal law enforcement officials.

In 2016 three White men, members of a militia called the Crusaders, were arrested for a plot to bomb an apartment complex in Garden City, Kansas, that was home to many Somali immigrants.

To the extent possible in a public setting, could all three of you summarize the current domestic terrorist threat posed by militias across the country and on the Southern Border specifically? What

are your respective agencies doing to confront the threat posed by unauthorized armed militias?

I will just stop there and ask all three of you to opine if you have anything to say.

Mr. MCGARRITY. Sure. Thank you, Representative.

So certainly on militia extremism the folks on paramilitary training and acquisition of weapons, food supplies in preparation for criminal confrontations with the Government is concerning. Again, though, we have the First Amendment. So if it is a militia that is training but there is no direction toward violence, we are prohibited from looking at that.

Where we do see them move into the violence, and you have seen those in those arrests, we will go out and investigate those that are using militias to pursue violent ends to meet their ideology or, of course, the Government to do something. So we have seen that.

We have actually seen a decrease in militia extremism in the last couple years, partly because we think of some of the prosecutions, notable prosecutions that we have done. So it is a slight decrease in the last couple years.

Miss RICE. OK.

Mr. MURPHY. Ma'am, we actively look out at those groups out there that are threatening both citizens as well as members of the Department. So you referenced the Southern Border. We, as a Department, receive threats from a variety of people that have certain passionate feelings about the Department of Homeland Security.

We take all of that. We will immediately provide it State and local law enforcement as well as the Joint Terrorism Task Force, which the Department has a number of folks on that supporting the FBI's efforts.

Any investigation then I would yield back, as Mr. McGarrity has already talked about.

Mr. WIEGMANN. Then just to add from our perspective, we are prepared, working with the FBI, to prosecute those cases. A number of the ones you mentioned in your statement are ones that the Department of Justice has pursued successfully and prosecuted in the militia context. There have been older cases. So we work closely with the FBI in terms of pursuing charges in such cases.

Miss RICE. Thank you.

Since 2014 at least four mass murders leading to 45 deaths have been committed by men who have identified or sympathized with the Incel movement, which is, I am sure you are all aware, an online subculture of misogynists who blame women for their involuntary celibacy.

There is often overlap between this group of misogynist extremists and other violent hate groups. John Ernest, the self-identified White supremacist and anti-Semite who has been charged with last month's horrific shooting in a southern California synagogue, also referenced misogynist beliefs in his manifesto on the website 8chan.

You have spoken at length today about working with these platforms in terms of identifying this kind of speech. But it seems to me that there have been a number of incidents where these killers have given us a roadmap very clearly. These are not even on the

dark web. It is on Facebook. It is on these platforms that are well-known to everyone and reach enormous numbers of people.

I just think that we have to figure out a way to hold them accountable and work more closely with them, because we are getting a big red flag waving, and we are not able to act on that information in a timely fashion.

So I am encouraged about the work that you are doing with a lot of these social media platforms, but obviously we have to continue to do more.

Thank you all very much.

I yield back, Mr. Chairman.

Chairman THOMPSON. Thank you.

I would like to just comment that the Ranking Member of the subcommittee and the Ranking Member of the full committee, along with a number of us, are concerned about the very same thing. We have tried to engage the social media companies to talk to us on what they are doing, best practices, other things. Some have, some haven't. But there are some challenges that we will have to overcome, and we look forward.

Mr. KATKO. Mr. Chairman, just briefly, if I may.

I would strongly encourage the committee to have another hearing on this and dig deeper into this area, because I think they need to get a kick in the butt to understand how serious this is.

Chairman THOMPSON. Yes. I can assure you it is on the way.

The Chair now recognizes the gentleman from Texas, Mr. Crenshaw.

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

Thank you all for being here. This is a very important subject. I will jump right into some questions.

After I was injured I worked primarily in the intelligence community, and we have ways of classifying different types of attacks, most deadly and most likely courses of action. Could Mr. McGarrity and Mr. Murphy briefly comment on what you believe to be the most deadly courses of action or possible domestic terror attacks as well as the most likely?

Mr. MCGARRITY. Well, I would say most deadly and most likely are both the lone offender who self-radicalized on-line who has access to a weapon.

Mr. MURPHY. I concur fully with Mr. McGarrity's statements.

Mr. CRENSHAW. OK. That is the trend we are seeing then. I mean, this is the concern. This is why we are having this hearing. There is this tendency to self-radicalize where we can't connect them with a broader network. We can't trace that back the way we used to do in the past.

Now, a question I have as well. As we have effectively, not quite totally, but effectively and geographically defeated the caliphate, the ISIS caliphate in Syria, prior to this we were seeing quite a few of these self-radicalized attacks because of their ability to radicalize people internally.

Have we seen a downward trend in that specifically from ISIS in the recent past because of military efforts abroad or has it remained the same? Can we track those things?

Mr. MCGARRITY. I would say we have not. Certainly not seen a decrease, I mean, and that is the problem set we have. As the ISIS caliphate shrinks, it is on-line.

So what you saw from AQAP with *Inspire* magazine and ISIS with the social media platforms that they pushed out, you can recycle that. So if you are sitting in a basement anywhere in the United States, you can get on-line and see that, and that is what is alarming.

We did see that. I mean, just the arrest we just did a week ago in Los Angeles, that was a self-radicalized, but certainly on the internet, that was alarming.

So from our vantage point, the home-grown violent extremist threat is certainly a priority threat for us because they are still being radicalized. It almost doesn't matter whether the caliphate is physically there or not.

Mr. CRENSHAW. The content has to come from somewhere, though. Are you able to track where that content is coming from?

Mr. MCGARRITY. Content is coming from all over the world at this point, as the caliphate shrunk and those safe havens no longer exist. Like we saw with AQAP in Yemen, you could be anywhere in the world right now and put this together. Certainly with anonymizers, the Tor, and other things, you can push that out. So geographically it is dispersed.

Mr. CRENSHAW. Do you have anything to add to that before I go on to the next one?

Mr. MURPHY. No, sir. Thank you.

Mr. CRENSHAW. I want to talk about collection efforts. You mentioned there is open source and more targeted collection efforts coming out of DHS and a movement away from the analysis side of things.

I want to ask real fast about how recruitment is going and personnel recruitment for these jobs. Do we need to increase recruitment? How is morale among these folks?

Mr. MURPHY. Sir, speaking for DHS, I mean, we have dozens and dozens of people putting in for every job up and down our kind of tree in for the various jobs.

So we are fortunate to get a large pool of talent. We have no problem in terms of numbers of people applying for jobs.

Mr. CRENSHAW. OK. What about enough billets? I mean, trying to do open-source analysis for such an enormous problem, which is you are trying to analyze the entire internet on who might be self-radicalized. Do you need more?

Mr. MURPHY. Sir, we are always willing to, of course, get more resources, and happy to work with you and Congress to get you a more concise explanation of that.

But there is always more, as you described, that could be done on the internet. I mean, it is an endless issue.

Mr. CRENSHAW. Yes. On JTTFs in particular, so in my past I worked a lot in the interagency, and in my experience the interagency really only works because of personal relationships. The problem I always saw was that there is not an institutionalized reason to cooperate. There is not an institutionalized requirement to share information.

Has that improved at all? Are there ways to improve that?

Mr. MCGARRITY. I would say from the operational side on the Joint Terrorism Task Force, as I served on the one in New York City, and I have been stationed to the CIA as a detailee, I would say right now within the USIC and our State and local partners the partnerships are the best we have ever seen.

Mr. MURPHY. Sir, as a member of DHS now, the previous 20 years I was in the FBI and led and was a part of multiple JTTFs, I would agree with that. I know from the departmental perspective now, through the FBI's leadership on these task forces, it continues to just be, for the most part, a few people I am sure out there really well led, and it is a good process.

Mr. CRENSHAW. Thank you.

I am out of time. Thank you, Mr. Chairman.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentleman from Rhode Island, Mr. Langevin.

Mr. LANGEVIN. Thank you, Mr. Chairman.

I want to thank our witnesses for being here today and your testimony.

If I could, for Mr. Wiegmann and Mr. McGarrity, based on the testimony that you all have given today, it is clear that the Justice, FBI, and DHS all consider domestic terrorism a threat. So therefore I want to talk about prioritization.

Mr. Wiegmann, you state that only 2 of the more than 40 National Security Division attorneys assigned to counterterrorism focus on domestic terrorism. So is this reflective of the threat?

Mr. WIEGMANN. No. Just to be clear, all 40-plus attorneys in our Counterterrorism Section are available to work on both domestic and international terrorism matters. We don't have kind of dedicated, like, split-up between domestic terrorism prosecutors and international terrorism prosecutors.

We do have a domestic terrorism counsel who focuses exclusively kind-of on our National program and two attorneys who support him and work on that work. But they are also available to do international terrorism matters as well.

So the way we do it at Department of Justice is all of our attorneys who are specialized in counterterrorism can work either international or domestic terrorism cases. So all 40-plus attorneys are available for both, and what they work on depends on what threats are coming in the door and what cases are coming in.

Mr. LANGEVIN. So in terms of cases that you charge, do you charge 20 times as many foreign terrorist cases as domestic terrorism-related cases?

Mr. WIEGMANN. I couldn't give you an exact number on that in terms of how many we charge. You have to remember also that a lot of domestic terrorism cases are charged at the State level as well, more so than probably on the IT side. So you have to take those into account.

Then the domestic terrorism side, some of them are charged as hate crimes under the Civil Rights Division, could even be a tax offense, tax protestors are anti-government. So in comparing the numbers you really would have to look across the broader spectrum.

Mr. LANGEVIN. Mr. McGarrity, a November 2018 *New York Times Magazine* article reports that the FBI counterterrorism agents candidly admitted that domestic terrorism is seen as a backwater and that the only path to advancement was through international terrorism cases.

Is that true? How do you and the FBI leadership balance international terrorism and domestic terrorism?

Mr. MCGARRITY. Well, first let me go back to where—as far as the prioritization, from the FBI perspective, counterterrorism, preventing a counterterrorism attack in the United States, was, still, and will be, as far as I can see, the No. 1 priority of the FBI. So that is still our No. 1 priority.

We don't differentiate between a domestic terrorism attack we are trying to stop or an international terrorism attack. It is a terrorism attack we are looking to stop. So as far as our priorities, it is our No. 1 priority in the FBI.

As far as domestic terrorism being sleepy, I don't know who the source of that article was. I can tell you the passion and the way we run our day from early in the morning to late at night, through phone calls at night, no one asks whether it is domestic terrorism or international terrorism when the threat comes in. We work the threat.

I would also argue that if you look at our leaders, a good example, former deputy director of the FBI, Mark Giuliano, actually came in, he was the Domestic Terrorism Operations Section chief. He was in charge of domestic terrorism operations, moved into my position as the assistant director of counterterrorism, moved into the executive assistant director of the National Security Branch, until he became the deputy director of the FBI.

So I would argue whoever made that comment, maybe that was the case years ago. I can tell you, it is certainly not the case now, in this FBI right now, and certainly not the case in the Counterterrorism Division.

Mr. LANGEVIN. OK. Thank you for clarifying.

Mr. McGarrity, in your testimony you reference the fact that firearms remain a weapon of choice for domestic terrorists. Like many of my colleagues here, I believe that we need to do more for gun violence prevention. However, I am also worried about the emerging avenues of attack, such as through the use of cyber tools.

Does the FBI currently evaluate domestic terrorist cyber threat actors through its responsibilities under PPD-14? How are terrorist capabilities to conduct disruptive or destructive cyber incidents evolving?

Mr. MCGARRITY. So within the FBI we certainly have a Counterterrorism Division and Cyber Division. I will tell you, though, most criminal violations the FBI works have some form of cyber to it. That is just the way we are working now.

As far as a threat, I have not seen domestic terrorism using cyber per se to do an attack, but certainly if we saw it, we would be working it like any other threat, and we would certainly be leveraging the expertise of our Cyber Division.

Mr. LANGEVIN. I see my time has expired. Thank you for your testimony.

Mr. Chairman, thanks for holding this hearing. I yield back.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentleman from Texas, Mr. McCaul.

Mr. MCCAUL. Thank you, Mr. Chairman.

I thank the witnesses.

I, chairing this committee for 6 years, we saw this come up multiple times, one time in my home town of Austin, Texas, the Austin bomber. When asked, is this an act of terrorism, of course it is. It was random. I want to commend the FBI for the great work you all did in bringing that chapter to a close and saving lives. It was a great joint effort on the JTTF and with Austin police.

But as that unfolded, we looked at the issue of domestic terrorism. I know as a former Federal prosecutor there is a definition and cases can be opened as domestic terrorism cases, but there is no charge of domestic terrorism.

There is international terrorism, and we see that many times in the cases we prosecuted against ISIS and al-Qaeda and other extremist groups, but there is no charge for domestic terrorism. I think that is kind-of getting to the heart of this hearing.

I was just curious what your thoughts would be on Congress enacting a domestic terrorism charge. What would be the benefits or risks of doing that? If I could just go down the panel.

