ELIJAH E. CUMMINGS, MARYLAND
CHAIRMAN

ONE HUNDRED SIXTEENTH CONGRESS

JIM JORDAN, OHIO
RANKING MINORITY MEMBER

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515–6143

MAJORITY (202) 225–5051
MINORITY (202) 225–5074

http://oversight.house.gov

Opening Statement
Subcommittee Chairman Jamie Raskin
Hearing on "Confronting Violent White Supremacy (Part II): Adequacy of the Federal Response"
Subcommittee on Civil Rights and Civil Liberties
June 4, 2019

Welcome Members, Witnesses, and Guests to the Subcommittee's second hearing on the contemporary resurgence of violent white supremacy in America. Last month, we held a hearing to help us understand the scope of the problem. We heard from multiple witnesses including Susan Bro, the mother of Heather Heyer, the young woman who was killed by white supremacists two years ago in Charlottesville, on the consequences of the government not acting to fully meet the threat. We heard from former FBI and Department of Homeland Security (DHS) officials on what these agencies are doing and *should* be doing in response. One message came through loud and clear: white supremacists today constitute the most significant threat of domestic terror in the United States, but our government lacks a cohesive strategy for addressing the problem.

Last month's hearing left me with three primary concerns. First, the FBI's data collection and reporting at best drastically underreports hate violence in the U.S., and at worst, deliberately obfuscates the scope of the threat. Second, the FBI's allocation of antiterrorism resources is skewed towards international terrorism, despite data showing domestic terror to be the greater threat. And third, the Department of Homeland Security appears to have no strategic plan for how to prevent white supremacist violence. It is my sincere hope that the FBI and DHS are prepared to adequately address all three of those concerns here today.

The FBI's data reporting on hate-motivated violence – both in the Criminal Investigative Division (CID) and the Counterterrorism Division (CTD) – is fundamentally flawed. Every witness before this Subcommittee, whether invited by the Majority or the Minority – has agreed on one thing: the FBI's Hate Crimes Statistics are inaccurate and do not reflect the reality of hate-motivated violence in the United States.

In numbers that are now very familiar to us all, from 2013 to 2017, the FBI reported on average 7,500 hate crimes annually. During that same time, the Bureau of Justice Statistics' National Crime Victimization Survey estimated on average 200,000 hate crimes annually.

There are data leaks at almost every stage of the hate crimes reporting process, from the hesitation of a victim to report hate crimes to police, to the failure of local and state police to report hate crimes to the FBI.

What's more, the FBI's data excludes incidents that any reasonable person would agree should have been included. Perhaps the most prominent example was the murder of Heather Heyer by a white supremacist in Charlottesville in 2017. Why was her murder not reported as a hate crime? This baffling omission reflects a problem at the local level, as local police did not report that incident as a hate crime. But it also betrays a systemic failing by the FBI, which apparently made little or no effort to audit its own statistics or independently verify the accuracy of the data submitted. That is simply unacceptable. Mr. Shivers, I hope you are prepared today to lay out a detailed plan for how CID will improve its hate crimes data.

An entirely different issue appears to be plaguing the Counterterrorism Division. While CID lacks the information necessary to understand the scope of hate crimes, CTD has detailed data on domestic terror, but seems determined to obfuscate the scope of white supremacist violence. For at least a decade, the FBI employed the relatively straightforward counterterrorism term: "White Supremacist Extremist" (WSE), which is defined as "groups or individuals who facilitate or engage in acts of violence directed at the federal government, ethnic minorities, or Jewish persons in support of their belief that Caucasians are intellectually and morally superior to other races and their perception that the government is controlled by Jewish persons."

This official category from the FBI and Department of Homeland Security's joint lexicon was accompanied by at least nine other specific categories, including: Anarchist Extremists, Animal Rights Extremists, Anti-Abortion Extremists, Black Supremacist Extremists, Environmental Rights Extremists, Homegrown Violent Extremists, Militia Extremists, Sovereign Citizen Extremists, and Racist Skinhead Extremists – a subcategory of white supremacist extremists.

But now the FBI has collapsed these ten specific categories into four combined categories. It now uses: (1) "Racially Motivated Violent Extremism," which we have been told is an "umbrella" term that combines subcategories for white or black racially motivated extremism, (2) Anti-Government/Anti-Authority Extremism, (3) Animal Rights/Environmental Extremism, and (4) Abortion Extremism. What was the purpose of these changes? At what level of detail is the FBI still tracking extremist activity? What proportion of Racially Motivated Violent Extremism is perpetrated by white supremacists?

