

Congress of the United States
Washington, DC 20515

January 14, 2021

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
United States Capitol
Washington, D.C. 20515

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
United States Capitol
Washington, D.C. 20515

The Honorable Bennie Thompson
Chairperson
House Committee on Homeland Security
H2-176 Ford House Office Building
Washington, D.C. 20515

The Honorable John Katko
Ranking Member
House Committee on Homeland Security
H2-117 Ford House Office Building
Washington, D.C. 20515

The Honorable Jerrold Nadler
Chairperson
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jim Jordan
Ranking Member
House Committee on the Judiciary
2142 Rayburn House Office Building
Washington, D.C. 20515

Dear Speaker Pelosi, Leader McCarthy, Chairperson Thompson, Ranking Member Katko, Chairperson Nadler, and Ranking Member Jordan:

On January 6, 2021, as Congress gathered to uphold our duty under the Constitution to certify our free and fair election, the seat of government dissolved into anarchy as rioters, many of them armed, breached Capitol security and made their way through the Capitol building, leaving destruction in their wake. Make no mistake: this was an act of domestic terrorism years in the making. Given the urgent and longstanding threat posed by domestic terrorism, we are calling for the creation of an independent, bipartisan commission to investigate the federal government's failure to appropriately respond to and prevent domestic terrorism and violent extremism.

The events of January 6, 2021 revealed many weaknesses, but perhaps most concerning is that the riot was planned in plain sight, weeks in advance. On TheDonald, an online message board, users promised violence against lawmakers, police, and journalists if President-elect Biden's victory was not rejected.¹ According to the nonprofit research organization Advance Democracy, "[o]n TheDonald, more than 50% of the top posts on January 4, 2021, about the January 6th Electoral College certification featured unmoderated calls for violence in the top five responses."² On sites like Gab and Parler, users provided information on what tools to bring to

¹ Jane Lytvynenko and Molly Hensley-Clancy, *The Rioters Who Took Over the Capitol Have Been Planning Online in the Open for Weeks*, BUZZFEED NEWS (Jan. 6, 2021),

<https://www.buzzfeednews.com/article/janelytvynenko/trump-rioters-planned-online>.

² *Id.*

help pry open doors and how to travel with guns.³ On Facebook, a group with nearly 8,000 members, Red State Secession, provided travel routes to Washington, D.C., and urged its members to share addresses of “enemies,” including homes of federal judges, Members of Congress, and other prominent progressive figures.⁴

Not only was the riot planned in the open, but this type of event has been foreseeable for quite some time. As early as 2009, the Department of Homeland Security (DHS) conducted an assessment on the state of domestic, rightwing extremism, finding rightwing extremists may be gaining new recruits by playing into fears about emerging issues like the economic downturn and the election of the country’s first Black president.⁵ In 2017, the U.S. Government Accountability Office (GAO) released a report titled “Countering Violent Extremism,” which found that 73 percent of lethal extremist attacks in the U.S. since the 9/11 were perpetrated by far-right, domestic extremists.⁶

In February 2020, the Federal Bureau of Investigation (FBI) elevated its assessment of the threat posed by racially-motivated violent extremists in the United States to a “national threat priority,” with FBI Director Christopher Wray telling the House Judiciary Committee that the risk was on par with the risk of threats posed to the country by foreign terrorist organizations.⁷ In September 2020, U.S. security officials warned that violent domestic extremists posed a threat to the 2020 presidential election, with one official calling the climate a “witch’s brew” of rising political tensions, civil unrest, and foreign disinformation campaigns.⁸

Domestic violent extremism is covered extensively in DHS’s regular *Homeland Threat Assessment*, and in October 2020, Acting Secretary Chad Wolf said, “I am particularly concerned about white supremacist violent extremists who have been exceptionally lethal in their abhorrent, targeted attacks in recent years.”⁹ The October report states that “Among DVEs, [domestic violent extremists] racially and ethnically motivated violent extremists—specifically white supremacist extremists (WSEs)—will remain the most persistent and lethal threat in the Homeland,” and adds that since 2018, white supremacists “have conducted more lethal attacks in the United States than any other DVE movement.”¹⁰

³ Sheera Frenkel, *The Storming of the Capitol Hill Was Organized on Social Media*, NY TIMES (Jan. 6, 2021), <https://www.nytimes.com/2021/01/06/us/politics/protesters-storm-capitol-hill-building.html>.