Mr. WIEGMANN. I can take that.

So we are always looking to improve our authorities, and so I think we are certainly open to having a discussion with the Congress if there is interest in the Congress in pursuing a domestic terrorism statute. We are certainly open to having that discussion.

I think you have to think about exactly what issue you are trying to fix. As I have talked about in my opening testimony, we do have a number of statutes that we use in these domestic terrorism cases. So the question is, what gap would it fill exactly?

We probably would not want, the one thing I would say, something that is similar to what we have on the international side, which is designating foreign terrorist organizations. We are not going to want to for good policy reasons that I think the committee on both sides of the aisle would share.

Designating domestic groups as domestic terrorist organizations and picking out particular groups that you say you disagree with their views and so forth is going to be highly problematic in a way that is not when you are designating al-Qaeda or ISIS or an international terrorist organization.

So there is not going to be a precise analog on the domestic side, but that is not to say that there aren't other ways we could do, maybe analogizing to our current hate crime statutes, that would be something that we could do that would be broader on domestic terrorism.

Mr. MCCAUL. Under a hate crime?

Mr. WIEGMANN. Kind-of like hate crimes except focused on domestic terrorism and the definition that we have in the code. So it is certainly a discussion that we are open to having with the Congress if there is interest.

Mr. MCCAUL. I tend to agree. I think that is a better approach than labeling domestic terror organizations within the United States. It gets sort-of problematic.



Can you tell me how many domestic terrorism charges we have brought, like, last year, for instance?

Mr. WIEGMANN. So I don't have an exact figure on that. I would imagine it is somewhere between zero and 100, but I don't know the—I don't have an exact number.

Mr. MCCAUL. OK. How many international terrorism cases did we bring last year?

Mr. WIEGMANN. I just don't have that handy with me either today, unfortunately. We could try to get you that number.

Mr. MCCAUL. OK.

Yes, I think this is the issue the Chairman and I talked a lot about. We would like to get to a place, you know, bipartisan to resolve some of this, because I think when you look at cases like the Austin bomber, it is hard for me to say that wasn't an act of terrorism. It certainly was.

So how do you go beyond just the definition of domestic terrorism? Perhaps it is under a hate crime-type law. Of course, in that case I think he would have been charged with capital murder under Texas law and that is the ultimate punishment. A hate crime doesn't have that sort of penalty provision to it.

Mr. WIEGMANN. No, it does. If death results, the death penalty is available.

Mr. MCCAUL. So under the hate crime?

Mr. WIEGMANN. It can be, yes.

Mr. MCCAUL. OK.

Mr. WIEGMANN. I think Dylann Roof, for example.

Mr. MCCAUL. Then perhaps, Mr. Chairman, that could be a way to look at this perhaps under the hate crimes statute. I think that is a good answer.

I yield back.

Chairman THOMPSON. Thank you very much.

The Chair now recognizes the gentleman from Staten Island, New York, Mr. Rose.

Mr. ROSE. Mr. Chairman, thank you so much for the opportunity.

Mr. Murphy, you mentioned earlier the Global Internet Forum to Counter Terrorism, GIFCT. Is that correct?

Mr. MURPHY. Yes, sir.

Mr. ROSE. So the social media companies recently came before us and they humble-bragged about this forum, that they had established it.

So my first question is, to each of you, were you aware of this forum? Have you had any direct communication with this forum? If so, how often? That is both you as well as your office.

Let's start with Mr. Murphy.

Mr. MURPHY. Sir, thank you for the question.

Under the offices that I manage, I don't have direct engagement with that forum. Rather, our intelligence professionals provide background information and other things to the rest of the Department that does engage. So we kind of serve as that node by which we help our officials that are going to be there understand what the issues are and be best informed to talk about them.

Mr. ROSE. OK.

Mr. MCGARRITY. From the FBI perspective, we are absolutely involved in that process.

Mr. ROSE. But, Mr. McGarrity, were you aware of this actual organization, is my question.

Mr. MCGARRITY. Yes. In fact, part of that is the Aqaba Process. There was a recent meeting just here in California, I was present there, with members of DHS, Secretary Nielsen, and others, with the social media companies. I was actually at that meeting.

Mr. ROSE. Good.

Mr. WIEGMANN. So, yes, I am aware of the organization. We have had at least some contact with companies that are part of the forum, the Counterterrorism Forum. So we are aware of it and have tried to, working principally through the FBI, to encourage them to address terrorists' use of the internet.

Mr. ROSE. You know, one thing that I think we are seeing here is that there isn't an institution in place for strong public-private partnerships as it pertains to social media, as far as we can see.

Do you see any established public-private partnerships with social media? In other words, is there an institutionalized way for law enforcement to quickly and efficiently share information with social media companies or vice versa?

Mr. McGarrity, we will start with you.

Mr. MCGARRITY. Well, there is absolutely a way to do it, and we do do it, as far as sharing information when we see threats. We will absolutely go through our private-sector engagement offices within the FBI to do that.

Specifically with the Aqaba Process, what the social media companies are wrestling with are different countries. So you have Europol who is looking to put forth legislation from a European Union mindset, you have the United States, and the First Amendment, and you have other countries.

So they are trying to wrestle with different terms of service in different parts of the world and what that means as they go through that.

But we certainly, when we see something, we have within the Counterterrorism Division, we stood up an entire section. We call it strategic partnerships. That is to work with the banks, to work with the shippers, and to work with the social media companies.

Mr. ROSE. OK.

Does anyone else have anything to add on that?

Mr. MURPHY. I would just say, from under my office as well as my knowledge of the process, we have a similar effort that we work in tandem with our partners here in terms of outreach. We work every day to try to educate them on the threats and make sure that they have the information they need to make their private company decisions off of that.

Mr. ROSE. Let's talk about 8chan. Is anyone aware of any direct outreach or communication with the owners of 8chan or the administrators? Have they contacted you?

Mr. McGarrity, we will start with you.

Mr. MCGARRITY. I am not aware of specific contact between the FBI and 8chan, but I can follow up and see.

Mr. ROSE. Yes. I mean, I am especially concerned about this because all of this is based off relationships. We know that much of this is happening on 8chan, and if we have not had any direct contact with the administrators of 8chan, then I am not sure what pro-

protocols we have in place to make sure that materials are taken off 8chan as quickly as possible.

Mr. MCGARRITY. Well, so certainly First Amendment, we are prohibited from reviewing, looking at First Amendment activity. So if it is speech, if it is ideology, and it might be alarming as it is, we are prohibited from that.

But our contact with 8chan on an operational side, if we are seeking something through judicial process or legal authority, I can get back to you on how much interaction there has been.

Mr. ROSE. That would be great. Thank you.

Mr. Murphy, do you have anything to add?

Mr. MURPHY. Sir, I am not aware of—I will have to get back to you to determine whether there has been contact or not.

Mr. ROSE. Thank you.

Last, ghost guns. None of you mentioned it directly in your testimonies. Is there anything you would like to note particularly about ghost guns? Do you view this as a threat for the future?

Mr. McGarrity.

Mr. MCGARRITY. Ghost guns are certainly something we briefed up within the Counterterrorism Division, as well as the Criminal Division within the FBI, as something that is concerning, that you could have a weapon out there that is not traceable, absolutely.

Mr. MURPHY. I would say from the Department's perspective, we are tracking it, and we have concerns about it both from an infrastructure protection side. The Department is continually trying to refine its efforts to stay abreast of technology so that we don't have an adversary's ability to get, whether it is a ghost gun or whatever the weaponry is, into infrastructure.

Mr. ROSE. Fantastic.

Mr. Wiegmann, is there anything else?

Mr. WIEGMANN. No.

Mr. ROSE. Mr. Chairman, thank you.

Chairman THOMPSON. Thank you very much.

The Chair recognizes the gentlelady from Nevada, Ms. Titus.

Ms. TITUS. Thank you very much, Mr. Chairman.

When you are just about the end of the line, you get to hear everybody ask your questions. But I made a few points I want to go back over, if you don't mind.

I have heard repeatedly that this is a collaborative effort, and I know that is the case with Federal agencies, local law enforcement. I visited a fusion center in Las Vegas. It is so good not only at trying to prevent incidences, but reacting to instances like the shooting that occurred in my district. So I appreciate that.

I also heard you talking about collaborating with the private sector. I would say that nobody does security in terms of expertise and technology better than the people in my district. The eye in the sky sees just about everything that goes on there. So I would encourage you to work with them as well, and I suspect you probably do.

Going back to Mr. Katko's comments about "see something, say something," I know when that first came out there was a lot of emphasis on it, a lot of excitement about it, but you admitted that that book was out of date, and we haven't seen much about it recently. I think we need to maybe revisit that.

I heard about a test not long ago where in Israel they put a backpack under a seat in an airport, and within 2 minutes somebody had seen it and reported it. They did the same thing under a seat in an airport in the United States, and within 2 minutes somebody had seen it and stolen it. So that is kind-of what we are up against, so maybe we need a little more emphasis on this.

One other thing that was mentioned about the militia. I have heard the term "sovereign citizens." They are anti-government. In fact, our attorney general, Aaron Ford, said that they are probably the largest threat, domestic violence threat in Nevada. In my district alone, in Clark County, there are 500 identified people who belong to this kind of movement.

I just wondered if you would address them, or if it is the same as militia, or do you deal with them a little differently.

One other thing is, I haven't heard mentioned animal cruelty. So often when you track people who have aberrant behavior and you see them on the internet, you see some evidence of real animal cruelty in their past.

Do you have any way of overlaying this kind of information as you look for those red flags that have been mentioned?

Finally, one form of domestic terrorism that hasn't been addressed is against abortion clinics and abortion doctors, and that seems to have been stepped up with the President's rhetoric that has just been very inflammatory and some outright lies.

But a recent report said that providers have experienced 823 acts of trespassing, 1,700 acts of obstruction, 62 death threats, and 104 clinic blockades. Maybe you could address what you all are doing in that area as well.

Thank you.

Mr. MCGARRITY. So I think I can certainly start.

So obviously sovereign citizens, environmental rights, as well as animal right-type cases, those extremist cases in that category, as well as abortion rights extremists, they are categories for us in how we look at domestic terrorism. So to have that category, we absolutely are working those type cases.

As far as the sovereign citizen extremist cases, obviously the harassment and targeting of law enforcement and Government personnel is a concern. We do see those cases. We have a fair amount of those cases.

When you look at the 850 total, a fair amount of them are sovereign citizen cases, and those are cases that certainly, by differentiating themselves from the U.S. Government and not abiding to the laws, certainly could become violent when confronted with law enforcement, whether it is serving a subpoena, a lien, or any judicial process.

So it is certainly of concern and certainly, from the numbers, certainly something we are looking at.

As far as animal rights, environmental rights extremists, certainly less on that. That threat has gone down in the sense of what we saw in years past as far as organized groups doing things. We don't see as much from some of those groups you would think about from 15, 20 years ago, but from our sense, still a priority.

In fact, we just did a transfer of custody of an environmental rights subject who has been on the lam for over 15, I think almost

20 years. We tracked him around the world into South America, Central America, and we brought him back from Cuba, of all places, to stand trial in Portland. So those type of cases are very important for us.

The abortion extremist cases, obviously whenever you are looking to, on either side of that issue, when you are looking to use violence to pursue your goal, it is of interest to us. We, again, may have less of those cases, but once you get into the violence, for us, you are into our realm, and that is where we are looking to disrupt you.

So it doesn't matter on which side. If you are pushing violence to pursue your ideology, we are aggressively investigating you.

Mr. MURPHY. Very briefly. So, yes, I mentioned before, it is in my written testimony, which has been submitted as well, that we are looking to build upon the suspicious reporting system which started after 9/11. We have a new program. I have mentioned it before to the committee. We are happy to get with your staff and yourself and give you a full briefing on it.

Specific to the Las Vegas fusion center, we have full-time folks there, and we look forward to continue supporting the Las Vegas fusion center and the work they are doing to look at violent behaviors. Any way we can support that fusion center as a best practice, we are taking a look at that right now.

Ms. TITUS. Thank you, Mr. Chairman.

Chairman THOMPSON. Thank you very much.

The Chair now recognizes the gentleman from Texas, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Chairman. I appreciate you having this hearing.

I wanted to go to a case that I know relatively well because it is close to my house. There was a Plano West High School student who was arrested last year. He had self-radicalized into Islam and had made plans to conduct an attack on a Hindu mosque in my community and then go attack a mall where I like to take my daughter to go ice skating.

He was arrested. He was caught by the FBI, arrested. But then he ended up being prosecuted not by the Department of Justice, but by the Collin County district attorney because Federal law does not allow prosecution of terrorists who are 17.

So he was actually sentenced, I believe, a few weeks ago in Collin County with such a prosecution, obviously it seems with the blessing of the FBI and the DOJ and their support in that prosecution.

So my question, to take that specific case, which is very close to my house, I drove past Plano West High School on the way to get work here yesterday. Taking that personal or specific example to my community, what laws are getting in the way of you prosecuting terrorists that requires the State to step up and prosecute terrorists?

