

1 ALDERSON COURT REPORTING

2 KEVIN JAMES KISER

3 HJU071000

4 MARKUP OF H.R. 1548, FOR THE RELIEF OF MARIA CARMEN CASTRO

5 RAMIREZ AND J. REFUGIO CARRENO ROJAS;

6 H.R. 5602, THE DOMESTIC TERRORISM PREVENTION ACT OF 2020;

7 H.R. 2733, THE SAVANNAS ACT;

8 H.R. 2438, THE NOT INVISIBLE ACT OF 2019;

9 AND H.R. 6100, THE STRENGTHENING THE OPPOSITION TO FEMALE
10 GENITAL MUTILATION ACT OR THE STOP FGM ACT

11 Wednesday, March 11, 2020

12 House of Representatives

13 Committee on the Judiciary

14 Washington, D.C.

15 The committee met, pursuant to call, at 10:16 a.m., in
16 Room 2141, Rayburn Office Building, Hon. Jerrold Nadler
17 [chairman of the committee] presiding.

18 Present: Representatives Nadler, Lofgren, Jackson Lee,
19 Cohen, Johnson of Georgia, Deutch, Bass, Richmond, Jeffries,
20 Cicilline, Swalwell, Lieu, Raskin, Jayapal, Demings, Correa,

21 Scanlon, Garcia, Neguse, McBath, Stanton, Dean, Escobar,
22 Sensenbrenner, Chabot, Gohmert, Jordan, Buck, Biggs,
23 McClintock, Lesko, Reschenthaler, Cline, Armstrong, and
24 Steube.

25 Staff present: Amy Rutkin, Chief of Staff; David
26 Greengrass, Senior Counsel; John Doty, Senior Advisor;
27 Madeline Strasser, Chief Clerk; Moh Sharma, Member Services
28 and Outreach Advisor; Jordan Dashow, Professional Staff
29 Member; Anthony Valdez, Staff Assistant; John Williams,
30 Parliamentarian; Keenan Keller, Senior Counsel, Constitution,
31 Civil Rights, and Civil Liberties Subcommittee; Rosalind
32 Jackson, Professional Staff Member, Courts, Intellectual
33 Property, and the Internet Subcommittee; Ben Hernandez,
34 Counsel, Crime, Terrorism, and Homeland Security
35 Subcommittee; Joe Graupensperger, Chief Counsel, Crime,
36 Terrorism, and Homeland Security Subcommittee; Milagros
37 Cisneros, Detailee, Crime, Terrorism, and Homeland Security
38 Subcommittee; Monalisa Dugue, Deputy Chief Counsel, Crime,
39 Terrorism, and Homeland Security Subcommittee; Ebise Bayisa,
40 Counsel, Crime, Terrorism, and Homeland Security
41 Subcommittee; Betsy Lawrence, Counsel, Immigration and
42 Citizenship Subcommittee; Rachel Calanni, Professional Staff
43 Member, Immigration and Citizenship Subcommittee; Ami Shah,
44 Counsel, Immigration and Citizenship Subcommittee; Robert
45 Parmiter, Minority Chief of Staff; Jon Ferro, Minority

46 Parliamentarian; Erica Baker, Minority Deputy
47 Parliamentarian; Andrea Woodard, Minority Professional Staff
48 Member; Ryan Breitenbach, Minority Counsel; Jason Cervenak,
49 Minority Counsel; and Andrea Loving, Minority Counsel.
50

51 Chairman Nadler. The Judiciary Committee will please
52 come to order, a quorum being present.

53 Without objection, the chair is authorized to declare a
54 recess at any time.

55 Pursuant to Committee Rule II and House Rule XI, Clause
56 2, the chair may postpone further proceedings today on the
57 question of approving any measure or matter or adopting an
58 amendment for which a recorded vote for the yeas and nays are
59 ordered.

60 Pursuant to notice, I now call up H.R. 5602, the
61 Domestic Terrorism Prevention Act of 2020, for purposes of
62 markup, and move that the committee report the bill favorably
63 to the House.

64 The clerk will report the bill.

65 Ms. Strasser. H.R. 5602, to authorize dedicated
66 domestic terrorism offices within the Department of Homeland
67 Security and the Department of Justice and the Federal Bureau
68 of Investigation to analyze and monitor domestic terrorist
69 activity --

70 Chairman Nadler. Without objection, the bill is
71 considered as read and open for amendment at any point.

72 [The bill follows:]

73

74 Chairman Nadler. I will begin by recognizing myself for
75 an opening statement.

76 With consideration of H.R. 5602, the Domestic Terrorism
77 Prevention Act of 2020, the Judiciary Committee takes
78 reasonable, meaningful steps to address the rising menace of
79 white supremacist groups. This bill creates three offices,
80 one each within the Department of Homeland Security,
81 Department of Justice, and the FBI, to monitor, investigate,
82 and prosecute cases of domestic terrorism. These newly-
83 created offices would issue joint biennial reports to
84 Congress assessing the state of domestic terrorism threats,
85 with a specific focus on white supremacists.

86 H.R. 5602 requires these newly-created offices to focus
87 their resources based on the data collected and the most
88 significant threats, which will be described in detail in the
89 joint biennial report to Congress. These are reasonable,
90 measured policies to help focus the Federal Government's
91 resources on the threats that continue to terrorize and kill
92 Americans.

93 In April of last year, the committee held a hearing
94 titled, "Hate Crimes and the Rise of White Nationalism."
95 During the hearing, we heard from a diverse panel of
96 witnesses who described both the rise of white nationalism
97 and the shortcomings in the current enforcement regime. What
98 was clear then and it is clear now is that our current

99 approach is not working. The core elements of the bill each
100 seek to address fundamental deficiencies highlighted in the
101 April hearing in the way our Nation has addressed the threat
102 of white supremacy.

103 The Department of Justice has an array of statutory
104 authorities to bring charges against domestic terrorists,
105 including those who are white supremacists, but it is
106 abundantly clear that the Department has not initiated a
107 sufficient number of these prosecutions. H.R. 5602 takes the
108 proactive step of creating offices within DOJ and DHS aimed
109 at pooling the resources from all parts of each respective
110 departments to focus them on the greatest threat, white
111 supremacy.

112 In the time since our hearing in April, horrible white
113 supremacist attacks have unfortunately continued. The
114 shooting spree at a Walmart in El Paso, Texas last August,
115 which left 22 people dead and 24 more wounded, marked the
116 deadliest attack in modern times against the Latino community
117 in the United States. The El Paso attack was also the third
118 deadliest act of violence by a domestic terrorist in more
119 than 50 years.

120 Sadly, no faith group has been spared. In 2012, a white
121 supremacist entered a Sikh temple in Milwaukee and murdered
122 six people. Three years later, nine worshipers were murdered
123 by a white supremacist at the Emanuel African Methodist

124 Episcopal Church in Charleston. And in 2018, 11 congregants
125 in Pittsburgh's Tree of Life synagogue were gunned down in
126 the middle of Shabbat services. This shooting was emblematic
127 of the disturbing uptick in antisemitism and violence against
128 Jews in recent years. According to the Anti-Defamation
129 League, since the deadly rampage at the Tree of Life
130 synagogue, at least 16 white supremacists have been arrested
131 for their alleged role in terrorist plots and attacks and
132 threats against the Jewish community.

133 This issue hits close to home for me. In New York City
134 alone, the NYPD reported more antisemitic incidents in 2019
135 than all other hate crimes put together. Over the last
136 decade, right-wing extremists have been responsible for 76
137 percent of all domestic extremist-related murders. To ensure
138 that law enforcement across the country has the tools to
139 stand against white supremacists, H.R. 5602 establishes the
140 domestic terrorism executive committee, which must meet at
141 least 4 times per year to coordinate with U.S. attorneys and
142 other public safety officials to promote information sharing
143 and ensure an effective, responsive, and organized joint
144 effort to combat the domestic terrorism. It also directs the
145 FBI to assign a special agent or hate crimes liaison to each
146 FBI field office to investigate hate crime incidents with a
147 nexus to domestic terrorism.

148 Every part of the country deserves responsive, well-

149 trained law enforcement officers to protect all Americans
150 from white supremacist violence. The bill, therefore,
151 requires Department of Justice and DHS to review the training
152 each department provides to State and local law enforcement
153 to ensure that their programs include training and resources
154 to assist law enforcement agencies in understanding,
155 detecting, deterring, and investigating acts of domestic
156 terrorism and violent white supremacy. This legislation
157 would take an important step toward curbing hateful and
158 dangerous incidents of violence by focusing law enforcement
159 resources to address the greatest threats.

160 I thank Representative Brad Schneider and Senator Dick
161 Durbin for their diligent work in developing and introducing
162 the Domestic Terrorism Prevention Act here in the House and
163 in the Senate. I ask the members of this committee to join
164 me in denouncing white supremacy in all forms and to support
165 this legislation today.

166 The ranking member's opening statement will be placed in
167 the record.

168 [The information follows:]

169

170 Chairman Nadler. I now recognize the chair of the
171 Subcommittee on Crime, Terrorism, and Homeland Security, Ms.
172 Bass, for her opening statement. That statement, too, will
173 be put in the record.

174 [The information follows:]

175

176 Chairman Nadler. I now recognize the ranking member of
177 the Crime Subcommittee, the gentleman from Texas, for his
178 opening statement, which will be placed into the record, too.

179 [The information follows:]

180

181 Chairman Nadler. I now recognize the chair of the
182 Subcommittee on Crime, Terrorism, and Homeland Security, Ms.
183 Bass, for her opening statement.

184 Ms. Bass. Thank you. I thank the chairman for bringing
185 this critical bill up for consideration, and I am proud to be
186 an original co-sponsor today, and reiterate my support for
187 this much-needed measure. While H.R. 5602, the Domestic
188 Terrorism Prevention Act of 2020, has many important
189 provisions, none is more important than the section that
190 helps Federal, State, and local governments focus on the
191 clear and present threat posed by white supremacy.

192 The incidents in El Paso, and Poway, and the Tree of
193 Life synagogue, and the Emanuel AME Church, and so many more
194 incidents are sad testaments to the real dangers of white
195 supremacy. Indeed, generations of African Americans have
196 remained all too familiar with racial terror. Since the FBI
197 began publishing data on hate crimes in 1995, anti-black hate
198 crimes have consistently been a plurality in the statistics.
199 Yet at the very same time the FBI should be pooling together
200 all of its resources to combat this, the Agency has adopted a
201 somewhat misguided approach, focusing some of its precious
202 resources on phantom groups, such as the so-called "black
203 identity extremists."