⁴ Sheera Frenkel, *Facebook Bans a Page Used to Coordinate Pro-Trump Protests After Calls for Violence*, NY TIMES (Jan. 6, 2021), <https://www.nytimes.com/2021/01/06/us/politics/facebook-bans-a-page-used-to-coordinate-pro-trump-protests-after-calls-for-violence.html>.

⁵ RIGHTWING EXTREMISM: CURRENT ECONOMIC AND POLITICAL CLIMATE FUELING RESURGENCE IN RADICALIZATION AND RECRUITMENT, DEPT. OF HOMELAND SECURITY 2 (Apr. 7, 2009), available at <https://fas.org/irp/eprint/rightwing.pdf>.

⁶ COUNTERING VIOLENT EXTREMISM: ACTIONS NEEDED TO DEFINE STRATEGY AND ASSESS PROGRESS OF FEDERAL EFFORTS, U.S. GOVT. ACCOUNTABILITY OFFICE (2017), <https://www.gao.gov/assets/690/683984.pdf>.

⁷ Erin Donaghue, *Racially-Motivated Violent Extremists Elevated to “National Threat Priority,” FBI Director Says*, CBS NEWS (Feb. 5, 2020), <https://www.cbsnews.com/news/racially-motivated-violent-extremism-isis-national-threat-priority-fbi-director-christopher-wray/>

⁸ Ted Hesson, Kristina Cooke, Mark Hosenball, *U.S. Intelligence Reports Warn of Extremist Threat Around Election*, REUTERS (Sept. 29, 2020), <https://www.reuters.com/article/us-usa-election-extremists/u-s-intelligence-reports-warn-of-extremist-threat-around-election-idUSKBN26K2J7>.

⁹ HOMELAND THREAT ASSESSMENT, U.S. DEPT. OF HOMELAND SECURITY (Oct. 2020) 4, https://www.dhs.gov/sites/default/files/publications/2020_10_06_homeland-threat-assessment.pdf.

¹⁰ *Id.* at 18.

There was also a rise in domestic terrorist threats in response to measures to address the COVID-19 pandemic. In October 2020, 13 people were charged in an alleged plot to kidnap Michigan Governor Gretchen Whitmer and overthrow several state governments.¹¹ The FBI became aware of the scheme through discussions on social media.¹² Around the same time, the Center for Strategic and International Studies found that white supremacists and other like-minded extremists conducted 67 percent of terrorist plots and attacks in the United States in 2020.¹³

Not only is there a concern for rising domestic terrorism among average citizens, there are also well-documented instances of domestic terrorism within the ranks of law enforcement. As early as 2006, an intelligence assessment by the FBI that examined white supremacist infiltration of law enforcement and focused on officers' formal affiliation with white supremacist groups concluded that such affiliation could cause "investigative breaches" and endanger "restricted areas vulnerable to sabotage and to elected officials or protected persons, whom [white supremacist groups] see as potential targets of violence."¹⁴ In 2015, a classified FBI Counterterrorism Policy Guide noted that "militia extremists, white supremacist extremists, and sovereign citizen extremists often have identified active links to law enforcement officers."¹⁵ Despite the FBI repeatedly raising concerns about white supremacists in law enforcement, it is unclear what, if any, steps the Bureau has taken to address the issue.