Mr. WIEGMANN. So without commenting on that specific case, juveniles under the Federal system can sometimes be transferred to adult status, is my understanding, and so it is really in every case we are going to depend—we are going to evaluate on the facts of the case, whether it is a DT case, or less often an IT case, whether the best means of neutralizing the threat is a State charge or a Federal charge.

So it could be in the case you are talking about the decision was a discussion between the prosecutors at the State level and the Federal level, and they said the State charge is actually the most effective way of dealing with this threat because they are going to get the longest sentence, or they are going to have flexibility or, based on the evidence, whatever it might be, that the State charge is best.

So that is a dialog that occurs between State prosecutors and Federal prosecutors, particularly on the domestic terrorism side. That is a frequent occurrence to have those discussions. So that is our overall approach. I don't know if that answered your question.

Mr. TAYLOR. Sure. No. Let me just say, I have a lot of confidence in the district attorney in Collin County, Judge Willis. He does a great job. He has got a great team of prosecutors there. Obviously, justice was done in that case.

But my broader question is, what frailties exist in Federal law now that make it so that you are literally looking to the State of Texas to prosecute a case rather than the Department of Justice?

Mr. WIEGMANN. So it really depends on the facts of the case as to whether an individual case is going to be prosecutable under Federal law. Not every case falls under the domestic terrorism side.

As we have talked about, we can use gun charges. We use explosive charges. We use threat and hoax charges. We can use hate crimes. There is a whole array of charges, but there could be a fact pattern.

I don't know if the case you mentioned is one of them. If it doesn't meet the standards for any of those cases, so it falls between the cracks, and it might be a garden-variety murder case, and it is easy to prove that murder offense under State law, but it doesn't qualify for any of the other things under Federal law, so they are going to bring that as a State case.

Mr. TAYLOR. If you don't mind looking into this and seeing what frailties there are in Federal statute where we are trying to go after terrorists, and then end up, instead of doing it—again, I think counterterrorism is truly a Federal responsibility. I appreciate that sometimes our State partners are the right people to go do these things, and I know Judge Willis was glad to serve justice in this case. If you could look at that and then circle back with my team. I would like to have a further conversation in this committee about making sure we bring terrorists to justice at the Federal level.

I have a minute left. I just wanted to go into another. So hate crimes under the FBI, there was a 17 percent increase, 2017 over 2016. I also noticed that we have a thousand more new law enforcement agencies reporting that kind of data to the FBI.

So sometimes in an effort to be more holistic and collect more data, you increase your numbers. Then people say, "Oh, there has been an increase." But really, have you looked at what it would have been if you hadn't added those thousand agencies?

In other words, is it just how we are collecting it, or is it, because we are collecting more data, we have a bigger number, so it looks like there is an increase when actually there wasn't?

Mr. MCGARRITY. So from my vantage point, sir, under the Counterterrorism Division, I don't own the civil rights hate crimes, but I do know from hearing about it that obviously it is something

we are doing more of, and more departments and agencies are reporting it. So if they want to give some time to see if there are actual increases or not due to the new data that wasn't there before. Again, that doesn't fall under the Counterterrorism Division where I work.

Mr. TAYLOR. Have you gone back and relooked at these numbers and excluded the thousand new agencies? Is that possible? Is that an ask?

Mr. MCGARRITY. I don't know what they are doing on the criminal side of the FBI. I do know they are cognizant of the increase and determining whether it is just an increase in the data collection and the reporting or is there actually an increase in hate crimes. I can't answer that. I just know it is an issue they are looking at.

Mr. TAYLOR. All right. Thank you, Mr. Chairman. I yield back.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentleman from New Jersey, Mr. Payne.

Mr. PAYNE. Thank you, Mr. Chairman, and thank you for having this hearing.

I am going to hold this up for a second so everybody can get an idea.

Mr. Murphy, are you acting under secretary or are you the real deal?

Mr. MURPHY. I am the No. 2 in terms of the intelligence enterprise. Under Secretary Glawe is in place.

Mr. PAYNE. But you are not acting?

Mr. MURPHY. I am not acting, no.

Mr. PAYNE. That makes two of you in the entire administration that is not acting, but that is for another day.

Mr. Murphy, in early 2017 we learned that personnel in your office sent several emails concerning a document referred to as the "Race Paper." Over a year ago, racial justice organizations filed a lawsuit against DHS to release the contents of the agency's memo referred in the Government documents as the Race Paper. Thus far, only a completely redacted memo, which I just held up, of 9 pages has been released. Understandably, we are concerned that DHS has a document which we have not seen called the Race Paper.

Can you please describe the contents of the Race Paper to the extent possible?

Mr. MURPHY. Sir, thank you for the question.

I am aware of the paper that you are talking about, and we follow the Freedom of Information Act to the letter, so everything we provide goes through our Privacy and Civil Liberties Office for release.

With respect to, I think, the paper you are holding up, I will say that it was—a draft of a paper was done by a very junior individual within our organization. The folks in the chain reviewed the paper, rightfully decided it did not meet the parameters for publication, and the project was terminated.

That paper, along with a lot of other drafts that our analysts review and try to bring out, they go through a very rigorous process

before we hit “send” on that product and put our seal on it. I would note that within the——

Mr. PAYNE. Well, who requested the draft?

Mr. MURPHY. I am sorry, sir?

Mr. PAYNE. How did the draft get created?

Mr. MURPHY. So all of our analysts look at the various threat lines that we are monitoring and have the latitude to help explain those threats.

One of the issues I brought up in the beginning of this, of my testimony——

Mr. PAYNE. So there is a need for a Race Paper?

Mr. MURPHY. One of the—I don’t think that the email tag line that you are referring to is the way that I would characterize that draft paper.

Mr. PAYNE. How would you characterize it?

Mr. MURPHY. I would characterize it as a draft paper that when it was reviewed by the first line supervisors was killed.

Mr. PAYNE. Can DHS release an unredacted copy to Members of Congress?

Mr. MURPHY. Sir, so we will continue to follow the FOIA regulations with respects to that. With the oversight responsibilities of Congress, we were happy go back and I will work with staff to see what is possible.

Mr. PAYNE. OK. Two years after we have learned that the DHS had a secret document, something known as the Race Paper, Congress and the public still haven’t seen the contents of this document, but we do know some of the circumstances surrounding the release of the Race Paper, and they suggest that race is very concerning.

For one thing, it was released in connection to a FOIA request related to the Black Lives Matter movement. Why would that be?

Mr. MURPHY. So, sir, the paper was never released.

Mr. PAYNE. Does the Race Paper include information on targeting individuals who peacefully protest against police violence or other racial injustice?

Mr. MURPHY. Sir, any paper that, as a professional, that I put my name on and seal of the Department goes through a rigorous process.

I would also advertise that in the 17 intelligence agencies of the U.S. Government, last year, and as well as the year before, we were either No. 1 or No. 2 in terms of the quality of the information that the men and women of my office put out. Part of that includes whether we reach the standards.

Mr. PAYNE. OK. My time is coming to an end.

Does the Race Paper suggest techniques for surveilling Black activists who protest against police violence?

Mr. MURPHY. So, sir, again, we don’t have a Race Paper.

Mr. PAYNE. Well, this thing exists to some degree. Whether it was a draft or whatever it was, somebody thought to do it.

But my time is coming to an end.

This is very troubling, you know. I pledge my allegiance to a flag every single day that says that we all are created equal and are allowed to be citizens and justice is meted out equally. This doesn’t sound like this is the case.



I yield back.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentlelady from Florida, Mrs. Demings.

Mrs. DEMINGS. Thank you so much, Mr. Chairman, and thank you for having this very important and timely hearing.

Thank you to our witnesses for joining us today.

Mr. Murphy, I am directing my questions to you. As a former law enforcement officer, I certainly understand the importance of timely and appropriate information sharing, how important those intelligence reports are to local, particularly local law enforcement, in terms of helping them to plan and strategize for an appropriate response.

Information is so valuable. It can really be a force multiplier for law enforcement agencies having to deal with oftentimes the unknown in their community.

So I, first of all, want to thank you for the work that you are doing in that area to help those on the front line be adequately prepared. But, however, there does, with the good work that you are doing, there still continues to appear to be some gaps in the process.

I am particularly concerned that information regarding White nationalist gangs and violent fringe White movement groups is not being shared with State and local law enforcement even when they specifically seek it.

I know I missed the earlier discussions about trying to balance First Amendment rights, but, of course, we are also trying to keep our communities safe every day.

In November, *The New York Times* reported that the Gainesville Police Department, which is—Gainesville is a city in Florida—was not provided relevant information leading up to the speech of Richard Spencer, a White nationalist whose public comments often ended in bloodshed.

Of course, Gainesville is a college town. It is a short drive from my district in Orlando. But a police commander with that Department said that—the person had 24 years of experience so knows the job very well—described the lack of information from the FBI and DHS as the Bermuda Triangle of intelligence.

So unable to receive what he thought was appropriate or relevant information, useful information, he went on-line himself and did, indeed, find that the violent White nationalists, who ultimately descended on the campus, were not hiding. They were on social media networks, on message boards, talking about how they were going to test Florida's stand your ground law. Eventually descended upon the city, opened fire on protesters. Thank God no one was killed that day. They were ultimately arrested.

But I would like to ask you, Mr. Murphy, as we balance First Amendment rights, and I certainly understand what the Constitution requires us to do, what are the lessons learned for you and your Department as it pertains to events like the one in Gainesville and even the one that we are all familiar with, Charlottesville? Could you talk a little bit about how the Department actively collects, reviews, and shares information specifically involving these type of groups?

Mr. MURPHY. Yes, ma'am. Thank you for the questions.

So in my written statements and some of the charts I provided, we basically—one of the many things we do is run what is called the Homeland Security Network, or HSIN-Intel, and we have posted approximately 40,000 products on that site. They are not just DHS products, they are State and local products. They are also the products of virtually every Federal agency that does work in the domestic space.

We continually improve that site. Since 2016, that site has—the quality of products we are putting on there has increased, and we know that by measuring it in a couple of different ways.

One of the metrics is that we have increased the volume of products by 64 percent. We also look at how often and what actual products are reviewed. So we have seen an approximately 325 percent increase in the number of views.

Then we ask for metrics back from and qualitative and quantitative responses from our colleagues, which is exclusively State and local law enforcement, is do these products matter. We see the products get upwards of about a 90 percent approval rating.

All of that said, that is just one technical fix. We are also mindful that we have to continually advertise that this exists to State and local colleagues. As people change, they are coming out, they are busy, you know, we want to make sure it is as user-friendly and we provide it as often as we can.

We have increased the number of our field——

Ms. DEMINGS. These were lessons learned in terms of sharing of information post-Gainesville, post-Charlottesville, or were these processes in place prior to those events but somehow failed?

Mr. MURPHY. I would say, ma'am, that they have been on-going since 9/11 on forward. So we continue to learn from all information-sharing experiences that we have.

We have increased the number of personnel that we are deploying to the field since 2016. They are not in response specifically to the two incidences that you described, but we certainly understand the importance of deploying our personnel so they have that first-hand experience in exposing and hearing back from our State and local colleagues what they need.

In response to your question, there is not a day that goes by that I don't challenge my entire team to make sure that any Classified information reporting from other agencies—we encourage those agencies to get out that information to our State and local colleagues.

We don't get pushback. I think it is just awareness, in my experience, with the interagency writ large.

The last thing I will just say to this is it is a continuing effort that we need to make, and we strive every day to push that along. We engage in virtually every State and local organizational meeting that is out there, and we look forward to continuing those. I know most of the leadership on a first-name basis.

I will continue to try to make myself, and I know my boss, the under secretary, will, and our staff, enjoys those experiences, and we learn quite a bit how we can help out our State and local colleagues.

Ms. DEMINGS. Thank you.

Thank you, Mr. Chairman.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentleman from California, Mr. Correa.

Mr. CORREA. Thank you, Mr. Chairman. I want to thank you very much for having this most important hearing.

As you know, the increase in domestic terrorism is alarming. Last year I called for a hearing immediately after the Charlottesville and Pittsburgh domestic terrorism acts. None were held. That is why I thank you for doing this today.

Gentlemen, this last week I was back home, and I held private townhalls with the Jewish community and the Muslim communities in my district. Since Poway was right down the street from us, so to speak, these issues hit home for all of us.

Speaking to my local school district, constituents who live around my local high school that I attended, a lot of constituents were upset because the high school is building a fence around the school that makes it look like a prison. When I talked to the administrators, they said, "Lou, this is about safety." Not only are they putting up a fence around most of our schools, we are also putting in hundreds of cameras, all of our schools.

We have gotten into a bad situation in society where our fear for domestic terrorism, people that may live in our own communities, we are afraid of.

The biggest challenge is going after the lone wolves, the folks that you just can't figure out what triggers that act of hate that leads to deaths. Of course my prayers go out to the families in Colorado that have suffered in the last few hours.