204 The FBI's 2017 Intelligence Assessment from the
205 Counterterrorism Division characterized black activists and

206 groups seeking to hold police accountable for
207 unconstitutional policing practices as black identity
208 extremists, and suggested these individuals and groups might
209 resort to violence. At this critical moment, the FBI must
210 redirect all its available resources from the speculative
211 threats to actual threats that are killing Americans. And we
212 just had the director here a few weeks ago, and it is still
213 not clear to me whether the FBI has abandoned this category
214 and has abandoned the surveillance of these groups.

215 This bill encourages the FBI to redirect these resources
216 by not only calling for the collection and analysis of
217 domestic terrorism data, but also requiring the FBI to focus
218 its limited resources on threats that are truly responsive to
219 the needs of communities facing domestic terrorist threats.
220 The offices that this bill authorizes would issue joint
221 biennial reports to Congress assessing the state of these
222 threats with a specific focus on white supremacy.

223 Importantly, H.R. 5602 requires DOJ and DHS to review
224 the training each Department provides to State and local law
225 enforcement. Under this bill, the training provided must
226 focus on assisting local law enforcement agencies in
227 detecting, deterring, and investing aspects of domestic
228 terrorism and violence white supremacy. As the first
229 responders to attacks, local law enforcement must be given
230 the resources they need to assess and address real and

231 present danger.

232 Now, not all States have hate crime laws. This is a
233 problem. Not all communities have law enforcement trained in
234 responding to hate crimes and domestic terrorism. This is
235 also a problem. That this is still true in 2020 should be a
236 national scandal. This bill seeks to ensure that if a hate
237 crime were to occur anywhere in the country, a Federal law
238 enforcement specialist would be able to respond. It does so
239 by directing the FBI to assign a special agent or hate crime
240 liaison to each FBI field office to investigate hate crime
241 incidents with a nexus to domestic terrorism.

242 Some critics have suggested that Congress should create
243 a new statute to criminalize domestic terrorism, placing it
244 on par with international terrorism charges. The current
245 definition of "domestic terrorism" under the Patriot Act is
246 overly broad and vague and invites overreach, but there are
247 over 50 Federal terrorism-related charges and hate crime
248 statutes that provide law enforcement with the necessary
249 tools to investigate and prosecute domestic terrorism. The
250 crisis at hand is not a question of needing to add more
251 authorities. It is a question of having the will to
252 prosecute those who endanger the United States.

253 There remains little doubt that the Federal Government's
254 approach needs to change. This bill directs the executive
255 branch to engage in rigorous analysis and redirect its

256 resources to fight the greatest threat, a threat that even
257 the FBI has identified as white supremacy. I thank the
258 chairman for taking up this matter. I am proud to support
259 it, and I yield back the balance of my time.

260 Chairman Nadler. The gentlelady yields back. Without
261 objection, all other opening statements will be included in
262 the record.

263 Mr. Gohmert. Objection.

264 Chairman Nadler. The gentleman will state his
265 objection.

266 Mr. Gohmert. Yes. We have had these opening statements
267 from Republicans proposed to be entered for the record, but
268 no one has given an opening statement verbally. It just
269 seems to be as terribly unbalanced as the bill is. There was
270 a time when my friends across the aisle would support efforts
271 to stop violence against anyone instead of just choosing only
272 to be against violence of right extremists against left.
273 Those of us on this side just oppose violence, and so --

274 Chairman Nadler. The gentleman is not talking about --

275 Mr. Gohmert. Opening statement. Yes, I am. That is
276 it.

277 Chairman Nadler. The gentleman was recognized for the
278 purpose of making an opening statement. The gentleman is
279 incorrect in any event. The ranking members were called
280 upon. That they weren't here is not my concern.

281 [The information follows:]

282

283 Chairman Nadler. I now recognize myself for purposes of
284 offering an amendment in the nature of a substitute.

285 The clerk will report the amendment.

286 Ms. Strasser. Amendment in the nature of a substitute
287 to H.R. 5602, offered by Mr. Nadler. Strike all that follows
288 after the enacting clause and insert the following.

289 Chairman Nadler. Without objection, the amendment in
290 the nature of a substitute will be considered as read and
291 shall be considered as base text for purposes of amendment.

292 [The amendment in the nature of a substitute of Mr.

293 Nadler follows:]

294

295 Chairman Nadler. I now will recognize myself to explain
296 the amendment.

297 The amendment in the nature of a substitute makes no
298 substantive changes to the underlying bill. It simply
299 clarifies the reporting requirements in Section 4 of the bill
300 and affords the director for the community relations service
301 discretion to engage with the community after an attack
302 rather than mandating such engagement. These minor changes
303 strengthen the bill, and I urge all members to support the
304 amendment.

305 Are there any amendments? I now recognize the ranking
306 member for any comments he may have on the amendment.

307 The ranking member is not here.

308 Are there any amendments to the amendment in the nature
309 of a substitute?

310 Mr. Buck. Mr. Chairman?

311 Chairman Nadler. Who seeks recognition? For what
312 purpose does the gentleman seek recognition?

313 Mr. Buck. I have an amendment at the desk.

314 Chairman Nadler. The clerk will report the amendment.

315 Ms. Strasser. Amendment in the nature of a substitute
316 to the H.R. 5602, offered by Mr. Buck of Colorado. On page 1
317 at the end of line 6, insert the following: "Antifa and far
318 left-wing extremists together with." On page 1, line 8,
319 insert "one" between "are" and "the." On page 6, between

320 lines 15 and 16, insert the following and re-designate all
321 that follows accordingly: "Two, The anarchist socialist
322 progressive political left in the United States, particularly
323 since President Trump won the 2016 presidential election, has
324 engaged in a series of criminal acts used to intimidate and
325 terrorize peaceful, law-abiding citizens, law enforcement
326 personnel, members of the United States military, and elected
327 officials, regularly resulting" --

328 Chairman Nadler. Without objection, the amendment will
329 be considered as read.

330 Mr. Biggs. Objection. Objection, sir. I would like it
331 read.

332 Chairman Nadler. You are objecting to the amendment
333 being read?

334 Mr. Biggs. I want it read.

335 Chairman Nadler. The clerk will proceed.

336 Mr. Gohmert. Objection to waiver of it being read.

337 Chairman Nadler. The clerk will proceed.

338 Ms. Strasser. -- "and violent assaults, vandalism, and,
339 death threats, including in each of the following incidents:
340 A, on March 4th, 2010, a registered Democrat with anti-
341 government views shot and wounded two Pentagon police
342 officers; B, on September 1st, 2010, an individual who was a
343 left-wing eco-terrorist who viewed humans as global parasites
344 and whose anti-population manifesto was heavily influenced by

345 Democratic Vice President Al Gore's *An Inconvenient Truth*,
346 took three people hostage inside a Discoveries headquarters
347 in Silver Spring, Maryland;

348 C, on August 15th, 2012, Floyd Corkins, II, entered the
349 Washington, D.C. office of the Family Research Council,
350 shooting an unarmed security guard, and later confessed
351 during a post-arrest police interrogation that he chose his
352 target based on information found on the website of a far
353 left hate group, the Southern Poverty Law Center,
354 demonstrating this was a politically motivated attack; D, on
355 August 15, 2013, an envelope containing ricin addressed to a
356 Republican United States senator was intercepted by the
357 United States Capitol Police, and it was later determined had
358 been mailed by James Dutschke, who unsuccessfully ran for
359 election for commissioner of Lee County, Mississippi, as a
360 Democrat;

361 E, in June 2016 in San Jose, California, a group of
362 Trump campaign supporters were viciously attacked by a
363 leftist mob, and a subsequent lawsuit alleges that San Jose
364 police directed the Trump supporters towards the mob and away
365 from safety where the police then abandoned the Trump
366 supporters, putting them directly and intentionally in harm's
367 way; F, on July 7th, 2016, an individual shot and killed five
368 Dallas police officers and wounded nine others, along with
369 two civilians, and, according to the Dallas Police

370 Department, stated he wanted to kill white people, especially
371 white officers;

372 G, in October 14th, 2016, a Republican party office in
373 Hillsboro, North Carolina was firebombed and rendered a total
374 loss, while graffiti on an adjacent building described
375 Republicans as Nazis; H, in November 2016, a female high
376 school student in San Mateo County, California was attacked
377 by a group of students because she expressed support for
378 presidential candidate, Donald Trump; I, on November 6th,
379 2016, the president of Cornell University's College
380 Republicans was physically assaulted on Election Night and
381 her attacker's comments made clear the attack was politically
382 motivated;

383 J, on November 7th, 2016, a central Florida student at
384 Bayside High was holding a Trump sign when he was viciously
385 assaulted by another student and punched in the face. The
386 attacker made clear the victim was motivated by politics and
387 race. The victim was white; K, on January 20th. 2017, the
388 day President Trump was inaugurated, at least 217 violent
389 left-wing protesters were arrested on a variety of charges,
390 including vandalism and assault; L, in January 2017, four
391 Chicago teens engaged in a hate crime, assaulting a disabled
392 high school student, while making derogatory comments about
393 President Trump;

394 M, on January 30th, 2017, a mob of left-wing Trump

395 protesters attacked a man at the Portland International
396 Airport, striking him in the head 3 times with a metal object
397 and rendering him unconscious, and then cheering as some in
398 the crowd stomped on the man; N, in February 2017, left-wing
399 protesters attacked a 71-year-old congressional staffer in
400 California, striking her unconscious; O, in March 2017, the
401 youngest son of Virginia United States Senator Tim Kaine, the
402 vice presidential running mate of Hillary Clinton in 2016,
403 was part of a leftist group that threw a smoke bomb to
404 disrupt a pro-Trump event, and eventually pled guilty to
405 criminal conduct;

406 P, in April 2017, three conservative political events,
407 two in California and one in Oregon, had to be canceled as a
408 result of terrorist threats of violence directed at the event
409 speakers; Q, in May 2017, the Federal Bureau of Investigation
410 arrested an individual who had made repeated threats that he
411 was going to shoot a Republican congresswoman from Arizona
412 because of her support for President Trump; R, on May 11,
413 2017, Weakly County sheriff's officers in Tennessee arrested
414 a 33-year-old woman for an incident that occurred on May 8,
415 2017. The woman followed the car of a Republican lawmaker,
416 running it off the road, and then pounded her fist on the car
417 and attempted to reach into it. She was later charged with
418 felony reckless endangerment;

419 S, on May 11, 2017, police were forced to escort an

420 angry man from a town hall of then Representative Kevin
421 Cramer after the man became physically physical with Cramer
422 on the day prior. The *Huffington Post* called on the
423 resistance of the political left to harass Republican elected
424 officials in public and in their homes; T, on June 14th,
425 2017, James Hodgkinson, a volunteer Bernie Sanders' 2016
426 presidential campaign, who raged against Republicans and who
427 used social media and websites to post anti-Trump sentiment,
428 shot Republican Whip Steve Scalise, a Republican
429 congressional staff member, and a U.S. Capitol Police
430 officer, Crystal Griner, at a practice session for the
431 congressional baseball game;