Events over the past year also highlight potential connections between military servicemembers and domestic terrorist organizations. In June 2020, an Army soldier was accused of plotting with a neo-Nazi group to ambush his own unit.¹⁶ In the same month, an Air Force sergeant with ties to the extremist boogaloo movement was charged with murder for killing a federal security officer in Oakland, CA,¹⁷ and three current or former servicemembers with ties to the same movement were charged with planning a violent attack on peaceful protestors in Las Vegas.¹⁸ Most recently a retired Air Force lieutenant colonel was arrested for participating in the January 6th breach of

¹¹ Christina Carrega, Veronica Stracqualursi, Josh Campbell, *13 Charged in Plot to Kidnap Michigan Gov. Gretchen Whitmer*, CNN (Oct. 8, 2020), <https://www.cnn.com/2020/10/08/politics/fbi-plot-michigan-governor-gretchen-whitmer/index.html>.

¹² *Id.*

¹³ SETH G. JONES, CATRINA DOXSEE, NICHOLAS HARRINGTON, GRACE HWANG, AND JAMES SUBER, CENTER FOR STRATEGIC & INTERNATIONAL STUDIES, *THE WAR COMES HOME: THE EVOLUTION OF DOMESTIC TERRORISM IN THE UNITED STATES* (Oct. 22, 2020), available at <https://www.csis.org/analysis/war-comes-home-evolution-domestic-terrorism-united-states>.

¹⁴ FEDERAL BUREAU OF INVESTIGATION, *WHITE SUPREMACIST INFILTRATION OF LAW ENFORCEMENT* (Oct. 17, 2006), available at <http://s3.documentcloud.org/documents/402521/doc-26-white-supremacist-infiltration.pdf>.

¹⁵ Alice Speri, *The FBI Has Quietly Investigated White Supremacist Infiltration of Law Enforcement*, THE INTERCEPT (Jan. 31, 2017), <https://theintercept.com/2017/01/31/the-fbi-has-quietly-investigated-white-supremacist-infiltration-of-law-enforcement/>.

¹⁶ Allyson Chiu, *U.S. Soldier Plotted with a Satanic Neo-Nazi Cult to Stage 'Murderous Ambush' on His Unit, Feds Say*, WASH. POST (Jun. 23, 2020), <https://www.washingtonpost.com/nation/2020/06/23/army-attack-ethan-melzer-satanic/>.

¹⁷ Neil MacFarquhar and Thomas Gibbons-Neff, *Air Force Sergeant with Ties to Extremist Group Charged in Federal Officer's Death*, NY TIMES (June 16, 2020), <https://www.nytimes.com/2020/06/16/us/steven-carrillo-air-force-boogaloo.html>.

¹⁸ Michelle L. Price and Scott Sonner, *Prosecutors: 3 Men Plotted to Terrorize Vegas Protests*, THE ASSOCIATED PRESS (June 3, 2020), <https://apnews.com/article/6223153093f08fa910c4ab445771b773>.

the House chamber.¹⁹ Social media platforms, such as Facebook, Gab, Parler, and 4Chan, are frequently used by domestic terrorist groups to recruit members and plan violent attacks, including in some of the above cases. But even servicemembers with security clearances—which involve invasive reviews of personal information—are not routinely screened for their social media activity.

It is clear much more needs to be done to address the threats posed by domestic violent extremists. But we, as a society, also must grapple with difficult questions about ourselves: how did we get here? What path leads individuals to regress from law-abiding, thoughtful citizens into lawless, violent extremists? How can we reverse this trend to ensure, not only that our institutions are safe, but that the American public can be confident in who we are?

The alarm bells have been ringing for over a decade, yet the events of January 6, 2021, revealed that this country is wholly unprepared to handle the risks posed by domestic terrorism. That is why we are calling for the creation of an independent, bipartisan commission, modeled after the National Commission on Terrorist Attacks Upon the United States (the 9/11 Commission), to investigate the federal government’s failure to appropriately respond to and prevent domestic terrorism and violent extremism. Among other issues, the commission should investigate the following:

1. What are the main trends in domestic terrorism in the past 10 years in such areas as terrorist motivation, recruitment, organization, tactics, and targets?
2. How have domestic terrorist attacks—planned or completed—in 2020 and 2021 compared to previous years?
3. How have federal law enforcement agencies grown and adapted to handle threats posed by domestic terrorism and violent extremism?
4. Countering violent extremism (CVE), a counterterrorism strategy that recruits community leaders, social workers, and public health providers to assist the government in identifying individuals who may be “at risk” of becoming violent extremists, has been found to be ineffective, discriminatory, and divisive.²⁰ How have federal law enforcement agencies learned from their missteps in CVE programs?
5. What steps should federal law enforcement agencies take to revamp their data collection policies on domestic terrorism to ensure accurate, transparent data collection and objective analysis of potential threats?
6. Given federal law enforcement agencies’ significant findings about white supremacist infiltration of law enforcement, what mechanisms are in place to monitor whether federal law enforcement officers have alliances with violent extremist groups and how can their effectiveness be improved?

¹⁹ Evan Perez, Shimon Prokupez, Katelyn Polantz, and Barbara Starr, *Two Men Carrying Plastic Restraints During Capitol Riot Charged by Feds*, CNN (Jan. 10, 2021), <https://www.cnn.com/2021/01/10/politics/eric-munchel-larry-rendell-brock-capitol-riot/index.html>.

²⁰ *Why Countering Violent Extremism Programs Are Bad Policy*, BRENNAN CENTER FOR JUSTICE (Sept. 9, 2019), <https://www.brennancenter.org/our-work/research-reports/why-countering-violent-extremism-programs-are-bad-policy>.

7. What approaches do the military services use to detect and address violent extremism among military servicemembers, how effective are these approaches, and how should they be improved?
8. How should the federal government's security background investigation and clearance adjudication processes be improved to better detect violent extremism among military servicemembers, federal employees, and federal contractors?
9. Do federal law enforcement agencies sufficiently monitor social media in their efforts to respond to and prevent domestic terrorism and violent extremism?
10. What are the root causes and key drivers of radicalization, and how can they be addressed?
11. How do extremists use social media platforms to promulgate conspiracy theories, radicalize and recruit users, and plan and incite violence?
12. What role do social media companies play in radicalizing individuals and promulgating domestic terrorism?
13. How effective is the division of responsibilities among federal agencies, especially DHS and the FBI, related to addressing domestic terrorism, and should these responsibilities be adjusted and clarified to improve the government's efforts to confront violent extremism?
14. How do federal law enforcement agencies coordinate with one another and state and local law enforcement agencies to respond to and prevent domestic terrorism and violent extremism? How is intelligence analysis related to domestic terrorism and violent extremist groups shared among federal, state, local, and tribal governments, and does the federal government need to establish stronger mechanisms to share intelligence with all relevant agencies, the private sector, and the public?
15. What steps can federal law enforcement agencies take to effectively respond to and prevent domestic terrorist threats while simultaneously protecting individuals' civil liberties and protecting over-policed populations?
16. Are current federal criminal statutes sufficient to address domestic terrorism and hold violent extremists accountable? If not, how should these statutes be updated?
17. What actions can Congress take to better protect the United States against threats of domestic terrorism while protecting civil rights and equal justice under law?

At the conclusion of its investigation, the commission should provide a report to Congress and the public and a briefing for Congress with its analysis, conclusions, and recommendations to ensure the federal government is fully equipped to respond to and prevent domestic terrorism and violent extremism.

We look forward to working with you to stand up this critical commission in order to better equip the country to take meaningful action against these threats.

Sincerely,



Jackie Speier.
Member of Congress



Mikie Sherrill
Member of Congress



Anthony G. Brown
Member of Congress

/s/
Donald S. Beyer Jr.
Member of Congress

 /s/
Jim Cooper
Member of Congress

 /s/
Raúl M. Grijalva
Member of Congress

 /s/
Henry C. “Hank” Johnson
Member of Congress

 /s/
Ann McLane Kuster
Member of Congress

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Stephen F. Lynch
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David E. Price
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André Carson
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James P. McGovern
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Ed Case
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