Merging White Supremacist Extremists—who were responsible for 39 murders in 2018—with Black Supremacist Extremists, who were responsible for zero extremist murders in 2018—into a single amalgamated category called Racially Motivated Violent Extremism obscures the real threat.

Similarly, the transformation of the descriptive "Anti-Abortion Extremists" category into the misleading new category of "Abortion Extremism" is simply a ham-fisted effort to disguise the nature of the real threat to women's health care clinics and doctors and nurses who work there. I know of no women's reproductive health workers or pro-choice activists who are blowing up clinics.

We cannot play these word games with domestic terror, nor can we afford to let hate crimes go so drastically underreported. The FBI must collect and report accurate data on white

supremacist violence and effectively measure the magnitude of the threat. The government cannot protect vulnerable communities without understanding the full scope of the problem in comprehensive and granular detail.

Despite the obvious problems with data, this much is clear: white supremacist terror is on the rise and far-right and white supremacist domestic terror is a far more lethal threat to Americans in the US than international Islamic terror. But the FBI's resource allocations do not reflect this reality. According to the Anti-Defamation League, from 2009 to 2018, far-right extremism, which the FBI usually classifies as a form of *domestic* terrorism, was responsible for 73% of extremist murders. Islamic extremism, which the FBI usually classifies as a form of *international* terrorism, was responsible for 23% of the fatalities during that time. However, the FBI has testified that the Bureau allocates its resources almost exactly backwards from what the actual problem is—devoting 80% of its field agents to stopping international terrorism, including Islamic extremism, and only 20% to domestic terrorism, including far-right and white supremacist extremism.

This allocation of resources has real-life consequences. As George Selim testified at our last hearing, the University of Maryland START Center found that, from September 11, 2001, through 2017, approximately 71% of Islamist-inspired extremists in the United States were interdicted in the planning phase, but with far-right extremists, the inverse is the case, and over 71% managed to successfully commit violent acts. How many far-right extremist attacks could we prevent if we took that threat as seriously as we take Islamic-inspired extremism?

According to the Anti-Defamation League, of the 50 domestic extremist murders committed in America last year, every perpetrator had ties to right-wing extremists, and 78% of the murders or 39 murders were committed by white supremacists. Meanwhile, there were zero killings in 2018 related to left-wing extremism, a category which includes crimes committed by anarchists and Black nationalists. How many lives can we save if we strengthen our response to white supremacist violence? Mr. McGarrity, I hope you are prepared to account for CTD's statistical reporting and resource allocations.

The FBI is not the only piece of this puzzle. We also need to hear from the Department of Homeland Security to answer one fundamental question: is there an overall strategic plan to prevent the rise of white supremacist violence? I fear the answer is "no."

News reports indicate that this administration is systematically dismantling DHS's threat prevention framework for domestic terror without a clear path forward to replace the existing framework. In April, not long after DHS was inundated with Congressional inquiries, DHS renamed a key office to "Targeted Violence and Terrorism Protection" (TVTP).

This development appears to have been aimed at satiating Members without providing any concrete details. In a recent staff briefing, when asked to explain the plan for TVTP, DHS vowed to develop one by the end of the summer. In written testimony for today's hearing, DHS appeared to lay out a plan for the path forward, but upon further examination, it appears to be little better than "we'll get back to you." What are the office's precise functions? Who is in charge? How many personnel will be assigned to prevent white supremacy specifically. What is

the budget? DHS has no clear answer. The massacre at Mother Emanuel AME church was in 2015. Heather Heyer's murder was in 2017. The Tree of Life massacre was in 2018. Why is DHS just now getting around to establishing an office to address this threat? Assistant Secretary Neumann, I expect to hear a detailed strategic plan on the way forward for DHS.

President Trump has called white supremacists a "small group of people that have very, very serious problems." Credible statistics from third party groups and his own law enforcement agencies demonstrate it is actually a large group of people—thousands at least—causing very serious problems for our country.

We in Congress must ensure that the government steps up immediately, speaks clearly about the nature of the threat, and rapidly increases and improves law enforcement efforts to protect our communities against the lethal perils of white supremacist violence.

Contact: Aryele Bradford, Communications Director, (202)-226-5181