432 U, on June 15th, 2017, the FBI investigated a suspicious
433 package containing a white powdery substance and threatening
434 note that was sent to Karen Handel, a Republican candidate
435 for Congress from Georgia, and several similar packages sent
436 to her neighborhood; T, on August 2017, the media reported
437 that the home of the Secretary of Housing and Urban
438 Development had been vandalized by left-wing advocates who
439 damaged the property with hateful rhetoric about President
440 Trump; W, on August 17, 2017, a Democratic Missouri State
441 senator, Maria Chappelle-Nadal, used social media to post, "I
442 hope Trump is assassinated." When called on to resign for
443 her hateful rhetoric, Chappelle-Nadal stated, "There is no
444 way in hell I am resigning." X, at an August 2017

445 conservative gathering in Laguna Beach, Virginia, African-
446 American conservative activist, R.C. Maxwell, was assaulted
447 for his political view by a 20-year-old, who was part of an
448 aggressive group of protesters. The perpetrator of attack
449 later used Twitter to boast about his attack on Maxwell; Y,
450 in December 2017, the Lincoln office of United States senator
451 from Nebraska, Deb Fischer, was vandalized; Z, on December
452 25th, 2017, the family of Representative Jeff Fortenberry
453 found a series of threatening and derogatory signs in their
454 yard;

455 AA, on February 12th, 2018, a Massachusetts man sent a
456 hoax threat letter to a home of Donald Trump, Jr. The letter
457 contained a white powder that read in part, "You are getting
458 what you deserve," a similar letter that had been sent to
459 Eric Trump's home in 2016; BB, in March 2018, a student was
460 assaulted at his high school in Minnesota because he was
461 carrying a flag that contained the words "Trump;" CC, on
462 March 18th, 2018, a man yelling anti-Trump rhetoric entered
463 the Trump National Doral Golf Club outside of Miami and fired
464 a gun at the roof and chandelier, and when police arrived, he
465 fired his gun at police;

466 DD, on May 3rd, 2018, the media reported that Bexar
467 County, Texas Democratic Commissioner Tommy Calvert disclosed
468 a conversation he had with the Democratic United States
469 Senator, Robert Menendez of New Jersey, in which Menendez

470 suggested that if the 2020 Republican National Convention was
471 held in San Antonio, that food served to Republican delegates
472 would be poisoned; EE, on May 20th, 2018, a conservative
473 media personality associated with Fox News was verbally and
474 physically assaulted at a restaurant in Minneapolis,
475 Minnesota because of her political views;

476 FF, on May 24th, 2018, the media reported that the
477 Justice Department announced legal action in response to
478 three instances where Republican lawmakers, including the
479 former chairman of the House Committee on the Judiciary,
480 Representative Bob Goodlatte, were threatened with harm and
481 even death; GG, on June 16th, 2018, a Jewish supporter of
482 President Trump was attacked in San Francisco while standing
483 next to a Trump flag. The attacker pushed the victim,
484 putting him in an extended chokehold, and only stopped after
485 police instructed the attacker to back off;

486 HH, on June 25th, 2018, a flash mob of Democratic
487 socialists went to the home of then Secretary of Department
488 of Homeland Security, Kirstjen Nielsen, with the intention of
489 intruding on her privacy; II, in June 2018, a man from
490 Norwalk, California sent a series of emails to Federal
491 Communications Commissioner Chairman Ajit Pai, in which he
492 threatened Pai's family. One of the emails contained a list
493 of preschools near Pai's home and messages that said, "I will
494 find your children. I will kill them." The man was

495 motivated because of the FCC's actions related to net
496 neutrality; JJ, in June 2018, left-wing activists harassed
497 Florida Attorney General Pam Bondi at a movie theater,
498 spitting on her, assaulting her, and preventing her from
499 leaving the theater;

500 KK, on June 30th, 2018, a San Diego attorney, who was on
501 the left of the political spectrum, violently attacked an
502 elderly pro-American veteran, who was holding a sign that
503 read, "Build the Wall. Enforce the Law;" LL, in early July
504 2018, vandals in Lincoln, Nebraska threw bricks through the
505 window of a Republican office and spray-painted, "Abolish
506 ICE," a rallying cry common among the far left of the
507 political spectrum, who oppose immigration enforcement and
508 advocate on the open border; MM, on July 2nd, 2018, United
509 States Senator Rand Paul of Kentucky publicly acknowledged
510 that he and his family had been the target of a man who
511 threatened to chop them up with an ax. The United States
512 Capitol Police investigated, issuing an arrest warrant for
513 the perpetrator;

514 NN, on July 4th, 2018, San Antonio's police arrested a
515 30-year-old man after he had assaulted a teenage boy wearing
516 a Make America Great Again hat at a Whataburger restaurant.
517 The suspect verbally abused the boy, threw a drink in his
518 face, and stole the MAGA hat before walking away with it. In
519 response to the incident, the teenager, showing maturity

520 beyond his years, stated, "I just think conversation about
521 politics is more productive than taking my hat and yelling;"
522 OO, in July 2018, media reports indicated a New York man
523 threatened to kill supporters of President Trump outside the
524 campaign office of a sitting Republican member of Congress;
525 PP, on July 6th, 2018, a self-described Black Lives
526 Matter supporter called for the assassination of Supreme
527 Court justice via Twitter; QQ, in July 2018, Abolish ICE
528 protesters vandalized the Department of Homeland Security
529 office in New York; RR, on July 16th, 2018, a senior Democrat
530 in the House Committee of Judiciary sent a reckless tweet
531 that seem to suggest the military should engage in a military
532 coup to unseat President Trump;
533 SS, in July 2018, a Seattle teenager was physically
534 assaulted and spat upon while wearing a Make America Great
535 Again hat; TT, on August 3rd, 2018. several far-left
536 individuals, including a registered Democrat, were arrested
537 for making terrorist threats against United States
538 Representatives Steve Scalise and Chris Smith; UU, on August
539 5th, 2018, Antifa protesters in Berkeley, California used
540 hammers to smash the windows of a Marine Corps recruiting
541 post; VV, in early August 2018, near Sacramento, California,
542 Antifa racists attacked a religious Sikh, who was putting up
543 yard signs for a Republican congressman. The Antifa group
544 hurled anti-immigrant insults at the man while beating him.

545 WW, in August 2018, a Republican office in Mexicali,
546 Arizona was vandalized by a political leftist when a rock was
547 thrown through a glass door; XX, on September 6th, 2018, a
548 Republican office in Laramie, Wyoming, that is used by the
549 Albany County Republican Party and Wyoming College
550 Republicans, was firebombed; YY, on September 11th, 2018,
551 Almeida County, California law enforcement arrested a man
552 after he pulled a switch blade and attempted to stab a
553 Republican candidate for Congress. The attacker's comments
554 made clear that the attack was politically motivated; ZZ, on
555 September 25th, 2018, Antifa Washington, D.C. sent a
556 threatening tweet about Republicans, including suggesting
557 that a sitting United States Republican senator was not safe;

558 AA, on October 2nd, 2018, vandals attacked a Republican
559 office in Illinois, spray painting it in graffiti; BBB, on
560 October 2nd, 2018, two people working in a campaign office
561 and a Republican United States senator were hospitalized
562 after being exposed to a white powdery substance to terrorize
563 the office; CCC, on October 2nd, 2018, protesters were
564 arrested in Longworth House Office Building after they
565 assaulted a Republican member of Congress;

566 DDD, on October 3rd, 2018, President Trump was the
567 target of a politically-motivated ricin mail attack. On the
568 same day, Defense Secretary James Mattis, the FBI Director
569 Chris Wray were targets of similar attacks; EEE, on October

570 4th, 2018, media reports that a staff member in the personal
571 office of a Democratic member of the House Committee on the
572 Judiciary were arrested for doxxing several Republican
573 senators who had supported the nomination of Brett Kavanaugh.
574 The staff members also threatened to release private
575 information, such as health records for Republican senators'
576 children, in retaliation for their vote; FFF, on October
577 11th, 2018, the Metropolitan Republican Club in Manhattan was
578 vandalized. Windows were broken with rocks, doors defaced,
579 and Antifa graffiti was left behind. A note from the
580 attackers made clear the attack was politically motivated;

581 GGG, on October 16th, 2018, someone claimed to have sent
582 a letter containing ricin to home of Republican state
583 senator, who voted in support of the Kavanaugh nomination on
584 the Supreme Court United States; HHH, on October 16th, 2018,
585 the female campaign manager for the Republican candidate for
586 governor in Nevada was physically assaulted by a Democratic
587 operative, who was associated with a group funded by liberal
588 billionaire, George Soros. The attacker was arrested, had
589 also been arrested earlier in the year for assaulting a
590 female press aide and Interior Secretary Ryan Zinke; III, on
591 October 23rd, 2018, a rock was thrown into district office of
592 a Republican member of Congress from California, and the
593 perpetrators also stole office equipment;

594 JJJ, on October 25th, 2018, a Republican office in Iowa

595 City, Iowa was vandalized; KKK, on October 29th, 2018, four
596 gunshots were fired into the Volusia County, Florida
597 Republican headquarters; LLL, on November 8th, 2018, violent
598 progressives linked with Antifa attempted to break into Fox
599 News host, Tucker Carlson's, house while his family was home.
600 The violent leftist mob left threatening messages and
601 vandalized the Carlson home, driveway, and car. Police would
602 characterize the attack as politically motivated hate crime;
603 MMM, immediately before the November 2018 elections,
604 while engaging in campaign activities and wearing a Make
605 America Great Again hat, a man was attacked while walking in
606 downtown Tucson, Arizona. The attacker jumped the victim
607 from behind and stomped on his ankle, breaking it in four
608 places. The victim was repeatedly hit while the attacker
609 shouted that Republicans were Nazis; NNN, on November 17th,
610 2018, an Antifa member was arrested after punching and
611 spitting on conservative activists in Portland, Oregon; OOO,
612 on January 5th and January 6th, 2019, supporters of United
613 States Congresswoman Alexandria Ocasio-Cortez. The social
614 media suggested Republican House Whip Steve Scalise should
615 become the victim of deadly gun violence. At the time, the
616 media reported that Ocasio-Cortez had not denounced calls of
617 violence by her supporters who had threatened to assassinate
618 Scalise;
619 PPP, on January 10th, 2019, a leader of Antifa from