My question to you, gentleman, is how are we working with the locals? In Orange County, Sheriff Barnes has a fusion center, always says: We are doing a great job, Lou, but we need more resources. We need more resources to track the lone wolves.

What is it that we can do? What is it that we need to do to go after these domestic terrorists? Because I get a sense from everything that I hear that we are very focused on foreign terrorists and that our resources are going there, but yet, when you look at the carnage in our society today, it is the domestics that are really hurting us. Those domestic terrorists are the ones that are changing our lives, how we act, how we behave, and how we invest our resources.

My school district, instead of going for books and teaching, a big chunk of that money is now going to building fences, putting in cameras, and trying to figure out where to put those security guards.

Give me your thoughts. How do we harden our society? How do we go after these lone wolves?

Mr. MCGARRITY. So, you know, I think you characterized the threat and the state that we are in.

I will tell you, on the domestic terrorism side, we arrest more people per year, at least in the last 2 years that I have looked back, than international terrorism. More people arrested that are domestic terrorism subjects than international terrorism subjects.

Mr. CORREA. But are we putting enough resources domestically or are most of our resources still going to the foreign terrorism?

Mr. MCGARRITY. No. I mean, if you look at our case numbers, and our case numbers rely on tips from the community, our law enforcement partners, our analysis from within to see if someone is talking to someone, all those things, 50 percent come from the community, State, or local as far as our—

Mr. CORREA. So does our investment, our expenditure reflect that? You talk about cases. You talk about arrests. How about dollars spent? Are we spending enough on local?

Mr. MCGARRITY. I don't split the difference between international terrorism and domestic terrorism when we have agents in the field working their cases. There is no—there might be a budget line item somewhere within our books back here for travel and stuff, but it is the same. It is agents—

Mr. CORREA. I am glad to hear that, that you are not splitting it based on that, but clearly that has got to be a focus on where the danger is coming from.

Mr. MCGARRITY. Well, I think you said it. The lone actor is the problem set that we are dealing with, insular in nature, non-conspiratorial, not necessarily being directed or engaging with others. So you have lone offenders, lone actors, very hard to detect from a law enforcement perspective whether you are State, local, or FBI.

Certainly for the FBI. We rely on sources. We rely on working with our Joint Terrorism Task Force and our task force partners to do that. But we will, time and time again, we said it here before, see something, say something. It is likely an individual, maybe a family member, more specifically a religious leader, a teacher, that will see a change in behavior, see a triggering event where they see an individual become radicalized quickly and mobilized to violence. We need that person to speak up and tell us.

Mr. CORREA. Mr. Chair, I am out of time, but one quick follow-up.

Off-line I would like to talk to you a little bit more about how we continue to refocus on those specific issues, work with the local fusion centers to make sure that we are able to track down some of those folks that may blow up in our society before they blow up.

Mr. Chair, I yield.

Chairman THOMPSON. Thank you very much. We join you in your interest in pursuing that, too.

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

Ms. JACKSON LEE. Again, Mr. Chairman, let me thank you, along with the Ranking Member, for this important committee.

If my recollection serves me well, under your leadership, certainly as Ranking Member and as Members of this committee, we have championed or cried out for help and relief from the growing proliferation of domestic terrorism. It breaks my heart on the amazing silence we have had to encounter and the loss of life.

So let me, first of all, join Mr. Payne. I would like to ask whoever has the document, the Race Paper, to release it in its entirety. I know that we do have the Black identity extremist report.

So let me pursue a line of questioning. First of all, let me thank you gentlemen for your commitment to the safety and security of

the American people. We always are proud of those who offer themselves to serve.

Let me ask you the question of your knowledge of the importance of a bully pulpit for good reasons. The importance of a bully pulpit, Mr. Murphy, is it yes or no, important, on good comments, that that can be far-reaching?

Mr. MURPHY. I believe so, yes, ma'am.

Ms. JACKSON LEE. Mr. McGarrity.

Mr. MCGARRITY. I don't think I understand the question.

Ms. JACKSON LEE. The use of a bully pulpit for a good reason, is that a positive thing?

Mr. MCGARRITY. Yes. Anyone advocating for something good I would say is positive.

Ms. JACKSON LEE. The next witness, Mr. Wiegmann.

Mr. WIEGMANN. I agree.

Ms. JACKSON LEE. Thank you.

I agree as well.

So let me be very clear. The President of the United States has not done enough to deal with quashing the rising acceleration of domestic terrorism and hate in this country.

He has a very important responsibility. He heads the Government. He gives guidance to the Department of Justice under the Attorney General. There has not been enough done.

In fact, we see in the last decade domestic terrorism become an increasing concern in the United States. In 2018, domestic extremists killed at least 50 people in the United States, a sharp increase from 37 extremist-related murders in 2017. It goes on to show how many were in 2015 and 2016, 70 and 72.

Right-wing terrorists, between 2010 and 2017, committed a third of all acts of domestic terrorism in the United States, 92 out of 263. The ACLU and the Southern Poverty leadership group have indicated that hate crimes have moved up exponentially.

Let me correct the record. I understand that previously it was indicated that the individual who did the dastardly act in Baton Rouge was a Black identity extremist. I understand he was a separatist, but he was also a member of the sovereign nation.

So the question is, are we still blaming and using the terminology Black identity extremist? Anybody have an answer for that?

Mr. MCGARRITY. I can say from the FBI, we haven't used that term since I have been here in 15 months, other than to prep for the briefing—

Ms. JACKSON LEE. I thank you very much.

I don't want to point specifically to the exclusion of other hate groups, but I do believe it is important to focus on the rising emphasis of White nationalism and Nazism. They are glaringly in the limelight, starting from Dylann in Mother Emanuel, who professed that ideology, going to the Coast Guard individual that is right in the mix right now that is, frankly, having attacked or at least attempted attack of various public figures, to the gentleman professing his love for Trump in Florida attacking Members of Congress, and to Charlottesville.

My question is, when is the President to emphasize to the Attorney General and to each and every one of you that your major and chief responsibility, besides all the technical things that we have

to do, is dealing with White nationalism and Nazism? I am asking all three of you that question.

Mr. MCGARRITY. I can take the first part. I can just highlight as far as domestic terrorism, I can tell you—

Ms. JACKSON LEE. White nationalism and Nazism. Please use that terminology. I understand they are understandable.

Mr. MCGARRITY. So from the National Security Strategy for Counterterrorism this year which was put out, obviously it highlights violent extremism, such as racially motivated extremism, and domestic terrorism in the United States is on the rise.

That is a statement, but obviously that is a strategy. What is going to be done to implement it? I can tell you the National Security Council, with the National Counterterrorism Center and DHS and the FBI, are now working toward an implementation plan on that strategy, as well as the rest of the United States intelligence community.

So it is actually in the strategy. First time in years that I know of that domestic terrorism is actually highlighted in the strategy.

As far as what we are being directed to do, like anything, we are being directed to preempt violent attacks by people who have an ideology that are trying to pursue whatever that ideology is, and that has been our mandate.

Ms. JACKSON LEE. May I just make an inquiry of you, Mr. Chairman, because the other gentlemen were not able to answer. I would like to have their answers in writing if I am not able to hear it at this point.

But I would ask the committee, if we could, to ask, secure a specific request. I know that Mr. McGarrity—I have great respect for all of them—a specific request for their plan to move quickly on the issues of White nationalism and Nazism, in terms of a response to those particular issues, keeping in mind everyone's right to the First Amendment. I would appreciate if these two gentlemen could either answer or they could provide it in writing, to the Chair.

Mr. WIEGMANN. I am happy to answer, which is from a DOJ perspective, absolutely we are committed.

As I said in my opening testimony, it was made clear today, regardless of the motivation of the threat, if it is White supremacy, if it is White nationalism, if it is any other kind of threat, we are absolutely committed to working with the FBI and with our colleagues at DHS to investigate, prosecute those cases. Some of the ones you mentioned are cases that we have prosecuted, and those were mentioned in my opening testimony.

So again, we are absolutely committed to addressing that threat.

Mr. MURPHY. Ma'am, I am happy to answer now as well, and it is in my statements as well.

We don't base how we pursue individuals who are pursuing violence or pursuing groups solely based on ideology. That, as you noted, is First Amendment. But those that seek to harm citizens or anyone in the world based on whatever the motivation is and there is violence involved, we certainly go after that on a daily basis, and we will continue to do that.

I think our numbers in the overall domestic terrorism space bear that out. Since 2016, the amount of reporting we have put out on it has sharply increased, approximately 40 percent, and we look

forward to working with all of our partners here to continue that reporting.

I would also add that we work aggressively with the faith-based community and with our partners here to make sure, where they happen to be a target, we can give them those resources they need, as well as other community coalitions that are out there. We look forward to continuing to do that.

Chairman THOMPSON. Thank you.

Ms. JACKSON LEE. Thank you for your courtesy.

Chairman THOMPSON. Thank you.

The Chair now recognizes the gentleman from Texas, Mr. Green.

Mr. GREEN of Texas. Thank you, Mr. Chairman.

I thank the Ranking Member.

I thank the witnesses for appearing.

Dear friends, as witnesses, if you are familiar with—and I believe you are, I just want to build the record—if you are familiar with the KKK, would you kindly extend a hand into the air? I believe you are.

Let the record reflect that all are.

Are you familiar with their cross burning? They call it cross lighting. If you are familiar with them, I am sure that you know that they do, would you kindly raise a hand?

All hands are in the air, for the record.

Is it true that—well, they use this as a means of symbolizing their faith. They claim to be Christians, the members of the Klan, and in burning or lighting the cross, they are exemplifying their faith.

I believe as persons familiar with the Klan, doing the kind of work that you do, you probably know this, too, but let me just ask you to raise your hands if you know this. Raise your hands, please.

OK. All hands.

Now, have we ever called—have you any information wherein it has been widely said that when a Klansman commits an act of terrorism that this was Christian terrorism? Has that ever been widely used, Christian terrorism? If the answer is no, do not raise a hand.

No hands are up, so it has not been widely used.

We do know that if persons of the Islamic faith commit an act of terrorism, there is a commonly used term: Islamic terrorism. Have you heard this term, Islamic terrorism? If so, would you raise your hand, please?

All have raised their hands.

I am putting you through this exercise because it seems to me that there is a mindset that has to be dealt with. When White men calling themselves Christians commit acts of terrorism, we don't define it as such. We don't say Christian terrorism. But if a person who is of the Islamic faith does it, we connect the faith to the violence.

I don't think that the Klan is a Christian organization. I am the grandson of a preacher. I know that they don't live up to the tenets of Christianity. I don't think that those persons who are of the Islamic faith who may commit some violent act or who claim they are, I don't really think that that is Islam.

I am mentioning this to let you know that we have a problem in terms of our mindset that we have to deal with.

Next point quickly, and I will tie it all together. If I said there were some very fine people who among the bigots, the racists, the Klansmen in Charlottesville, there were some very fine people among them, would that be an appropriate thing for a Member of Congress to say? If you think so, raise your hand.

Let the record reflect that no one has raised their hand.

However, if the President says that there are some very fine people among those who were preaching, "Jews will not replace us," "blood and soil," if the President says it, is it appropriate for the President to say such a thing? If you think that it is not appropriate, raise your hand.

If you think it is not appropriate for the President to say what you just said would be inappropriate for a Member of Congress to say, if you think it is not appropriate for the President to say there were some fine people among those folks in Charlottesville where a person lost her life, raise your hand. If you think it is inappropriate for the President to say it, raise your hand.

Mr. MURPHY. Sir, if I may, at least from the DHS perspective, I think the way we look at it and the way we go after these things—

Mr. GREEN of Texas. Excuse me, please. I greatly appreciate your perspective, but I am limited on time.

So you were quick, you had no problem saying that Members of Congress should not use such language, but you refuse to acknowledge that the President should not use such language?

Mr. WIEGMANN. If I could just jump in?

Mr. GREEN of Texas. Yes. Quickly, please.

Mr. WIEGMANN. I would say for me personally, it is just not of my place as a career Government official to comment on what either Members of Congress or the President should say.

Mr. GREEN of Texas. But you already did. Too late now, see.

Mr. WIEGMANN. OK. Well—

Mr. GREEN of Texas. You already did. You already said that it is inappropriate for Members of Congress, but when it gets to the President—

Mr. WIEGMANN. I don't think I commented one way or the other.

Mr. GREEN of Texas. No, no, no. You did. You are on the record. You raised your hand. You are on the record.

Here is the point. We who hold public trust have to have the same standard for everyone, same standard for the KKK that we have for persons who claim to be of the Islamic faith. Same standard for—and they are not—same standard for the President that we have for Members of Congress. If you can't uphold the same standard, you are doing your country a disservice, my friends.

I yield back the balance of my time.

Chairman THOMPSON. Thank you very much.

Let me thank the witnesses for their valuable testimony today.

I would like a couple of items inserted in the record. One is a compendium of letters from 2011 to 2018 asking for hearings before this committee on domestic terrorism, just for the record.

[The information referred to follows:]



February 1, 2011.

The Honorable PETER KING,  
Chairman, Committee on Homeland Security, U.S. House of Representatives, Wash-  
ington, DC 20515.