620 Washington, D.C. was arrested and charged with multiple
621 felonies in Philadelphia, Pennsylvania, stemming from a mob
622 attack on two United States marines in November 2018; QQQ, on
623 January 29th, 2019, actor Jussie Smollett filed a police
624 report in Chicago falsely claiming supporters of President
625 Trump attacked him and tied a noose around his neck.
626 Smollett was later charged with the grand jury on six counts
627 pertaining to filing false police reports; RRR, in February
628 2019, a liberal man in Kentucky pulled a gun on another man
629 who was wearing a Make America Great Again hat, pointed the
630 gun in the victim's face and said, "It is a good day for you
631 to die;"

632 SSS, in February 2019, a leftist thug in Berkeley,
633 California assaulted a conservative who was tabling and
634 handing out literature. The victim's nose and eyes were
635 injured as a result of the attack; TTT, on February 25th,
636 2019, in Edmond, Oklahoma, a high school student assaulted a
637 younger classmate for wearing a Make America Great Again hat;
638 UUU, on February 25th, 2019, an 81-year old man was assaulted
639 by a younger man outside of a grocery store in Franklin, New
640 Jersey because the elderly gentleman was wearing pro-Trump
641 memorabilia;

642 VVV, in February 2019, an 81-year-old man was attacked
643 at a supermarket in Somerset County, New Jersey because he
644 was wearing a Make America Great Again hat; WWW, on March

645 5th, 2019, a Martin County, Florida public school official
646 assaulted a 14-year-old for wearing a Make America Great
647 Again hat; XXX, on March 21st, 2019, an 85-year-old pro-life
648 activist was brutally attacked while he was praying outside
649 of a Planned Parenthood facility in San Francisco,
650 California. The attacker knocked the elderly gentleman down
651 and then repeatedly kicked him; YYY, on April 11th, 2019, a
652 conservative speaker was assaulted by a protester while
653 speaking at the University of Missouri on the subject of the
654 differences between men and women; ZZZ, on April 13th, 2019,
655 in Maryland, two men attacked and robbed an immigrant who was
656 wearing a Make America Great Again hat;

657 AAAA, in late April 2019, the FBI covered an alleged
658 plot by Antifa and obtained guns from Mexican cartel with the
659 intent of staging an armed rebellion on border; BBBB, in June
660 2019, conservative journalist, Andy Ngo, was attacked by
661 Antifa activists. Ngo suffered bruises and cuts to his face
662 and brain injury and a result of mob beating. Ngo said that
663 "In a functioning liberal democracy, we cannot normalize
664 police violence;" CCCC, in later September 2019, a former --

665 Mr. Buck. Mr. Chairman, may I make a correction,
666 please? That was political violence, not police violence. I
667 just want to make sure that was clear.

668 Chairman Nadler. The gentleman is not recognized. The
669 clerk is reading the bill.

670 Ms. Strasser. In late September 2019 --

671 Mr. Buck. Well, she reads it wrong --

672 Mr. Sensenbrenner. -- not entitled to --

673 Mr. Buck. There is a difference between political and
674 police.

675 Chairman Nadler. The clerk will continue reading.

676 Ms. Strasser. A former Hillary Clinton staffer and
677 Democratic activist was arrested in Michigan after sexually
678 assaulting a mentally handicapped 18-year-old. DDDD, on
679 October 10th, 2019, Antifa rioters, engaging in left-wing
680 violence, physically attacked several supporters outside of a
681 Trump rally in Minneapolis; EEEE, on October 31st, 2019,
682 national media reported that former staff member in the
683 office of Democratic United States Senator Maggie Hassan was
684 convicted and sentenced for her role in doxxing Republican
685 senators following the Kavanaugh nomination;

686 FFFF, on November 5th, 2019, Antifa attacked two people
687 who were filming Antifa's activities on public property;
688 GGGG, on December 13th, 2019, five students in Hamilton
689 County, Florida assaulted a 14-year-old on a school bus
690 because he had previously worn a Make America Great Again
691 hat; HHHH, on February 8th, 2020, in what has been labeled as
692 a politically-motivated attack, Gregory Timm intentionally
693 drove his van into a pro-Trump Republican voter registration
694 drive tent that was pitched outside of a Walmart in

695 Jacksonville, Florida;

696 IIII, on February 11th, 2020, outside of a polling place
697 in Windham, New Hampshire, Patrick Bradley assaulted a 15-
698 year-old who was wearing a Trump hat and then assaulted two
699 adult Trump supporters when had tried to intervene to stop
700 politically motivated assault; JJJJ, on March 4th, 2020,
701 United States Senate Minority Leader Chuck Schumer from New
702 York stood before the Supreme Court of the United States and
703 clearly engaged in threats against two sitting members of the
704 Court, undermining and threatening an independent judiciary;

705 On page 12, line 22, insert the following after "by:"
706 "Antifa, anarchists, fascists, socialists, antisemites, black
707 supremacists." On page 12, line 23, insert the following
708 after "including" and before "white:" "Antifa, anarchists,
709 fascists, socialists, antisemites, black supremacists." On
710 page 13, line 7, insert the following after "related" and
711 before "incidents:" "Antifa-related, anarchist-related,
712 fascist-related, socialist-related, antisemitic-related, and
713 black supremacist-related."

714 On page 13, line 13, insert the following after
715 "related" and before "incidents:" "Antifa-related, anarchist-
716 related, fascist-related, socialist-related, antisemitic-
717 related, and black supremacist-related." On page 13, line 25,
718 insert the following after "supremacy" and before the
719 semicolon: "any other hateful ideology, including

720 antisemitism, acts of terrorism, motivated by anti-government
721 sentiment and other acts of terrorism which, because of their
722 nature, are designated to intimidate and silence the
723 political speech of, or the exercise of any constitutionally-
724 protected rights by others."

725 On page 14, line 8, insert the following between
726 "supremacy" and the comma: "and any other form of hate-based
727 motive or ideology identified in this act." On page 14, line
728 18, insert the following between "supremacy" and the comma,
729 "and any other form of hate-based motive or ideology
730 identified as this act."

731 Chairman Nadler. The gentleman is recognized for 5
732 minutes to explain his amendment.

733 Mr. Buck. Mr. Chairman, unfortunately you are reading a
734 newspaper instead of listening to the --

735 Chairman Nadler. The gentleman is recognized for the
736 purpose of explaining his amendment and for no other purpose.

737 Mr. Buck. I believe, Mr. Chairman, I control the time.

738 Mr. Chabot. Point of order, Mr. Chairman. The
739 gentleman can say what he wants to say. If you are reading
740 the newspaper, you are reading the newspaper.

741 Chairman Nadler. That is irrelevant to the amendment.
742 He is recognized to explain his amendment.

743 Mr. Buck. My amendment has to do with the long list of
744 acts by left-wing extremists against law-abiding Americans,

745 and should have been listened to by everyone because it is so
746 relevant to the bill that we have.

747 For nearly 235 years, our Nation has used the motto, *E*
748 *pluribus unum*, "Out of many, one." It first appeared on
749 coins in 1786, and was later incorporated into the Great
750 Seal, which we see on the back wall. Why is this motto so
751 important to us as Americans? First, it represents the
752 founding of the Nation. From 13 original colonies, one
753 Nation was born. But it also represents each of us as
754 Americans. Most Americans can trace their ancestral roots
755 back to several different countries. Our national motto
756 signifies that wherever each of us or our ancestors come
757 from, we are one people, one Nation. This motto signals that
758 each of us is an American. It furthers the promise that all
759 men and women are created equal, and each of us is endowed by
760 the Creator with certain unalienable rights, or as Joe Biden
761 would say, "You know, the thing."

762 Hateful ideologies seek to deny the truth of the
763 American promise. Someone who is, for example, a white
764 nationalist denies not only equal dignity and worth of their
765 fellow citizen, but also the essential promise of America
766 based on something that should be superficial, like the other
767 person's race or national origins. That is not what our
768 country is about. Terror is a tool of hate. Its effect is
769 to cause others to fear for their safety. As Americans,

770 though, we each have so much to hope for: life, liberty,
771 opportunity, a better life for our children. Robbing someone
772 of hope by fear is un-American.

773 For these reasons, I want to align myself with the
774 statements made by others that acknowledge the damage that
775 hateful and violent ideologies cause in society. Hate,
776 violence, terrorism are not American values. Sadly, hate and
777 violence are increasingly seeping in our politics. They are
778 poisoning political discourse. They also threaten our
779 democracy. Not too long ago, it was a common value that we
780 extended dignity and respect to someone with different
781 political views. Increasingly, that courtesy seems to have
782 been lost.

783 The underlying bill characterizes groups that espouse
784 white supremacist and white nationalist ideals as terrorist
785 threats. I agree with that 100 percent. I also agree that
786 Federal law enforcement should pay attention to organizations
787 that use terror to target people. We should give law
788 enforcement the tools to investigate and prosecute acts of
789 domestic terror, but what we are overlooking in this bill is
790 that it is one-sided. There is at least an equal level of
791 hate, violence, and terror coming from the political left
792 directed at conservatives and people who support the
793 President.

794 At its core, the perpetrators of these acts are using

795 the same tactics as white supremacists. They dehumanize
796 others, viewing their victims as not worthy of dignity and
797 respect. They use violence to intimidate. Their acts can
798 terrorize an entire community. These acts have the potential
799 to drive people of good will from the public square, to
800 silence their voice and participation in the political
801 process.

802 My amendment contains a list of 88 instances of violence
803 or acts intended to intimidate others perpetrated by people
804 on the left of the political spectrum. The victims of these
805 attacks deserve respect and dignity. They deserve to live
806 free of terror, just as the victims in each instance
807 currently described in the underlying bill do. Purveyors of
808 hate and terror, regardless of ideology, should be equally
809 condemned for violence. This bill could be and should be an
810 opportunity for this community and this Congress to speak
811 with a single voice that speaks clearly to say together we
812 condemn all violence. We condemn all terror. Hate and
813 division will not win. Together we embrace unity and we
814 embrace the values of America.

815 I urge my colleagues to support the amendment, and I
816 yield back.

817 Mr. Sensenbrenner. Will the gentleman yield?

818 Chairman Nadler. The gentleman already yielded back.

819 Voice. Mr. Chairman?

820 Chairman Nadler. The gentleman already yielded back. I
821 now --

822 Mr. Sensenbrenner. Mr. Chairman, let's be fair here.

823 Chairman Nadler. I now recognize myself for the purpose
824 of opposing the amendment. I oppose this amendment. The
825 reason I oppose this amendment is that despite its claim to
826 oppose violence and white supremacy, it, in fact, does not.
827 The reason I oppose the addition of another group or groups
828 to white supremacy for the FBI to analyze for the purpose of
829 resource allocation is that we already have information that
830 the white supremacist threat has not been appropriately
831 addressed by Federal law enforcements.

832 In his recent testimony before this committee, Director
833 Wray noted that white supremacists constitute the largest
834 share of domestic terrorists and that white supremacists
835 represent a serious persistent threat to this country.
836 According to the FBI assistant director for counterterrorism,
837 Michael McGarrity, in Fiscal Year 2019, the FBI arrested 107
838 individuals in connection with domestic terrorism
839 investigations, which was close to the same number on the
840 international terrorism front. He further said that at any
841 given time, the FBI has about 900 open domestic terrorism
842 investigations, a huge chunk of which involve racially-
843 motivated violent extremists. Of these, the most lethal over
844 the last few years have involved white supremacists.

845 According to the DOJ Strategic Plan for Fiscal Years
846 2018 and 2022, the Department's principle strategic goal is
847 to enhance national security and counter the threat of
848 terrorism. We agree that we must prevent and fight terrorism
849 and that it is appropriate to focus attention of DOJ on white
850 supremacy, the great domestic terrorism threat faced by
851 Americans. The legislation does just that. The amendment,
852 by opposing this, would not, in fact, focus attention or
853 opposition or resources to the greatest threat that we face,
854 namely white supremacy. For that reason, I oppose this
855 pernicious amendment and urge my colleagues to do the same.

856 Mr. Sensenbrenner. Mr. Chairman?

857 Chairman Nadler. For what purpose does the gentleman
858 seek recognition?

859 Mr. Sensenbrenner. I move to strike the last word.

860 Chairman Nadler. The gentleman is recognized.

861 Mr. Sensenbrenner. Mr. Chairman, we are coming into a
862 presidential election. It will be a presidential election
863 that will be based on rather different viewpoints between the
864 two major candidates for President on the future of this
865 country and where they want to take this country in the next
866 4 years. There is an awful lot of emotion involved in this.
867 Some of this emotion has turned into violence. Ask Steve
868 Scalise. He almost died because of a politically-motivated
869 assassination attempt, and the 88 instances that the

870 gentleman from Colorado has pointed out is that the Scalise
871 assassination attempt was not an isolated instance of
872 violence against people who support the President,
873 Republicans, Republican candidates, Republican officeholders.

874 I would add an 89th one that you forgot, gentleman from
875 Colorado: the Trump Republican office in the central City of
876 Milwaukee was vandalized, and nobody knows who did it, but it
877 was obviously an act of political terrorism. Political
878 terrorism is domestic terrorism. This bill should be
879 broadened so that political terrorism can be just as
880 vigorously investigated as white supremacy, which all of us
881 condemn, even those on this side of the aisle, although some
882 of you may doubt that.

883 Now, we can either have a fair markup and we can allow
884 both sides to speak out, and I would implore you, Mr.
885 Chairman, to put the gavel down for once, you know, and to
886 allow this markup to proceed. You know, the clerk ended up
887 mispronouncing a word in the gentleman's amendment. When the
888 gentleman asked for a correction, bang went the gavel. I
889 asked the gentleman to yield to me when he had 20 seconds
890 left. He was not allowed to do that. That is not fair
891 either, you know. And it seems to me that if this is not to
892 be a hearing where those of us that do not agree with the
893 narrowness of this bill end up getting shut down, then the
894 crime that is being committed in this committee is just as

895 bad as the crimes that this committee is attempting to
896 prevent. I yield back.

897 Chairman Nadler. Does anyone else seek recognition?
898 For what purpose does the gentlelady from Pennsylvania seek
899 recognition?

900 Ms. Dean. I move to strike the last word.

901 Chairman Nadler. The gentlelady is recognized.

902 Ms. Dean. Thank you, Mr. Chairman. I rise in
903 opposition to this amendment and in favor of the underlying
904 bill. And I thank you, Mr. Chairman, for so seriously taking
905 the issue of domestic terrorism. I am surprised by my
906 colleagues on the other side of the aisle. Why would they
907 not want to raise the issue of domestic terrorism and do
908 everything in our power to chill it, to stop it, to halt it,
909 to save lives? So thank you, Chairman Nadler, for holding a
910 markup on the Domestic Terrorism Prevention Act.

911 From a church in South Carolina, Emanuel AME, to a
912 synagogue in my home State of Pittsburgh, Tree of Life,
913 communities across the country continuously face the threat
914 of domestic terrorism. That threat is known, and it is
915 clearly defined. According to a May 2017 intelligence
916 bulletin by the FBI and DHS, white supremacists were
917 responsible for 49 homicides and 26 attacks from 2000 until
918 2016. Our national security apparatus recognizes white
919 supremacy as the most, and I want to repeat that, the most

920 significant domestic extremist movement. It is time Congress
921 takes action to combat the fatal threat posed by violent far-
922 right white supremacist extremists.

923 This bill takes the necessary step of authorizing
924 offices within DOJ, DHS, and the FBI with the responsibility
925 of monitoring, analyzing, investigating, and prosecuting
926 domestic terrorism. It also requires these agencies to
927 submit biannual reports to us, to Congress, to assess the
928 threats posed by white supremacists. Importantly, it also
929 requires Federal authorities to provide training and
930 resources to State and local law enforcement, who are often
931 at the very front line of combatting terrorism.

932 White supremacy and domestic terrorism are problems not
933 consigned to the history books. Sadly, we are living with
934 them today. They are real, substantial threats to my
935 communities, to your communities, to our country. This bill
936 is a big step in the right direction to combatting extremists
937 most likely to take American lives. I am proud to vote for
938 the Domestic Terrorism Prevention Act and hope my colleagues
939 will join all of us in supporting this legislation. This is
940 a very serious issue, and I hope my colleagues on the side of
941 the aisle grant it the seriousness it deserves. With that, I
942 yield back.

943 Mr. Chabot. Mr. Chairman?

944 Chairman Nadler. The gentlelady yields back. Who else

945 seeks recognition? For what purpose does the gentleman from
946 Ohio seek recognition?

947 Mr. Chabot. Mr. Chairman, I move to strike the last
948 word.

949 Chairman Nadler. The gentleman is recognized.

950 Mr. Chabot. Thank you, Mr. Chairman. White
951 supremacists should be denounced, and if they commit violent
952 or threatening behavior, they ought to be prosecuted. So I
953 think my colleagues on the other side of the aisle are
954 absolutely correct in introducing legislation that would do
955 that. However, where they go wrong is that they aren't
956 including violence from the left, and there is a significant
957 amount of that. We heard it time after time after time in
958 the amendment showing dozens and dozens and dozens of
959 instances of places being vandalized, people being attacked,
960 a whole range of things.

961 And it is tough to read that. I had some sympathy for
962 the person who was reading it, and there were mistakes as
963 anybody would make, and nobody really said anything. But one
964 of them was pretty critical, I think, and that is the fact
965 that one of those incidences was, it was stated it was police
966 violence when it actually stated it was "political violence."
967 The gentleman just tried to correct that, and the chairman
968 jumped it, shut it down, and it is kind of ridiculous. In
969 this committee, we can argue, we can debate in here, but some

970 common sense ought to reign, and I think that is what is
971 lacking here, and unfortunately, I think that is what the
972 chairman, unfortunately, is lacking in what see in this
973 hearing.

974 I have a lot of respect for the gentleman. I have
975 worked with him for years. Co-chaired for 6 years the
976 Constitution Subcommittee. We didn't co-chair it. I was the
977 chairman and he was the ranking member. We got along well
978 even though we didn't agree on a whole lot other than the
979 Voting Rights Act. But I would just recommend that the
980 chairman change that, and I know he is probably under some
981 pressure to crack down because the minority can get out of
982 control, I am sure, in the majority's opinion sometimes. It
983 happens on both sides. But I would ask for a little more
984 decency and common respect for this committee.

985 But the bottom line is here, this amendment would
986 include violence and threatening behavior from both sides.
987 When the Klan does this type of thing, when white
988 supremacists do this type of thing, they ought to be
989 prosecuted. I support that completely. But when groups that
990 are mentioned in this amendment, like Antifa, anarchists,
991 antisemites, when they commit threatening acts and violence,
992 that ought to be included in here because that is just as
993 outrageous when the left does as when it is done by those on
994 the right. So I strongly urge my colleagues on both sides of

995 the aisle to support this very reasonable amendment, and I
996 would now like to yield my remaining time to the gentleman
997 from Colorado.

998 Mr. Buck. I thank the gentleman from Ohio, and I just
999 want to make something really clear that I may not have made
1000 clear in my statement in support of this amendment. If my
1001 amendment is adopted, even though I find some things in the
1002 underlying bill offensive, if my amendment is adopted, I will
1003 support this bill in committee. I will support this bill on
1004 the floor. I will whip my fellow Republicans to support this
1005 bill. I absolutely believe with all my heart that we need to
1006 crack down on white supremacist violent acts.

1007 I was a prosecutor for 25 years. I didn't tolerate any
1008 violent acts, no matter what the motive was. I also believe
1009 that there are many on the right that I talk to in my
1010 district and in my State of Colorado that are concerned about
1011 the violence in politics right now. And it is, I think, an
1012 opportunity for this committee to take white supremacy
1013 seriously, to make this a bipartisan bill, to make this a
1014 bicameral bill, because instead of just sitting in the House,
1015 never getting a fair hearing in the Senate, this bill will
1016 move in the Senate if it actually is something that all
1017 Americans can embrace. And all Americans are sick and tired
1018 of the violence and the attitudes that some have on the
1019 extremes of both sides that they can stop speech that they

1020 don't like, that they can stop speech that they don't want to
1021 tolerate.

1022 And I think that we should as a committee take a strong
1023 stand on intolerance. And if there are parts of my amendment
1024 that people find offensive on the other side of the aisle,
1025 let's amend the amendment. I am open to that. But let's
1026 make sure we send a clear message to Americans that we will
1027 not stand for violence of any kind, and that we direct
1028 Federal law enforcement authorities to target violence
1029 against anybody of any political stripe. And I yield back to
1030 the gentleman from Ohio.

1031 Mr. Chabot. Thank you, and reclaiming my time. And
1032 unfortunately, there has been a pattern this Congress in this
1033 committee where apparently the Democrats, they want the
1034 issue, but they don't really want the solution. They want to
1035 talk about this violence, but they are proposing a bill which
1036 has no chance of passing unfortunately. Something like this
1037 should pass because we ought to crack down on violence on
1038 both sides of the political spectrum. And we have seen this
1039 on a whole range of issues this time from the Violence
1040 Against Women Act, for example, which I voted for probably a
1041 dozen times, and we have passed it, and it has been in the
1042 law, and then they offer poison pills in these things which
1043 they know will never pass in the Senate, and which most on
1044 our side of the aisle can't support. And it is just

1045 unfortunate.

1046 If they worked together with us, we could actually pass
1047 something that a lot of Republicans would support and that
1048 the Senate could actually pass, and the President could
1049 actually sign into law, then we have got a solution, but that
1050 is not what we have seen. We have seen things which are so
1051 flawed here. In this case, the flaw is the fact that we are
1052 not denouncing violence on the left, and there is a lot of it
1053 from Antifa and other groups. So with that, I yield back my
1054 time.