Dear Chairman King: I write to request that you broaden the scope of your exam-  
ination of ideological-based violence.

Terrorists of all ideologies seek to do Americans harm. According to a polling of  
State law enforcement agencies conducted by the Department of Homeland Secu-  
rity's START Center of Excellence, there are a variety of domestic extremist groups  
more prevalent in the United States than Islamic extremists, including neo-Nazis,  
environmental extremists, anti-tax groups, and others.<sup>1</sup> Islamic extremist groups  
were named a threat in 31 States, according to the poll; Neo-Nazi groups, by con-  
trast, posed a serious threat in 46 States.

Ideological-based violence of all kinds has been on the rise, according to a variety  
of indicators. As the incident in Spokane, Washington, this past Martin Luther King  
Day has shown, Islamic extremists aren't the only ones willing and able to utilize  
sophisticated devices intended to kill many Americans. In fact, three of the five  
CBRNE plots since 2001 were planned by White supremacist groups; none of them  
were attributed to Muslim extremists.<sup>2</sup>

While I share your concern about the threat posed to our nation from violence  
borne of ideologically driven extremism, I believe that this committee's exploration  
of the current and emerging threat environment should be a broad-based examina-  
tion of domestic extremist groups, regardless of their respective ideological  
underpinnings. I hope you share my belief that in the final analysis, the ideology  
of a bomb maker matters less than the lethal effects of his creation.

I look forward to working with you to further this Committee's mission and safe-  
guarding our nation from all enemies, foreign or domestic.

Sincerely,

BENNIE G. THOMPSON,  
Ranking Member.

October 15, 2012.

The Honorable PETER KING,  
Chairman, Committee on Homeland Security, H2-176 Ford House Office Building,  
U.S. House of Representatives, Washington, DC 20515.

Dear Chairman King: We write to you regarding the recent state of domestic ter-  
rorism incidents throughout the country. During this Congress, the House Home-  
land Security Committee held five hearings examining radicalization in the Muslim  
American community.

At the inception of this series of hearings and throughout their occurrence, we  
have expressed deep concern about the scope of this examination and have urged  
you to include other groups that pose threats.

In September, a jury in Cleveland, Ohio convicted 16 people of Federal hate  
crimes arising out of a series of religiously motivated assaults on practitioners of  
the Amish religion. These convictions stem from a series of separate hate-crime as-  
saults that occurred in four Ohio counties between September and November 2011.

In August, four St. John Parish, Louisiana, sheriff deputies were ambushed by  
members of the Sovereign Citizens organization. According to the FBI, this group  
is "an extremist antigovernment group." The gunman critically wounded two depu-  
ties and killed two others. The nexus between this group and violent acts is not  
new. According to the FBI, an accomplice in the 1995 Oklahoma City bombing was  
a Sovereign Citizen.

On August 5th, a gunman entered a Sikh temple in Wisconsin and shot ten wor-  
shippers, killing six, before turning the gun on himself. Initial reports reveal that the  
gunman had strong ties to the neo-Nazi and White supremacy movements.

These events illustrate the fact that domestic terrorism is varied and unpredict-  
able. By maintaining a narrow focus on one group, the Committee is missing the  
opportunity to investigate threats from other groups and ideologies.

<sup>1</sup>"Surveying State Police Agencies about Domestic Terrorism and Far-Right Extremists." Jo-  
seph Simone, Jr., Joshua Freilich, and Steven Chermak. *University of Maryland Study of Ter-  
rorism and Responses to Terrorism* (Feb. 2008). [http://www.stm1.umd.edu/start/publications/  
research\\_briefs/20080221\\_State\\_agency\\_survey.pdf](http://www.stm1.umd.edu/start/publications/research_briefs/20080221_State_agency_survey.pdf).

<sup>2</sup>"Building on Clues: Examining Successes and Failures in Detecting US Terrorist Plots,  
1999-2009." Strom, et al. *The Institute for Homeland Security Solutions* (Oct. 2010). [https://  
www.ihssnc.org/portals/0/Building\\_on\\_Clues\\_Strom.pdf](https://www.ihssnc.org/portals/0/Building_on_Clues_Strom.pdf).

Taking up the issue of violent domestic extremism, in September, the Senate Judiciary Committee held a hearing to examine this threat.<sup>3</sup> According to testimony in this hearing:

“The rising threat of domestic terrorism within the United States should not diminish our focus on deterring threats from al-Qaeda and its affiliates. Rather, our nation’s intelligence and law enforcement resources need to be flexible and resilient in their ability to combat terrorism from all sources of violent extremism, including domestic non-Islamic extremists. The threat from domestic terrorism motivated by extremist ideologies is often dismissed and overlooked in the national media and within the U.S. Government. Yet we are currently seeing an upsurge in domestic non-Islamic extremist activity, specifically from violent right-wing extremists.”<sup>4</sup>

Given the noted upsurge in domestic, non-Islamic activity and the risk such ideologically-based violence may present to this Nation, we write to request that you hold a hearing on the threats posed by domestic terrorists when the House reconvenes in November.

Sincerely,

BENNIE G. THOMPSON,  
*Ranking Member.*

CEDRIC L. RICHMOND,  
*Member, Committee on Homeland Security.*

*June 23, 2015.*

The Honorable MICHAEL MCCAUL,  
*Chairman, Committee on Homeland Security, H2-176 Ford House Office Building,  
Washington, DC 20515.*

DEAR CHAIRMAN MCCAUL:

I am writing to request that the Committee hold hearings on the threat of domestic terrorism. According to the Committee on Homeland Security’s Oversight Plan for the 114th Congress, the Committee will “examine existing and emerging terror threats from domestic terrorists.”<sup>5</sup> In a survey conducted by the Triangle Center on Terrorism, in partnership with the Police Executive Research Forum, 74 percent of State and local law enforcement agencies reported domestic terrorism as one of the top three terrorist threats in their jurisdictions.<sup>6</sup>

As you know, the Department of Justice has opened a domestic terrorism investigation into events surrounding the deadly June 17, 2015 attack on congregants of the historic Emanuel African Methodist Episcopal Church in Charleston, South Carolina. On June 20, a racist manifesto allegedly written by the alleged gunman surfaced online. In this manifesto, he admitted to gathering information from the Council of Conservative Citizens, a well-known extremist group that has roots within the White Citizens Council.

To date, the Committee has had three oversight hearings on how overseas-based terrorist organizations spread extremist propaganda to radicalize and recruit. However, we have not, as a Committee, examined how the same channels are being exploited by groups intending to carry out domestic terrorism. At our most recent hearing on terrorist use of social media, you stated that “we are facing an enemy whose messages and calls to violence are posted and promoted in real time.”<sup>7</sup> Just as this observation is true when it comes to the Islamic State in Iraq and the Levant and Al Qaeda, it is true when it comes to domestic terrorist groups and the lone wolves that are inspired by them. The carnage of June 17 did not occur in some far-off land. It occurred on American soil and was perpetrated by an American whom we have no reason to believe was influenced by a foreign terrorist organization.

As the Committee on Homeland Security, we have an interest in protecting our citizens from foreign and domestic terrorist threats. I strongly believe that we have a moral responsibility as well as a responsibility under our bipartisan Oversight

<sup>3</sup>“Hate Crimes and the Threat of Domestic Extremism,” Senate Judiciary Committee, Subcommittee on Constitution, Civil Rights, and Human Rights. September 19, 2012.

<sup>4</sup>Testimony of Daryl Johnston, CEO DT Analytics. “Hate Crimes and the Threat of Domestic Extremism,” Senate Judiciary Committee, Subcommittee on Constitution, Civil Rights, and Human Rights, September 19, 2012.

<sup>5</sup>Oversight Plan of the Committee on Homeland Security. 114th Congress (2015).

<sup>6</sup>Kurzman, Charles and David Schanzer. “The Growing Right Wing Terror Threat”. *The New York Times*. June 16, 2015.

<sup>7</sup>“Terrorism Gone Viral: The Attack in Garland, Texas and Beyond”. Wednesday, June 3, 2015.

Plan to ask the tough questions. We would benefit from hearing what the Federal Government is doing to identify, mitigate, and respond to such threats and the degree to which Federal efforts to counter violent extremism are focused on domestic terrorist threats. Therefore, I respectfully request that you hold a hearing where the Committee can receive testimony from the Department of Homeland Security and the Department of Justice on the subject of domestic terrorism. At this hearing, it would be beneficial to receive testimony from the Department of Homeland Security's Countering Violent Extremism Coordinator on the Department's Countering Violent Extremism strategy and the elements it includes to prevent domestic terrorism.

Thank you for your timely attention to this matter. If you have any further questions, please contact Hope Goins, Chief Counsel for Oversight[.]

Sincerely,

BENNIE G. THOMPSON,  
*Ranking Member.*

*June 17, 2016.*

The Honorable MICHAEL MCCAUL,  
*Chairman, Committee on Homeland Security, H2-176 Ford House Office Building,  
Washington, DC 20515.*

DEAR CHAIRMAN MCCAUL: Today, on the 1-year anniversary of the deadly, domestic terrorist attack on congregants of the historic Emanuel African Methodist Episcopal Church in Charleston, South Carolina, I am writing to request that the Committee hold hearings on the threat of domestic terrorism.

According to the Committee on Homeland Security's Oversight plan for the 114th Congress, the Committee will "examine existing and emerging terror threats from domestic terrorists."<sup>8</sup> Over the last year, I have repeatedly requested that you convene a domestic terrorism hearing. On June 23, 2015, days after the Charleston attacks, I sent you a letter requesting a hearing with Federal Government officials on the threat of domestic terrorist organizations. More than a year later, you have not scheduled such a hearing.

You acknowledged in July 2015 that the violent extremist ideology that motivated the attack on Emanuel African Methodist Episcopal Church was of concern by saying, "[a]s we've seen recently in France, Tunisia, Kuwait, and even right here at home in places like Garland, TX, and Charleston, SC, violent extremism comes in many forms."<sup>9</sup> Since that time, I have been disappointed to see that those words have not translated into action and that you have not prioritized a hearing on domestic terrorist threats. However, you have convened five hearings since June 2015 examining the threats posed by foreign terrorist organizations.<sup>10</sup>

On June 9, Speaker Paul Ryan released the House Republican agenda and ideas on national security. One of the ideas articulated is that, "we must make sure our country is ready to tackle the threats of our time and beyond."<sup>11</sup> Domestic terrorism is a threat of our time and beyond. As we remember Charleston today, details continue to emerge about a British lawmaker who was gunned down by someone that is believed to have been radicalized by a U.S. domestic extremist group. Additionally, over the past year, anti-government groups grew by one-third, and the violent threat they pose was underscored by a 41-day aimed occupation by anti-government extremists in Oregon earlier this year.

This Committee's failure to examine the events of June 2015 terrorist attacks is not only a dereliction of our responsibilities in the House to tackle all homeland security matters but also inconsistent with the terms of our Committee-approved oversight plan. It is well known that this Committee has held timely hearings in the aftermath of terrorist attacks. Last year, within a month of the Garland, Texas at-

<sup>8</sup>Oversight Plan of the Committee on Homeland Security. 114th Congress (2015).

<sup>9</sup>House Committee on Homeland Security website, Majority Staff, <https://homeland.house.gov/press/mccaul-leads-government-efforts-counter-violent-extremism/> (last visited June 17, 2016).

<sup>10</sup>Full Committee hearing, "Rise of Radicalization: Is the U.S. Government Failing to Counter International and Domestic Terrorism." (July 2015); Full Committee hearing, "Beyond Bin Laden's Caves and Couriers to A New Generation of Terrorists: Confronting the Challenges in a Post-9/11 World." (September 2015); Full Committee hearing, "Worldwide Threats and Homeland Security Challenges." (October 2015); Full Committee hearing, "The Rise of Radicalism: Growing Terrorist Sanctuaries and the Threat to the U.S. Homeland." (November 2015); Full Committee hearing, "DHS in Today's Dangerous World: Examining the Department's Budget and Readiness to Counter Homeland Threats." (March 2016).

<sup>11</sup>[www.abetterway.speaker.gov](http://www.abetterway.speaker.gov) (Last visited June 16, 2016).

tack, you convened a hearing to “examine the increasing threat from violent Islamist extremists groups.”<sup>12</sup> Understandably, you also are planning to hold a hearing in July to examine the circumstances surrounding the June 2016 Orlando, Florida terrorist attack. However, there has not been a single hearing to examine any of the events, methods, or threats posed by the domestic terrorist that attacked Charleston or the domestic terrorists that occupied the Malheur refuge in Oregon.

Yesterday, I was appalled to hear you say on the House floor during debate of H.R. 5471, “What keeps me up at night? Boston, Chattanooga, San Bernardino, and now Orlando.”<sup>13</sup> The victims of Charleston do not deserve to be omitted from such a list, and the attack that caused their demise must be on the agenda of this Committee.

I look forward to your timely attention and response to this matter. If you have any further questions please contact Hope Goins, Chief Counsel for Oversight[.]

Sincerely,

BENNIE G. THOMPSON,  
*Ranking Member.*

March 15, 2017.

The Honorable MICHAEL MCCAUL,  
*Chairman, Committee on Homeland Security, H2-176 Ford House Office Building,  
Washington, DC 20515.*

DEAR CHAIRMAN MCCAUL: I am pleased to learn of our Committee’s plans to address the growing domestic threats to our Nation’s religious facilities by holding a “compelling” oversight hearing.<sup>14</sup> I am writing to request that the Committee immediately take action to address these ongoing domestic terrorist threats to American religious institutions and facilities by not only scheduling an oversight hearing but also by conducting briefings, site visits, and a legislative markup of H.R. 1486, “Securing American Non-Profit Organizations Against Terrorism Act of 2017”. As you know, the Committee on Homeland Security’s bipartisan Oversight plan for the 115th Congress calls for the Committee to “continue to conduct rigorous oversight of the Federal Government’s counterterrorism efforts, including monitoring ongoing and emerging terror threats to the United States. . . .”<sup>15</sup>

Last Congress, in the wake of the Emanuel African Methodist Episcopal Church massacre in Charleston, South Carolina, in which nine victims were killed while exercising their religious freedoms, I wrote to you requesting a hearing on the threat of domestic terrorism. Unfortunately, your response and the Committee’s oversight activities showed a lack of willingness to address all forms of violent extremists, especially from terrorist groups founded on racist, anti-semitic, and anti-Muslim principals who have all targeted our Nation’s religious facilities. Nevertheless, your announcement that the Committee will take action in the wake of the threats and attacks against Jewish Community Centers is welcomed, and I look forward to working with you to conduct necessary oversight and consider legislation.

Furthermore, an issue that must also be addressed is the availability of grant funding to harden non-profit organizations against terrorist threats. As you may know, I recently introduced H.R. 1486, the “Securing American Non-Profit Organizations Against Terrorism Act of 2017.” The legislation would authorize the Non-Profit Security Grant Program at the Federal Emergency Management Agency at a level of \$30 million a year from Fiscal Year 2018 through Fiscal Year 2022. To ensure that non-profits across America are eligible for funding, the program would not exclude non-profit organizations outside Urban Area Security Initiative jurisdictions from eligibility. I hope you will join me in this effort to secure non-profit organizations in our communities.

In recent years, many domestic terrorist attacks and threats to United States have targeted our religious facilities and institutions and have extended to churches, mosques, and other religious centers. For example:

<sup>12</sup>House Committee on Homeland Security website, Majority Staff, <https://homeland.house.gov/press/hearing-terrorism-gone-viral/> (Last visited June 16, 2016).

<sup>13</sup>Representative McCaul (TX). “Countering Terrorist Radicalization Act.” (June 15, 2016) Available from: <http://www.c-span.org/video/?411263-1/us-house-debates-defense-appropriations-bill>. Assessed 6/17/16.

<sup>14</sup>Tilove, Jonathan, McCaul fears ISIS encouraging attacks on Jewish communities in West, Statesman, (March 8, 2017), <http://www.statesman.com/news/state-regional-govt-politics/mccaul-fears-isis-encouraging-attacks-jewish-communities-west/aIFM8QskSocLBVhS8dxReP/>.

<sup>15</sup>House Committee on Homeland Security. 115th Congress. Authorization and Oversight Plan. Submitted to the Committee on Oversight and Government Reform and the Committee on the Budget on March 3, 2017.

- In February and January 2017, a series of bomb threats were called into Jewish Community Centers across the country in 26 States;<sup>16</sup>
- In January 2017, a mosque burning in Victoria, TX. The current suspect reportedly has an apparent hatred of Muslims;<sup>17</sup>
- In January 2017, an armed masked man was arrested after protesting outside a Bozeman Islamic Center;<sup>18</sup>
- In October 2016, Wooddale United Methodist Church in Monroe Co., PA saw their church damaged by vandals with displays of anti-Semitic, political, and sexually explicit messages;<sup>19</sup>
- In October 2016, authorities in California arrested an individual with an arsenal of firearms who had previously made terror threats against the Islamic Center of Southern California;<sup>20</sup>
- In October 2016, Trinity Lutheran Church and St. Rose Catholic Church in Longview, WA saw their properties damaged with images of swastikas and other anti-Semitic and racist graffiti;<sup>21</sup>
- In August 2016, a Charleston, South Carolina woman received a letter that said “Charleston—The Sequel—coming soon to a mosque near you [u]nless Roff [sic] is released,”<sup>22</sup>
- In July 2016, the Islamic Community of Bryan-College mosque in Station, TX was targeted and hit with repeated gunfire;<sup>23</sup>
- In December 2016, individuals dropped a dead pig at the Islamic Center of Lawton, Oklahoma;<sup>24</sup>
- In October 2016, a Tucson man inspired by ISIS pled guilty to charges related to a conspiracy targeting the Tucson Jewish Community Center;<sup>25</sup>
- In November 2016, “Heil Trump,” a swastika, and a gay slur were spray-painted on a wall of St. David’s Episcopal Church in Bean Blossom, Indiana;<sup>26</sup>
- May 2016 bombing plot on an Aventura, Florida synagogue;<sup>27</sup>
- In 2015, there was a record number of threats, harassment, and vandalism at mosques, including three incidents of vandalism in Omaha, Nebraska, two incidents of vandalism in Spokane, Washington, two incidents of vandalism and one

<sup>16</sup> Camila Domonoske, “Wave of Bomb Threats Targets Jewish Centers, Again,” National Public Radio: The Two-Way (Jan. 19, 2017), <http://www.npr.org/sections/thetwo-way/2017/01/19/510548864/wave-of-bomb-threats-targets-jewish-centers-again>.

<sup>17</sup> Wilcox, Jon, “Victoria man, 25, accused of burning mosque,” Victoria Advocate, (March 10, 2017), <https://www.victoriadvocate.com/news/2017/mar/10/victoria-man-25-accused-of-burning-mosque/>.

<sup>18</sup> Chronicle Staff, “Armed Masked Man Detained While Protesting In Front of Bozeman Islamic Center,” Bozeman Daily Chronicle (Jan. 9, 2017), [http://www.bozemandailychronicle.com/news/crime/armed-masked-man-detained-while-protesting-in-front-of-bozeman/article\\_f598a364-906e-540c-aa23-30e08e16d9cf.html](http://www.bozemandailychronicle.com/news/crime/armed-masked-man-detained-while-protesting-in-front-of-bozeman/article_f598a364-906e-540c-aa23-30e08e16d9cf.html).

<sup>19</sup> Allen Vickers, “Church Vandalized with Racist, Obscene Symbols,” WNEP 16 (30 October 2016), <http://wnep.com/2016/10/30/church-vandalized-with-racist-obscene-symbols/>.

<sup>20</sup> Jovana Lara, “Man with arsenal threatens Islamic Center of Southern California,” LAPD says,” ABC 7 (25 October 2016), <http://abc7.com/news/man-with-arsenal-threatens-islamic-center-of-socal-lapd-says/1573493/>.

<sup>21</sup> Denver Pratt, “Two suspects sought in racial vandalism of local churches,” The Daily News (1 November 2016), [http://tdn.com/news/local/two-suspects-sought-in-racial-vandalism-of-local-churches/article\\_3be75760-8561-57b3-964d-b10b082c9c65.html](http://tdn.com/news/local/two-suspects-sought-in-racial-vandalism-of-local-churches/article_3be75760-8561-57b3-964d-b10b082c9c65.html).

<sup>22</sup> Associated Press, “Charleston Police Investigate Suspicious Letter with Apparent Threat to Mosque,” Live5News (Aug. 4, 2016), <http://www.live5news.com/story/32689930/charleston-police-investigate-suspicious-letter-with-apparent-threat-to-mosque> (last visited Feb. 15, 2017).

<sup>23</sup> Christopher Mathias, “Someone Shot At A Texas Mosque In The Latest Attempt To Terrorize the Muslim Community,” The Huffington Post (7 July 2016), [http://www.huffingtonpost.com/entry/gunshots-texas-mosque-college-station\\_us\\_577ea92le4b0c590f7e87eef](http://www.huffingtonpost.com/entry/gunshots-texas-mosque-college-station_us_577ea92le4b0c590f7e87eef).

<sup>24</sup> Dallas Franklin, “Police Investigating Possible Hate Crime After Dead Pig Was Dumped at Oklahoma Mosque,” KFOR.com (Dec. 9, 2016), <http://kfor.com/2016/12/09/police-investigating-possible-hate-crime-after-dead-pig-was-dumped-at-oklahoma-mosque/> (last visited Feb. 15, 2017).

<sup>25</sup> ADI News Services, “Phoenix Man Hoped to Attack Midnight Mass, Jewish Community Center for ISIS,” Arizona Daily Independent (Dec. 31, 2016), <https://arizonadailyindependent.com/2016/12/31/phoenix-man-hoped-to-attack-midnight-mass-jewish-community-center-for-isis/>.

<sup>26</sup> Fox59 Web Staff, “Vandals Spray Paint ‘Heil Trump,’ Swastika, Gay Slur on Brown Country Church,” FOX59Web (Nov. 13, 2016), <http://fox59.com/2016/11/13/vandals-spray-paint-heil-trump-swastika-gay-slur-on-brown-county-church/> (last visited Feb. 15, 2017).

<sup>27</sup> McMahan, Paula, Hollywood man accused of plot to blow up Aventura synagogue,” Sun Sentinel (May 2, 2016), <http://www.sun-sentinel.com/news/crime/fl-aventura-synagogue-attack-medina-20160502-story.html>.

incident of harassment in Oklahoma, and one incident of vandalism in Rochester, New York, among many others.<sup>28</sup>

- In November 2015, a White supremacist plotted to attack synagogues and Black churches in the Richmond, VA area before being arrested;<sup>29</sup>
- In July 2015, the New Shiloh Christian Church was set on fire and vandalized in Melbourne, Florida;<sup>30</sup>
- In June 2015, a 21-year-old White gunman hoping to start a “race war” shot and killed 9 Black churchgoers at Emanuel African Methodist Episcopal (AME) Church in Charleston, South Carolina;<sup>31</sup>
- In April 2014, a White supremacist in Overland Park, Kansas targeted and murdered 3 individuals at the Jewish Community Center of Greater Kansas City;<sup>32</sup>
- In August 2012, a White supremacist murdered 6 individuals and wounded others at a Sikh temple in Oak Creek, Wisconsin;<sup>33</sup> and
- In July 2009, a pipe-bomb was thrown inside the predominantly African American Redeeming Fire Fellowship Church in Buffalo, New York,<sup>34</sup> among others.

Rigorous oversight of the threat to our nation’s religious institutions and swift consideration of H.R. 1486 are imperative. According to the Southern Poverty Law Center, the number of hate groups in the United States rose in 2016, bringing the number of active hate groups in the United States to 917.<sup>35</sup> That number includes 514 anti-Semitic groups, 547 White Nationalist Groups, and 605 anti-Muslim groups that foster ideologies that inspire violence toward religions, races, and ethnicities.

The threat posed by violent extremism is not limited to a single ideology and that groups and individuals inspired by a wide range of religious, political, or other ideological beliefs have promoted and used violence against the United States. There are no easy solutions to this security challenge, as the paths to terrorism are as diverse as the perpetrators. Nonetheless, our committee has a moral obligation and a congressional responsibility to ask the tough questions and move forward legislation in an effort to protect our Nation from terrorism—no matter the source. I look forward to our upcoming hearing and to working with you to address the growing threats to our religious facilities.

Thank you for your timely attention to this matter. If you have any further questions, please contact Hope Goins, Staff Director [.]

Sincerely,

BENNIE G. THOMPSON,  
*Ranking Member.*

<sup>28</sup> Daniel Burke, “Threats, Harassment, Vandalism at Mosques Reach Record High,” CNN.com (Dec. 11, 2015), <http://www.cnn.com/2015/12/10/living/mosques-attack-study-2015/> (last visited Feb. 15, 2017). See Bob Glissmann, “Islamic Center of Omaha Targeted By Vandals,” Omaha World-Herald (Nov. 16, 2016), [http://www.omaha.com/news/crime/islamic-center-of-omaha-targeted-by-vandals/article\\_7a69970a-8c8e-11e5-93eb-332b5764083f.html](http://www.omaha.com/news/crime/islamic-center-of-omaha-targeted-by-vandals/article_7a69970a-8c8e-11e5-93eb-332b5764083f.html) (a man sent white powder and threatening articles to a mosque in Oklahoma City, Oklahoma).

<sup>29</sup> Zapotosky, Matt, “Feds: White Supremacists plotted to attack synagogues, black churches,” Washington Post (November 10, 2015), [https://www.washingtonpost.com/local/public-safety/feds-white-supremacists-plotted-to-shoot-or-bomb-black-churches-jewish-synagogues/2015/11/10/2a0abbcc-87cf-11e5-be39-0034bb576eee\\_story.html?utm\\_term=.df1ce705d1cb](https://www.washingtonpost.com/local/public-safety/feds-white-supremacists-plotted-to-shoot-or-bomb-black-churches-jewish-synagogues/2015/11/10/2a0abbcc-87cf-11e5-be39-0034bb576eee_story.html?utm_term=.df1ce705d1cb).