1055 Chairman Nadler. The gentleman yields back. For what
1056 purpose does the gentlelady from Texas seek recognition?

1057 Ms. Jackson Lee. I rise to strike the last word.

1058 Chairman Nadler. The gentlelady is recognized.

1059 Ms. Jackson Lee. I rise to support H.R. 5602 as one of
1060 the original co-sponsors, and to support the underlying
1061 amendment offered by Mr. Nadler. Mr. Buck, I am prepared to
1062 work with you on this extensive recounting of particular acts
1063 that may be attributable to issues that have some relation to
1064 political views and may have resulted in injury. Again, this
1065 is a document that has not been vetted. I don't in any way
1066 diminish your intent or the intent to be authentic. But,
1067 again, a lot of this is a question of whether it is a
1068 political expose of issues, but I think it is worthy of our
1069 consideration.

1070 I don't think it can be considered at this point, and
1071 that is why I rise with a degree of sensitivity to oppose the
1072 amendment because when I think of what we have gone through
1073 with white terrorism, if you will, domestic terrorism that is
1074 based upon the acts of white nationalists, I think of the two
1075 African Americans shot dead in the grocery store in the
1076 Midwest. I think of the nine worshippers at Mother Emanuel
1077 in Charleston, South Carolina. I think of the innocent
1078 shoppers at Walmart in El Paso, Texas, and the list goes on
1079 and on.

1080 I even think of those who lost their life in the battle
1081 for civil rights where it was very difficult to prosecute
1082 those cases, so much so that the killers of Viola Liuzzo were
1083 only brought to justice by then U.S. Attorney Jones, Doug
1084 Jones, in recent years. I think of the three civil rights
1085 young men that were killed by the Ku Klux Klan and buried in
1086 mud in Mississippi, and I think of Jimmie Lee Jackson who was
1087 shot down on the Edmund Pettus Bridge, and this has gone on
1088 for a long time without response. Finally the FBI has
1089 documented the surge in white nationalism, hate acts,
1090 Charlottesville, Virginia, and the most debilitating
1091 statement by any leader of the free world that there were
1092 good people on both sides that I don't think I will ever
1093 recover from.

1094 So I frankly believe these are two distinguishable

1095 routes that we must take. I am not in any way rejecting this
1096 Judiciary Committee taking this up. I hope we have a
1097 platform to work together. But I think it is urgent that we
1098 give now the FBI, the Homeland Security, and the Department
1099 of Justice the appropriate tools to work from. You already
1100 have a basis upon which issues that you have raised can be
1101 addressed. Federal law defines "domestic terrorism" as
1102 "involving acts that are dangerous to human life, that are in
1103 violation of the criminal laws of the United States or of any
1104 State, appear to be intended to intimidate or coerce a
1105 civilian population, to influence the policy of a government
1106 by intimidation or coercion, or to affect the conduct of
1107 government by mass destruction, assassination, kidnapping,
1108 and occur primarily within the territorial jurisdiction of
1109 the United States." If any of these acts fall within that,
1110 they can be addressed. Nothing in here tells us whether
1111 these were addressed, whether these rose to the level of
1112 prosecution. They are just a recitation of certainly some
1113 very unfortunate acts.

1114 We have a crisis here, and the crisis is that white
1115 nationalism, in the spirit of domestic terrorism, has not
1116 been addressed and people are dying. So I support the
1117 underlying bill and the amendment by Mr. Nadler, and I rise
1118 to oppose the amendment by Mr. Buck, and would hope that we
1119 would have the opportunity to work together as we go forward.

1120 Mr. Buck. Will the gentlelady yield?

1121 Ms. Jackson Lee. I will yield for a moment.

1122 Mr. Buck. I appreciate that. First, I just want to
1123 thank the gentlelady for her remarks and her measured
1124 remarks, and I look forward to working with the gentlelady on
1125 this issue. And I wish that we could have worked on it
1126 before we got here, but I think it is important that we have
1127 a bipartisan bill that condemns white supremacy and other
1128 forms of political violence. So I thank the gentlelady.

1129 Ms. Jackson Lee. Reclaiming my time, and I thank the
1130 gentleman for his remarks. I would hope that the gentleman
1131 would consider, even as we go forward with an idea of working
1132 together with a number of us on a bill that speaks to the
1133 issues that he is concerned. But I hope that he also
1134 realizes that Federal law does already protect some of those
1135 or give remedies to some of those who have been violated
1136 under the recitation of acts in your document, and I would
1137 hope the gentleman would support the underlying bill.

1138 Remember, we have been dying as African Americans, as
1139 people in different faiths, the Jewish faith, Sikhs, and
1140 others for quite a while, and we are now trying to find a way
1141 to provide leadership from the Federal Government to help
1142 stem the tide of these terrible acts. With that, Mr.
1143 Chairman, and to Mr. Buck, thank you. I yield back.

1144 Chairman Nadler. The gentlelady yields back. Who else

1145 seeks recognition? For what purpose does the gentleman from
1146 Texas seek recognition?

1147 Mr. Gohmert. I strike the last word.

1148 Chairman Nadler. The gentleman is recognized.

1149 Mr. Gohmert. Thank you, Mr. Chairman, and I very much
1150 appreciate my friend from Texas, her comments and attitude
1151 that is extremely helpful, but it is terribly unfortunate
1152 that we are here. It is consistent taking up a bill that is
1153 extremely one-sided, extremely political and ignores and
1154 diminishes and demeans the violence against people who happen
1155 to be what people now call conservative who at one time would
1156 be considered middle of the road, and to have anyone
1157 categorize Mr. Buck's amendment as pernicious, meaning highly
1158 injurious, destructive, even deadly, that is very pernicious
1159 in and of itself.

1160 We ought to be working judiciously on the Judiciary
1161 Committee to help bring America together. But one of the
1162 things that helps divide America is when Congress takes such
1163 incredibly one-sided approaches and ignores and diminishes
1164 and demeans the injuries to another major part of America.

1165 It further divides America, and I know this committee
1166 has spent a lot of time in the last year-plus talking about
1167 Russia and the Russian efforts.

1168 Look, make no mistake, leaders of Russia would love to
1169 see America fall, especially Putin. He deeply regrets the

1170 loss of the Soviet empire.

1171 He blames America and would love to see carrying out of
1172 what Khrushchev said would happen, that we would fall from
1173 within without them having to fire a shot.

1174 So the fact is Russian leaders want divided and we have
1175 seen over and over bills brought up that divide America, that
1176 show much of America that there is a two-tiered justice
1177 system that this committee doesn't seem to want to deal with,
1178 that if you are of one persuasion you are above the law.

1179 You can be top of the FBI and commit crimes and have
1180 people who are co-conspirators decide that your
1181 classification level of what you have leaked or stolen or
1182 removed is at such a low level you don't have to face
1183 punishment. I mean, it is incredible what we have seen in
1184 the way of two-tiered justice and it has divided America.

1185 So efforts to divide America like this bill does really
1186 play into exactly what Russian leaders want to see. They
1187 want us divided. This helps divide America.

1188 You would think the storied history of this committee,
1189 going back to greats like Daniel Webster, would cause us to
1190 say violence against anyone is inappropriate.

1191 Provoking words or provoking hats are not a defense to
1192 physical violence. We should be shouting from the rooftops.
1193 We should be using this committee to denounce violence
1194 against anyone and not demean those who are victims of

1195 violence from those on the left, just not ignore that we are
1196 doing in this bill.

1197 Mr. Buck's amendment helps address that. It helps this
1198 committee be more fair, and as the gentleman from Colorado
1199 points out, he is glad to amend that if there is offensive
1200 language. But let us don't forget that there continues to be
1201 violence against conservatives in this country.

1202 Now, I have had no problem as a judge sentencing people,
1203 sending them to prison, sentencing them to death and it
1204 didn't matter who the victim was. It didn't matter what
1205 their race was.

1206 Violence was violence and it needed to be punished. And
1207 that is the way this committee ought to be approaching
1208 violence, not taking a political one-sided stand and
1209 demeaning all the victims of people on the left.

1210 That is why this amendment needs to be adopted so this
1211 committee could at least do something right.

1212 I yield back.

1213 Chairman Nadler. The gentleman yields back.

1214 For what purposes does the gentlelady from Texas seek
1215 recognition?

1216 Ms. Escobar. Thank you, Mr. Chairman. I move to strike
1217 the last word.

1218 Chairman Nadler. The gentlelady is recognized.

1219 Ms. Escobar. I would like to thank Mr. Buck, Mr.

1220 Chairman, for his sincerity and his support of taking action
1221 against domestic terrorism and white nationalism, and Mr.
1222 Buck, I want you to know it means a lot to me because my
1223 community, El Paso, Texas, was the community targeted last
1224 year.

1225 But I want to publicly explain why I do not support the
1226 amendment but why I would like to work with you on this
1227 issue.

1228 We just heard one of our colleagues lay out that
1229 violence is violence and that we shouldn't be one-sided, and
1230 that is precisely my fear with this amendment in that it
1231 engages or it allows people to engage in what-aboutism or it
1232 allows people to equate what generations of people have had
1233 to live through with the current divided state of America.

1234 And I will tell you, I am tired of the division. It is
1235 painful. It is awful. It is unacceptable and we all need to
1236 do our part to work together and to build bridges and to
1237 bring unity back to the country that we so love.

1238 But we also -- in doing that we have to recognize the
1239 truth and the reality of what is happening every single day,
1240 indeed, happening here on Capitol Hill, happening here in
1241 this committee, happening here in this Congress.

1242 In that long litany of examples of threats being made to
1243 people because of their political leanings you could have
1244 added my name.

1245 There was a fake article or an article that completely
1246 lied about me and the work that I do on the border that was
1247 published, and as a result, I and my family and my staff
1248 received really horrible death threats.

1249 That article, even though I publicly denounced it and
1250 even though I publicly said that the accusations were false,
1251 that article was amplified by a member of the minority who
1252 serves on this committee. That article was amplified also by
1253 another member of Congress in the minority.

1254 And so it is hard to believe that others are as sincere
1255 as you are when we see that happening, when I have been on
1256 the receiving end of it, when we see the minority leader
1257 treat out about the Chinese coronavirus when we know that
1258 Chinese members of our communities are suffering from
1259 targeted attacks because of the coronavirus that are now
1260 being aimed of them because of who they are and their
1261 ethnicity and their background.

1262 And so I think all of this starts with each one of us.
1263 We have to call out and hold accountable those who use
1264 language that divides us. That means calling out our
1265 colleagues.