<sup>30</sup> J.D. Gallop, “Police: Church Vandalism is a Hate Crime,” Florida Today (July 12, 2015), <http://www.floridatoday.com/story/news/local/2015/07/12/police-investigate-church-vandalism/30047199/>.

<sup>31</sup> Polly Mendoza, “Dylann Roof Confesses, Says He Wanted to Start a Race War,” Newsweek (June 19, 2015), <http://www.newsweek.com/dylann-roof-confesses-church-shooting-says-he-wanted-start-race-war-344797>.

<sup>32</sup> Matthew Stucker & Catherine E. Shoichet, “3 Killed in shootings at Kansas area Jewish centers,” CNN (14 April 2014), <http://www.cnn.com/2014/04/13/us/kansas-jewish-center-shooting/>.

<sup>33</sup> Steven Yaccino & Michael Schwirtz & Marc Santora, “Gunman Kills 6 at a Sikh Temple Near Milwaukee,” New York Times (5 August 2012), <http://www.nytimes.com/2012/08/06/us/shooting-reported-at-temple-in-wisconsin.html>.

<sup>34</sup> Press Release, Federal Bureau of Investigation: Buffalo Division, U.S. Attorney’s Office, Man Pleads Guilty to Manufacturing a Pipe Bomb and Placing the Lit Pipe Bomb in a Church, (Mar. 29, 2010), <https://archives.fbi.gov/archives/buffalo/press-releases/2010/bffo032910.htm>.

<sup>35</sup> “Hate Map,” Southern Poverty Law Center. Web. March 10 2017. <https://www.splcenter.org/hate-map>.

June 1, 2017.

The Honorable MICHAEL McCAUL,  
Chairman, Committee on Homeland Security, H2-176 Ford House Office Building,  
Washington, DC 20515.

DEAR CHAIRMAN McCAUL: In March, I wrote to you requesting the Committee on Homeland Security take immediate action to address the ongoing threat of domestic terrorists through our oversight and legislative activities during the 115th Congress. Unfortunately, the Committee has not yet held any activities to examine or respond to the growing threat of domestic terrorism, nor have I received a reply to my letter.

Tragically, just last week our Nation suffered another domestic terrorist attack. Jeremy Christian, a domestic terrorist, stabbed three people, killing two and seriously injuring a third. The killed and injured had been attempting to subdue Christian as he shouted religious hate speech at two girls believed to be Muslim on a Portland, Oregon train. It has been reported there is security footage of Christian yelling both racial and religious hate speech before and during the attack. This week, when Christian appeared in court, he shouted, “. . . You call it terrorism. I call it patriotism! You hear? Die.”<sup>36</sup>

These types of terrorist acts can no longer be ignored by this Committee for the sake of those who do not want to acknowledge that all forms of terrorism, no matter the ideology or the inspiration, are a threat to our safety, rights, and our homeland. Terrorist acts are carried out by individuals with various racial, religious, and political backgrounds, but they all have a common goal—to use violence and intimidation to advance their beliefs. Time and time again I have requested that our Committee fulfill its responsibility and commitment to “continue to conduct rigorous oversight of the Federal government’s counterterrorism efforts including monitoring ongoing and emerging terror threats to the United States.”<sup>37</sup>

It is time for our Committee to act. I look forward to a hearing on this important issue in the near future. Thank you for your timely attention to this matter.

Sincerely,

BENNIE G. THOMPSON,  
Ranking Member.

August 15, 2017.

The Honorable MICHAEL McCAUL,  
Chairman, Committee on Homeland Security, H2-176 Ford House Office Building,  
Washington, DC 20515.

DEAR CHAIRMAN McCAUL AND REPUBLICAN COMMITTEE MEMBERS: In March and June of this year, Ranking Member Thompson wrote to Chairman McCaul requesting the Committee on Homeland Security address the ongoing threat of domestic terrorism through our oversight and legislative activities during the 115th Congress. Now, as our country has suffered yet another tragic and deadly domestic terrorist attack, we as Democratic Members of the Committee write to you, our Republican colleagues, to urge you to join with us to hold hearings to examine the troubling rise in domestic terrorism in our Nation.

This weekend, the “Unite the Right” rally in Charlottesville, Virginia attracted hundreds of self-identified White supremacists, neo-Nazis, and other members of alt-right groups. This rally was founded and fueled by hate. Despicable violence toward counter-protesters caused the death of a Charlottesville-area woman, Heather Heyer, and injuries to more than 20 others. This heinous, cowardly act was terrorism, plain and simple. Terrorism is not confined to a single ideology or inspiration.

Unfortunately, it has become clear we cannot count on President Trump for action. Even before he was elected, many of us were concerned that his unwillingness to denounce and distance himself from White nationalists would be taken as tacit support by those ready to use violence to advance their racist ideology. As leaders of the legislative branch of government, we must stand up to all ideologically motivated violence. Failure to act as innocent people continue to be terrorized, harmed, and killed by domestic terrorists puts American lives in peril.

<sup>36</sup>Nate Hanson, Portland suspect in courtroom rant: “You call it terrorism. I call it patriotism!” (May 30, 2017), <https://www.usatoday.com/story/news/nation-now/2017/05/30/portland-train-stabbing-suspect/353963001/>.

<sup>37</sup>House Committee on Homeland Security, 115th Congress. Authorization and Oversight Plan. Submitted to the Committee on Oversight and Government Reform and the Committee on the Budget on March 3, 2017.

It is past time for this Committee on Homeland Security to act. As Democratic Members, we stand ready to work in bipartisan manner to help stop acts of domestic terror and uphold the ideals that truly make America great. We look forward to a hearing on this critical issue when we return in September.

Thank you for your timely attention to this matter.

Sincerely,

BENNIE G. THOMPSON,  
*Ranking Member, House Committee on Homeland Security.*  
SHEILA JACKSON LEE,  
*Member, House Committee on Homeland Security.*  
JAMES R. LANGEVIN,  
*Member, House Committee on Homeland Security.*  
CEDRIC L. RICHMOND,  
*Member, House Committee on Homeland Security.*  
WILLIAM R. KEATING,  
*Member, House Committee on Homeland Security.*  
DONALD M. PAYNE, JR.,  
*Member, House Committee on Homeland Security.*  
FILEMON VELA,  
*Member, House Committee on Homeland Security.*  
BONNIE WATSON COLEMAN,  
*Member, House Committee on Homeland Security.*  
KATHLEEN M. RICE,  
*Member, House Committee on Homeland Security.*  
J. LUIS CORREA,  
*Member, House Committee on Homeland Security.*  
VAL B. DEMINGS,  
*Member, House Committee on Homeland Security.*  
NANETTE D. BARRAGÁN,  
*Member, House Committee on Homeland Security.*

March 19, 2018.

The Honorable MICHAEL T. MCCAUL,  
*Chairman, Committee on Homeland Security, H2-176 Ford House Office Building,  
Washington, DC 20515.*

DEAR CHAIRMAN MCCAUL: I write to request that the Committee on Homeland Security hold an oversight hearing to address the recent series of bomb attacks in Austin, Texas.

Over the past month, Austin residents have been terrorized by a wave of bomb attacks, resulting in the death of two individuals and injury to at least four others.<sup>38</sup> The explosions include package bombs detonated on March 2, 2017, and on two separate occasions on March 12, 2017, as well as a bomb believed to have been detonated by a tripwire just last night.<sup>39</sup>

While an investigation is ongoing, victims of three of the four bombings were racial and ethnic minorities, raising troubling questions about whether the individuals were targeted for that reason.<sup>40</sup> No matter the motive or ideology behind these heinous attacks, the fact that Americans are being targeted and killed by deadly bombs, within our homeland and in your own backyard, demands attention from this Committee.

After previous terrorist attacks, you have scheduled hearings expeditiously, particularly when there was believed to be a nexus to Islamic terrorism. For example, on June 3, 2015, just two congressional work weeks after the attack in Garland, Texas, you convened a Full Committee hearing entitled “Terrorism Gone Viral: The Attack in Garland, Texas and Beyond.” Though an investigation was ongoing, the

<sup>38</sup> Eva Ruth Moravec, “After fourth Austin explosion, police warn of sophisticated ‘serial bomber,’” *Washington Post* (March 19, 2018), [https://www.washingtonpost.com/news/morning-mix/wp/2018/03/18/two-injured-in-explosion-in-austin-police-say/?utm\\_term=.16eb801fa0dS&wpsrc=a1\\_news?alert-national&wpmk=1](https://www.washingtonpost.com/news/morning-mix/wp/2018/03/18/two-injured-in-explosion-in-austin-police-say/?utm_term=.16eb801fa0dS&wpsrc=a1_news?alert-national&wpmk=1).

<sup>39</sup> Dave Montgomery, Manny Fernandez, and Matthew Haag, “Austin Struck by Fourth Explosion Only Hours After Televised Appeal to Bomber,” *New York Times* (March 18, 2018), <https://www.nytimes.com/2018/03/18/us/austin-bombings-police-motive.html>.

<sup>40</sup> Tina Burnside, “3 deadly package explosions in Austin appear connected, police say,” CNN (March 12, 2018), <https://www.cnn.com/2018/03/12/us/texas-austin-blasts/index.html>.



Committee received testimony on the case from Federal law enforcement agencies, including top officials from the Federal Bureau of Investigation and the Department of Homeland Security. The hearing was followed by classified briefings on the case on June 11, 2015, and June 17, 2015.

In stark contrast, you have failed to notice a hearing or briefings on the Austin bombings even weeks after the initial attack. I urge you to do so without further delay.

Thank you for your attention to this matter. If you or your staff have any questions regarding this request, please contact Alison Northrop, Chief Director for Oversight[.]

Sincerely,

BENNIE G. THOMPSON,  
*Ranking Member.*

Chairman THOMPSON. Mr. McGarrity, we have been made aware that on March 19 a number of civil rights groups, NAACP, Leadership Conference, a number have requested a meeting with the FBI Director. Some—well, up until this date, the letter has not even been acknowledged. I think part of their interest is around this whole effort of domestic terrorism.

We want to instill confidence in all our law enforcement people, but we also recognize the fact that organizations who are interested in this issue should not be ignored.

So I would like to provide you with a copy of this letter for you to share with the director and ask him to engage those organizations who wrote him in good faith for an opportunity to discuss this issue of domestic terrorism with him.

I would also like to include a copy of the letter for this hearing. Without objection.

[The information referred to follows:]

*March 19, 2018.*

The Honorable CHRISTOPHER WRAY,  
*Federal Bureau of Investigation, 935 Pennsylvania Avenue, N.W., Washington, DC 20535.*

DEAR DIRECTOR WRAY:

We, the undersigned national civil rights and faith-based leaders, write to express our deep concern regarding recent attacks against our houses of worship and communities. We request an urgent meeting with you to discuss the role of the Federal Bureau of Investigation (FBI) in addressing the threat to public safety and our communities by White nationalist violence.

Attacks against houses of worship in the United States have been far too common in recent years. For example, in 2012 White supremacist Wade Michael Page murdered six and injured four, when he stormed a Sikh gurdwara in Oak Creek, Wisconsin. In 2015, Dylann Roof, who spewed deep racial hatred and espoused White nationalist ideals, entered the Emanuel AME Church in Charleston, South Carolina, killing nine individuals. In 2018, Robert D. Bowers burst into the Tree of Life Synagogue in Pittsburgh, Pennsylvania and shouted anti-Semitic slurs, killing 11 worshippers. This hate manifested itself again last week in New Zealand, when Brenton Harrison Tarrant live-streamed his attacks against Masjid al-Noor and the Linwood Mosque in Christchurch where he murdered over 50 people and injured many more. Tarrant too, was a virulent White nationalist, and even cited Roof as an inspiration in his manifesto.

Last year, the FBI reported a 17 percent increase in hate crimes overall since 2016, marking an increase for the third consecutive year in a row. Given the enormous threat of hate violence to our communities and our nation, we request that you meet with us along with our partners in the civil rights and faith communities to discuss the FBI's role in protecting houses of worship, our communities, and all Americans.

Please contact Muslim Advocates deputy director Naheed Qureshi [ . . . ] to discuss details for scheduling this meeting.

We look forward to meeting with you to discuss our concerns further.

Sincerely,

FARHANA KHERA,

*President & Executive Director, Muslim Advocates.*

RABBI JONAH PESNER,

*Director, Religious Action Center and Senior V.P., Union for Reform Judaism.*

SHERRILYN IFILL,

*President & Director-Counsel, NAACP Legal Defense and Educational Fund.*

VANITA GUPTA,

*President & CEO, The Leadership Conference on Civil and Human Rights.*

SATJEET KAUR,

*Executive Director, The Sikh Coalition.*

Chairman THOMPSON. Again, let me thank you for your participation and the Members who actually, overall, most of them came and had questions.