1266 That means holding each other accountable. But the
1267 reason why I can't support this is because I feel like it
1268 does blur the lines between the targeted attacks the likes of
1269 which my community has seen, and saying violence is violence

1270 it diminishes the suffering that generations of Americans
1271 have lived through.

1272 I have the incredible privilege this weekend of going on
1273 the Selma pilgrimage with John Lewis and with many other
1274 members of Congress and reliving America's painful history of
1275 slavery and lynching and mass incarceration aimed at African
1276 Americans.

1277 I have had to sit last year in hospital rooms, sit and
1278 hold the hand of people who were targeted because they were
1279 brown. As a country we have to acknowledge that if we are to
1280 fight it.

1281 This bill is an important first step in doing that and I
1282 am ready to work with you on other steps. But I cannot
1283 support your amendment. But I do support wholeheartedly and
1284 am grateful for the underlying bill.

1285 I yield back.

1286 Chairman Nadler. The gentlelady yields back.

1287 Anyone else -- for what purposes does the gentleman from
1288 Pennsylvania seek recognition?

1289 Mr. Reschenthaler. Yes, Mr. Chairman. I move to strike
1290 the last word.

1291 Chairman Nadler. The gentleman is recognized.

1292 Mr. Reschenthaler. Thank you. I yield to my good
1293 friend and colleague from Colorado.

1294 Mr. Buck. I thank the gentleman for yielding, and I

1295 just want to respond to my colleague from Texas, if I may.

1296 First of all, my heart grieved like so many after the El
1297 Paso shooting and the anger that I felt because of somebody
1298 that I can only describe as a total nut job that thinks that
1299 somehow he is justified in causing harm to people because of
1300 the color of their skin or their political views or their --
1301 you know, what may be their perceived native land is
1302 absolutely disgusting and shouldn't be tolerated in this
1303 country.

1304 And I absolutely acknowledge, as my colleague from Texas
1305 did earlier, that there has been for too long in this
1306 country's history white on black violence and white on brown
1307 violence and racism and xenophobia and other sentiments that
1308 absolutely shouldn't be tolerated. And we, as a country,
1309 have moved a long way but not long enough, not far enough,
1310 and we need to do better.

1311 All I am asking my friends on the Democrat side to do is
1312 to make this bipartisan bicameral so that we can attack white
1313 supremacy. This bill goes nowhere. It will get very few, if
1314 any, Republican votes and it goes nowhere in the Senate.

1315 If we are serious about attacking white supremacists,
1316 which I absolutely want to do and did as a prosecutor, if we
1317 are serious about that, let us make this bill a bipartisan
1318 bill.

1319 And my amendment is flawed. I don't for a minute

1320 suggest that anyone on the -- on your side of the aisle is
1321 going to vote for it. But let us call a time out. Let us
1322 work together.

1323 Let us create a bill that we can all be proud of and,
1324 you know, after the impeachment hearings America is tired of
1325 us fighting.

1326 America would love to see a bill like this move forward
1327 in the United States House and United States Senate and
1328 signed by this president so that we can all take credit for
1329 addressing a major concern.

1330 And so I appreciate the lady's remarks and I know that
1331 she is sincere in her remarks about my intentions for this
1332 amendment. I understand that she can't vote for it. I get
1333 that.

1334 But I hope at some point that we can form a little
1335 group, spend a breakfast, work through this bill and maybe at
1336 the Rules Committee or some other opportunity pass
1337 legislation from this House that condemns white supremacy,
1338 white nationalism, violence, but also recognizes that many
1339 people in my district are afraid.

1340 Many people in my district fear that their political
1341 views will be punished by those on the left if they express
1342 those views, and I just ask with sincerity that my colleagues
1343 recognize that and that we address that.

1344 And so I thank the gentlelady and I yield back to my

1345 friend from Pennsylvania.

1346 Mr. Reschenthaler. Thank you, and I yield the balance

1347 of my time.

1348 [Audio malfunction in hearing room.]

1349 Ms. Strasser. Mr. Nadler?

1350 Chairman Nadler. No.

1351 Ms. Strasser. Mr. Nadler votes no.

1352 Ms. Lofgren?

1353 Ms. Lofgren. No.

1354 Ms. Strasser. Ms. Lofgren votes no.

1355 Ms. Jackson Lee?

1356 Ms. Jackson Lee?

1357 Mr. Cohen?

1358 Mr. Cohen. No.

1359 Ms. Strasser. Mr. Cohen votes no.

1360 Mr. Johnson of Georgia?

1361 Mr. Deutch?

1362 Ms. Bass?

1363 Mr. Richmond?

1364 Mr. Jeffries?

1365 Mr. Jeffries. No.

1366 Ms. Strasser. Mr. Jeffries votes no.

1367 Mr. Cicilline?

1368 Mr. Cicilline. No.

1369 Ms. Strasser. Mr. Cicilline votes no.

1370 Mr. Swalwell?
1371 Mr. Swalwell. No.
1372 Ms. Strasser. Mr. Swalwell votes no.
1373 Mr. Lieu?
1374 Mr. Lieu. No.
1375 Ms. Strasser. Mr. Lieu votes no.
1376 Mr. Raskin?
1377 Mr. Raskin. No.
1378 Ms. Strasser. Mr. Raskin votes no.
1379 Ms. Jayapal?
1380 Mrs. Demings?
1381 Mr. Correa?
1382 Ms. Scanlon?
1383 Ms. Scanlon. No.
1384 Ms. Strasser. Ms. Scanlon votes no.
1385 Ms. Garcia?
1386 Ms. Garcia. No.
1387 Ms. Strasser. Ms. Garcia votes no.
1388 Mr. Neguse?
1389 Mr. Neguse. No.
1390 Ms. Strasser. Mr. Neguse votes no.
1391 Mrs. McBath?
1392 Mr. Stanton?
1393 Mr. Stanton. No.
1394 Ms. Strasser. Mr. Stanton votes no.

1395 Ms. Dean?

1396 Ms. Dean. No.

1397 Ms. Strasser. Ms. Dean votes no.

1398 Ms. Mucarsel-Powell?

1399 Ms. Mucarsel-Powell. No.

1400 Ms. Strasser. Ms. Mucarsel-Powell votes no.

1401 Ms. Escobar?

1402 Ms. Escobar. No.

1403 Ms. Strasser. Ms. Escobar votes no.

1404 Mr. Collins?

1405 Mr. Sensenbrenner?

1406 Mr. Sensenbrenner. Aye.

1407 Ms. Strasser. Mr. Sensenbrenner votes aye.

1408 Mr. Chabot?

1409 Mr. Gohmert?

1410 Mr. Gohmert. Aye.

1411 Ms. Strasser. Mr. Gohmert votes aye.

1412 Mr. Jordan?

1413 Mr. Buck?

1414 Mr. Buck. Aye.

1415 Ms. Strasser. Mr. Buck votes aye.

1416 Mr. Ratcliffe?

1417 Mrs. Roby?

1418 Mr. Gaetz?

1419 Mr. Johnson of Louisiana?

1420 Mr. Biggs?

1421 Mr. Biggs. Aye.

1422 Ms. Strasser. Mr. Biggs votes aye.

1423 Mr. McClintock?

1424 Mrs. Lesko?

1425 Mrs. Lesko. Aye.

1426 Ms. Strasser. Mrs. Lesko votes aye.

1427 Mr. Reschenthaler?

1428 Mr. Reschenthaler. Aye.

1429 Ms. Strasser. Mr. Reschenthaler votes aye.

1430 Mr. Cline?

1431 Mr. Cline. Aye.

1432 Ms. Strasser. Mr. Cline votes aye.

1433 Mr. Armstrong?

1434 Mr. Armstrong. Yes.

1435 Ms. Strasser. Mr. Armstrong votes yes.

1436 Mr. Steube?

1437 Mr. Steube. Yes.

1438 Ms. Strasser. Mr. Steube votes yes.

1439 Chairman Nadler. Are there any members who haven't

1440 voted who wish to vote?

1441 Mr. Deutch?

1442 Mr. Deutch. No.

1443 Ms. Strasser. Mr. Deutch votes no.

1444 Chairman Nadler. Ms. Bass?

1445 Ms. Bass. No.

1446 Ms. Strasser. Ms. Bass votes no.

1447 Chairman Nadler. Ms. Jackson Lee?

1448 Ms. Jackson Lee. No.

1449 Ms. Strasser. Ms. Jackson Lee votes no.

1450 Chairman Nadler. Mr. Correa?

1451 Mr. Correa. No.

1452 Ms. Strasser. Mr. Correa votes no.

1453 Chairman Nadler. Are there any other members who wish
1454 to vote who haven't voted?

1455 The clerk will report.

1456 [Pause.]

1457 Ms. Strasser. Mr. Chairman, there are nine ayes and 19
1458 noes.

1459 Chairman Nadler. The amendment is not agreed to.

1460 Are there any other amendments?

1461 For what purpose does the gentleman from Pennsylvania
1462 seek recognition?

1463 Mr. Reschenthaler. Yes, Mr. Chairman. I have an
1464 amendment at the desk.

1465 Chairman Nadler. Clerk will report.

1466 Ms. Strasser. Amendment to the amendment in the nature
1467 of a substitute to H.R. 5602, offered by Mr. Reschenthaler.
1468 Page 12 beginning on line 22, strike "white supremacist and
1469 neo-Nazis" including "white supremacists" and neo-Nazis'

1470 infiltration of" and insert "white supremacists, neo-Nazis,
1471 Antifa, and other violent hate organizations including hate-
1472 related" --

1473 Chairman Nadler. The gentlelady, the clerk will -- the
1474 amendment will be considered as read.

1475 [The amendment of Mr. Reschenthaler follows:]

1476

1477 Chairman Nadler. The gentlelady requests a point --

1478 Ms. Lofgren. I reserve a point of order.

1479 Chairman Nadler. Reserves a point of order. The
1480 gentleman will -- the gentleman is recognized for the purpose
1481 of explaining his amendment.

1482 Mr. Reschenthaler. Thank you, Mr. Chairman. I
1483 appreciate it.

1484 And, Mr. Chairman and to my colleagues, let me just
1485 state that I offer this amendment to strengthen the bill.

1486 We can all agree that terrorism is bad and my amendment
1487 ensures that we expand this bill to all forms of terrorism.
1488 So let me be clear. We must address all domestic threats to
1489 our freedom and the American way of life.

1490 Neo-Nazis and white supremacists are, obviously,
1491 loathsome and have no place in our nation. There are also
1492 other groups that spread hate and fear in our communities.
1493 Domestic terrorism has many forms.

1494 Take the shooter who killed 11 people and wounded
1495 several others at the Tree of Life Synagogue in Pittsburgh or
1496 take the attack on a kosher market in New Jersey that left
1497 three Americans and one police officer dead.