The Members of the committee may have additional questions for the witnesses, and we ask that you respond expeditiously in writing to those questions. Without objection, the committee record shall be kept open for 10 days.

Hearing no further business, the committee stands adjourned.

[Whereupon, at 12:51 p.m., the committee was adjourned.]

## APPENDIX

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### QUESTIONS FROM HONORABLE PETER T. KING FOR BRAD WIEGMANN

*Question 1a.* Many domestic terrorism cases are prosecuted at the State level. How much guidance and support does the Department of Justice provide on handling these cases?

Answer. Response was not received at the time of publication.

*Question 1b.* Is DOJ able to track data on State prosecutions in order to provide a Nation-wide statistics on domestic terror cases?

Answer. Response was not received at the time of publication.

### QUESTION FROM HONORABLE VAN TAYLOR FOR BRAD WIEGMANN

*Question.* Last year, a 17-year-old by the name of Matin Azizi-Yarand was arrested for plotting to attack the Stonebriar Centre Mall which is located in Frisco, Texas in my District. However, because Mr. Azizi-Yarand was a minor, Federal authorities were unable to prosecute this individual at the Federal level. An AP News article from earlier this month highlighted how a 2018 Supreme Court decision has made prosecution of minors for terrorism cases significantly more difficult. The result is that Federal prosecutors have had to hand off terrorism cases involving a minor over State or local authorities. The case in my district was brought before the 296th District Court in Collin County, Texas where Mr. Azizi-Yarand was sentenced to 20 years. While I am pleased that Mr. Azizi-Yarand ultimately received justice, I am concerned by the inability of Federal prosecutors to go after terrorists in these instances and fear that if left unchanged, this policy could lead to terrible consequences. I would like to request that the Department of Justice identify the specific deficiency or deficiencies in Federal law that are hampering the prosecution of terrorists who are minors. I would also like to request that the Department of Justice work with me to craft a legislative solution that will adequately address this issue.

Beyond the specific instance above, are there other frailties in Federal law that hamper the prosecution of terrorists that Congress should address?

Link to AP Article: <https://www.apnews.com/69a0da9349364db094066f83-b4517d8b>.

Answer. Response was not received at the time of publication.

### QUESTIONS FROM CHAIRMAN BENNIE G. THOMPSON FOR MICHAEL MCGARRITY

*Question 1a.* In your testimony you discuss a category of domestic terrorism called “racially motivated violent extremism.”<sup>1</sup> I am concerned that this category, with a neutral-sounding name, conceals the fact that White supremacist extremism—not any other form of “racially motivated violent extremism”—is the most pressing threat facing our homeland.

What ideologies, crimes, or other activities fall under this category?

Answer. Response was not received at the time of publication.

*Question 1b.* Why was it necessary to create a new category when using precise terms—such as “White supremacist extremism”—is more accurate and precise?

Answer. Response was not received at the time of publication.

*Question 1c.* What are some examples of “racially motivated violent extremist” crimes that have occurred recently, that are not tied to White supremacist extremism?

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<sup>1</sup> Democrats accuse Trump administration of trying to ‘obfuscate the white supremacist threat’ with new categories for domestic terrorism, *Washington Post*, May 2, 2019, [https://www.washingtonpost.com/politics/democrats-accuse-trump-administration-of-trying-to-obfuscate-the-white-supremacist-threat-with-new-categories-for-domestic-terrorism/2019/05/02/831cf86e-6d23-11e9-a66d-a82d3f3d96d5\\_story.html](https://www.washingtonpost.com/politics/democrats-accuse-trump-administration-of-trying-to-obfuscate-the-white-supremacist-threat-with-new-categories-for-domestic-terrorism/2019/05/02/831cf86e-6d23-11e9-a66d-a82d3f3d96d5_story.html).

Answer. Response was not received at the time of publication.

*Question 2.* A team of researchers at the University of North Carolina at Chapel Hill found that “in 2008 and 2009 fewer than 350 of the F.B.I.’s 2,000 counterterrorism agents were assigned to domestic terrorism.”<sup>2</sup> Today, how many counterterrorism agents are assigned to domestic terrorism?

Answer. Response was not received at the time of publication.

*Question 3a.* How does a particular ideology or movement come to be described by DOJ and the FBI as driving a “domestic terrorism” threat?

What analytical criteria are involved in this process?

Answer. Response was not received at the time of publication.

*Question 3b.* How many crimes or plots attributed to a specific ideology have to occur to lead to the identification of a new extremist threat?

Answer. Response was not received at the time of publication.

*Question 3c.* Will you commit to continuously updating this committee on emerging domestic terrorism threats?

Answer. Response was not received at the time of publication.

*Question 4.* To what extent are you investigating potential emerging domestic terrorist movements, including “incels”—members of an on-line subculture who self-describe themselves as “involuntarily celibate”? As you know, at least 4 mass murders, leading to 45 deaths, have been committed by men who have identified or sympathized with the “incel” movement since 2014.<sup>3</sup>

Answer. Response was not received at the time of publication.

*Question 5a.* 8chan has played a pivotal role in recent acts of terror. For example, the alleged killer at the Congregation Chabad in Poway, California stated on the site “[w]hat I’ve learned here is priceless,” referring to what one can only imagine as the extremist, racist, and violent views he must have embraced. The suspect also announced his killing spree by advertising on 8chan that “a livestream will begin shortly.” Similarly, the suspect of the mosque attacks in Christchurch, New Zealand found a home on 8chan. After the killing spree, 8chan users disseminated the suspect’s propaganda video of his attack.<sup>4</sup> Given this information:

What steps are you taking to prevent the use of 8chan as a tool to plan, recruit, encourage copycat violence, and announce intentions to kill?

Answer. Response was not received at the time of publication.

*Question 5b.* We understand that you have close working relationships with social media companies that have been dealing with the issue of terrorist content finding a home on their platforms. Do you have a similar line of communication or established working relationship with 8chan? Please explain.

Answer. Response was not received at the time of publication.

*Question 5c.* What training does staff at your agency receive in understanding how on-line vehicles like 8chan have been used by domestic and international terrorists?

Answer. Response was not received at the time of publication.

#### QUESTIONS FROM HONORABLE PETER T. KING FOR MICHAEL MCGARRITY

*Question 1a.* I am concerned about trends on the West Coast where cities and States are pulling out of Federal law enforcement task forces. It is my understanding that San Francisco and Portland have both pulled out of the Joint Terrorism Task Force (JTTF).

Does it have an impact on counterterrorism cooperation when local partners pull out?

Answer. Response was not received at the time of publication.

*Question 1b.* One justification San Francisco and Portland have given for pulling out of the JTTF is their opposition to immigration enforcement as a counterterrorism tool. How important is immigration enforcement as one tool in the toolbox to help disrupt a terrorism investigation?

Answer. Response was not received at the time of publication.

<sup>2</sup>Janet Reitman, U.S. Law Enforcement Failed to See the Threat of White Nationalism. Now They Don’t Know How to Stop It., *New York Times Magazine*, November 3, 2018, <https://www.nytimes.com/2018/11/03/magazine/FBI-charlottesville-white-nationalism-far-right.html>.

<sup>3</sup>Phil Brandel, I joined an incel group and what I found was surprising, *NEWS.COM.AU*, Mar. 19, 2019, <https://www.news.com.au/technology/online/social/i-joined-an-incel-group-and-what-i-found-was-surprising/news-story/9fd5647427e3e1750468dd39ed2bebe3>.

<sup>4</sup>8chan looks like a terrorist recruiting site after the New Zealand shootings. Should the government treat it like one? *Washington Post*, March 22, 2019, [https://www.washingtonpost.com/technology/2019/03/22/chan-looks-like-terrorist-recruiting-site-after-new-zealand-shooting-should-government-treat-it-like-one/?utm\\_term=.79eac64cfb90](https://www.washingtonpost.com/technology/2019/03/22/chan-looks-like-terrorist-recruiting-site-after-new-zealand-shooting-should-government-treat-it-like-one/?utm_term=.79eac64cfb90).

*Question 1c.* There have been a number of reports of Antifa protests particularly in Portland. Is the city's withdrawal from the JTTF impacting the FBI's ability to investigate Antifa members based in the area?

Answer. Response was not received at the time of publication.

*Question 2.* What level of cooperation do you receive from the major social media companies when they identify threats or acts of violence on their platforms? Do they proactively share this information with you?

Answer. Response was not received at the time of publication.

#### QUESTIONS FROM CHAIRMAN BENNIE G. THOMPSON FOR BRIAN MURPHY

*Question 1.* During a phone call with staff in early March and after a Member-level briefing, you were asked to supply additional information to the committee. One of the requests was to provide the number of intelligence reports on domestic terrorism DHS I&A has produced since 2009 and the other requested the amount of finished intelligence products on domestic terrorism DHS I&A has produced since 2009. The night before the hearing, the committee received incomplete information. Again, please provide the committee with:

- a. the number of intelligence reports I&A has produced on domestic terrorism since 2009;
- b. the number of finished intelligence products I&A has produced on domestic terrorism since 2009; and
- c. a copy of the I&A org chart pre-reorganization and post-reorganization, including a breakdown of positions including full-time analysts dedicated to domestic terrorism among other portfolios.

Answer. Response was not received at the time of publication.

*Question 2a.* Recent reports indicate that last summer, DHS received a spreadsheet from a private intelligence company detailing over 600 planned "Family Separation Day Protests" across the United States on June 30, 2018.<sup>1</sup> Your office then reportedly disseminated this information to U.S. Immigration and Customs Enforcement and the National network of fusion centers. How are you ensuring that the Federal Government is protecting First Amendment rights in its efforts to address and prevent domestic terrorism?

Specifically, why are gatherings protected by the First Amendment being tracked and/or circulated throughout the Department's Intelligence Enterprise?

Answer. Response was not received at the time of publication.

*Question 2b.* What policies do you have in place to prevent infringing on these First Amendment rights?

Answer. Response was not received at the time of publication.

*Question 3a.* How does a particular ideology or movement come to be described by DOJ and the FBI as driving a "domestic terrorism" threat?

Answer. Response was not received at the time of publication.

*Question 3b.* What analytical criteria are involved in this process?

Answer. Response was not received at the time of publication.

*Question 3c.* How many crimes or plots attributed to a specific ideology have to occur to lead to the identification of a new extremist threat?

Answer. Response was not received at the time of publication.

*Question 3d.* Will you commit to continuously updating this committee on emerging domestic terrorism threats?

Answer. Response was not received at the time of publication.

*Question 4.* To what extent are you investigating potential emerging domestic terrorist movements, including "incels"—members of an on-line subculture who self-describe themselves as "involuntarily celibate"? As you know, at least 4 mass murders, leading to 45 deaths, have been committed by men who have identified or sympathized with the "incel" movement since 2014.<sup>2</sup>

Answer. Response was not received at the time of publication.

*Question 5.* 8chan has played a pivotal role in recent acts of terror. For example, the alleged killer at the Congregation Chabad in Poway, California stated on the site "[w]hat I've learned here is priceless," referring to what one can only imagine as the extremist, racist, and violent views he must have embraced. The suspect also announced his killing spree by advertising on 8chan that "a livestream will begin

<sup>1</sup>Ryan Devereaux, Homeland Security Used a Private Intelligence Firm to Monitor Family Separation Protests, *The Intercept*, Apr. 29, 2019, <https://theintercept.com/2019/04/29/family-separation-protests-surveillance>.

<sup>2</sup>Phil Brandel, I joined an incel group and what I found was surprising, *NEWS.COM.AU*, Mar. 19, 2019, <https://www.news.com.au/technology/online/social/i-joined-an-incel-group-and-what-i-found-was-surprising/news-story/9fd5647427e3e1750468dd39ed2bbe3>.

shortly.” Similarly, the suspect of the mosque attacks in Christchurch, New Zealand found a home on 8chan. After the killing spree, 8chan users disseminated the suspect’s propaganda video of his attack.<sup>3</sup> Given this information:

- What steps are you taking to prevent the use of 8chan as a tool to plan, recruit, encourage copycat violence, and announce intentions to kill?
- We understand that you have close working relationships with social media companies that have been dealing with the issue of terrorist content finding a home on their platforms. Do you have a similar line of communication or established working relationship with 8chan? Please explain.
- What training does staff at your agency receive in understanding how on-line vehicles like 8chan have been used by domestic and international terrorists?

Answer. Response was not received at the time of publication.




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<sup>3</sup>8chan looks like a terrorist recruiting site after the New Zealand shootings. Should the government treat it like one? *Washington Post*, March 22, 2019, [https://www.washingtonpost.com/technology/2019/03/22/chan-looks-like-terrorist-recruiting-site-after-new-zealand-shooting-should-government-treat-it-like-one/?utm\\_term=.79eac64cfb90](https://www.washingtonpost.com/technology/2019/03/22/chan-looks-like-terrorist-recruiting-site-after-new-zealand-shooting-should-government-treat-it-like-one/?utm_term=.79eac64cfb90).