1498 These despicable individuals who perpetrated these
1499 heinous acts were motivated by anti-Semitic views. Let us
1500 also not forget about the crazed left-wing zealot who shot
1501 and nearly killed my good friend, Republican Whip Steve

1502 Scalise. He was a Bernie Bro and repeatedly used social
1503 media to share his anti-Trump views.

1504 So if we are going to address domestic terrorism, we
1505 need to address it in all forms rather than playing political
1506 games.

1507 My amendment ensures the DOJ can address domestic
1508 terrorism from Antifa, a group that engages in mass violence,
1509 spreads envy and far left views as well as anti-Semites and
1510 all others who engage in mass violence and hate.

1511 I would also say that as a veteran I am simply appalled
1512 that our armed forces are implicated in this bill. The brave
1513 men and women who sacrifice their lives every day have not
1514 been infiltrated by neo-Nazis.

1515 It is actually offensive that this would be part of the
1516 bill. We have to remember that it was Nidal Hasan -- Major
1517 Hasan -- who killed 13 people in a shooting that rampaged
1518 through Fort Hood. He was not a neo-Nazi.

1519 He, in fact, described himself as a Muslim holy warrior.
1520 And then there is also the Pensacola shooter who espoused
1521 Islamic extremist views as well and he expressed these views
1522 before he killed three U.S. sailors and injured eight others.

1523 So, in summation, let us address the real threats that
1524 face our service members rather than accusing the men and
1525 women of our military of being neo-Nazis.

1526 Let us expand this bill. Let us make our nation safer.

1527 I would ask for support of my amendment to help the DOJ stop
1528 white supremacy, Antifa, anti-Semitism, and all other forms
1529 of hatred.

1530 Thank you, Mr. Chairman, and I yield the remainder of my
1531 time.

1532 Ms. Lofgren. I withdraw the point of order.

1533 Chairman Nadler. The gentleman yields back.

1534 Ms. Lofgren. I withdraw my point of order.

1535 Chairman Nadler. Point of order is withdrawn. The
1536 gentleman yields back.

1537 The point of order is withdrawn. The gentleman yields
1538 back. I recognize myself in opposition to the amendment.

1539 The law already provides for -- criminalizes forms of
1540 hate and expressions of hate, as it should, and that covers
1541 everybody. The problem we have that the bill seeks to
1542 address is that the Department of Justice has consistently
1543 enforced the law with respect to various groups, all kinds of
1544 right wing and other -- all kinds of left wing and other
1545 organizations and others but has consistently refused to
1546 enforce the law against white supremacist organization, anti-
1547 Semitic organizations, and so forth.

1548 The purpose of the bill is to correct that and to make
1549 sure that the department enforces the law equally against all
1550 groups, against all haters, against all domestic terrorists,
1551 and then seeks to do so by specifically naming those groups

1552 or those classifications of terrorism like anti-Semitism and
1553 so forth that the department has not adequately been
1554 enforcing. The -- and the kinds of terrorism that many,
1555 including the administration, seem to disagree exists.

1556 The amendment by removing the language that is -- that
1557 is designed to solve this problem and by diluting it would
1558 destroy the purpose of the bill, which is to ensure that all
1559 hate crimes are prosecuted properly.

1560 Therefore, the amendment is not a good idea, to put it
1561 mildly. In fact, it is a very bad idea. It would destroy
1562 the purpose of the bill and would promote anti-Semitism and
1563 other white supremacist outlooks and actions. Therefore, I
1564 must oppose the amendment.

1565 Does anyone else seek recognition on the amendment?

1566 Mrs. Lesko. Mr. Chairman?

1567 Chairman Nadler. For what purpose does the gentlelady
1568 from Arizona seek recognition?

1569 Mrs. Lesko. Thank you, Mr. Chairman. I move to strike
1570 the last word.

1571 Chairman Nadler. The gentlelady is recognized.

1572 Mrs. Lesko. Thank you, Mr. Chairman.

1573 You know, I just can't disagree with you more that our
1574 law enforcement isn't prosecuting against white supremacists.
1575 I mean, all of the briefings that I have had including
1576 classified briefings, our law enforcement and our top

1577 officials have said clearly that white supremacists are a
1578 domestic threat and that they prosecute them.

1579 And so with that, I am going to yield my friend, Mr.
1580 Reschenthaler, time.

1581 Mr. Reschenthaler. I thank my -- I thank my colleague
1582 from Arizona and, again, say that, again, this is not an
1583 unreasonable amendment.

1584 Your statements actually just supported my amendment,
1585 which it says the DOJ will look at white supremacy, Antifa,
1586 anti-Semitism, and all other forms of hatred in our
1587 community. It is a very straightforward amendment that would
1588 strengthen the underlying bill.

1589 So I would -- again, I would urge support, again. Just
1590 as the DOJ needs to take a look at white supremacy, Antifa,
1591 anti-Semitism, and all other forms of hatred, I don't -- I
1592 don't know how we couldn't get behind this amendment.

1593 With that, I yield the remainder of my time to my good
1594 friend and colleague from Texas.

1595 Mr. Gohmert. Thank you for yielding.

1596 For anyone to say that this amendment would promote
1597 white supremacists is -- white supremacy is just delusional.
1598 That is ridiculous. The effort here with this amendment is
1599 to try to address all violence against any people.

1600 If there are terrorists acts it doesn't matter. Left,
1601 right, who is the victim, left, right. It ought to be

1602 punished. It ought to be aggressively pursued and as my
1603 friend indicates, law enforcement is pursuing white
1604 supremacists.

1605 That is why we have heard testimony that that is an
1606 important matter to the FBI that they are pursuing. But we
1607 should not ignore violent attacks against others, and Nidal
1608 Hasan killing 13 at Fort Hood, he was a radical Islamist.

1609 Unfortunately, those that should have spotted him had
1610 been conditioned not to address radical Islam. It was
1611 ignored and it gave rise to that attack and people died. It
1612 is the same down in Orlando. Guy says he is doing it for
1613 ISIS, left a recorded statement, and he killed many innocent
1614 victims in a nightclub.

1615 That was radical Islam but, again, it shouldn't matter
1616 the source. If it is violent, if it is terrorism, then it
1617 needs to be addressed. It needs to be stopped. And I know
1618 there have been exception taken previously by people
1619 indicating -- when we have indicated actually the Nazi Party
1620 was a socialist party.

1621 Their name was the National Socialist German Workers
1622 Party, and actually I would think Stalin would know a great
1623 deal about what is socialist and what isn't and he said isn't
1624 it a fact that socialism is -- social democracy, that is -- I
1625 mean, he basically was indicting, yeah, they are -- they have
1626 a different type of socialism in Germany -- Nazi Germany --

1627 but it was a type of socialist party.

1628 So you have got radical Islamists. You have got some
1629 left wing activists promoting violence against Americans.
1630 The military -- having served in the military in a very
1631 unpleasant time for being in the military where we weren't
1632 liked. We were spit at, demeaned.

1633 I hate to see this committee contribute to demeaning,
1634 diminishing, disparaging people in uniform. I thought one of
1635 the things that came out of that evil act of hatred on 9/11
1636 that helped America was people began to appreciate those in
1637 uniform again -- first responders, police, military members.
1638 And yet, now we have seen a number of years of going back on
1639 the attack.

1640 This is a good amendment and I encourage support.

1641 Chairman Nadler. Would the gentleman yield? Would the
1642 gentleman yield?

1643 Oh. I couldn't hear you.

1644 Mr. Reschenthaler. I yield back the remainder of my
1645 time. Thank you.

1646 I am out of time so I yield back whatever I didn't --

1647 Chairman Nadler. The gentleman yields back.

1648 For what purpose does the gentlelady from Pennsylvania
1649 seek recognition?

1650 Ms. Scanlon. I move to strike the last word.

1651 Chairman Nadler. The gentlelady is recognized.

1652 Ms. Scanlon. I think it is important we get back to
1653 what this bill is trying to do. The bill is trying to
1654 address the scourge of white nationalism, white supremacist
1655 behavior, which has so impacted our country across the last
1656 decade or so but increasingly so in the last three years.

1657 It is a clear and present threat to so many of our
1658 communities, and I have to oppose this amendment. I just
1659 wanted to read a little passage that the Anti-Defamation
1660 League has put up.

1661 "It is important to reject attempts to claim equivalence
1662 between Antifa and the white supremacists groups they oppose.
1663 Antifa reject racism but use unacceptable tactics. White
1664 supremacists use even more extreme violence to spread their
1665 ideologies of hate, to intimidate ethnic minorities, and
1666 undermine democratic norms.

1667 Right wing extremists have been one of the largest and
1668 most consistent sources of domestic terror incidents in the
1669 United States for many years. They have murdered hundreds of
1670 people in this country over the last 10 years alone. To
1671 date, there have not yet been any Antifa-related murders."

1672 So there is not an equivalence here. Let us focus on
1673 what we are trying to address today.

1674 And with that, I yield back.

1675 Chairman Nadler. The gentlelady yields back.

1676 Who else seeks recognition?

1677 For what purpose does the gentleman seek recognition?

1678 Mr. Armstrong. Move to strike the last word.

1679 Chairman Nadler. The gentleman is recognized.

1680 Mr. Armstrong. I am going to speak in support of the
1681 amendment for a very simple reason and that is because
1682 throughout the course of the legislation we talk about
1683 domestic terrorism as it is defined in statute, which is
1684 appropriate, considering it is a -- definitely a fluid thing
1685 and what happened yesterday doesn't necessarily happen
1686 tomorrow.

1687 Yet, when we request reports from the FBI and the agents
1688 which we task to deal with these issues, we don't allow them
1689 to use the general definition of domestic terrorism. We
1690 narrow the focus to two very specific groups, and by doing
1691 so, just quite frankly, in statutory construction manner when
1692 you specifically target two groups in a narrower -- in a
1693 narrower scope than the general definition you by the very
1694 nature of that are excluding every other group, whoever that
1695 may be.

1696 It could be somebody completely different next week than
1697 it is tomorrow.

1698 One thing we know about law enforcement, one thing we
1699 know about the FBI, is they investigate things as they occur
1700 and as they move forward, and we have threats that have been
1701 posed in the past and we have threats that are going to occur

1702 in the future.

1703 However, with the way this bill is written we are not
1704 allowing them to write a report based on domestic terrorism.
1705 We are only allowing them to write a report based on the very
1706 specific organizations that are targeted.

1707 That is bad bill writing. That is bad law enforcement
1708 and it doesn't equate to whatever the current threats are,
1709 past threats, or potential threats are.

1710 And so if we are going to do that and deal with it this
1711 way we shouldn't have domestic terrorism in the bill at all.
1712 We should just specifically talk about those two groups
1713 because you are narrowing the definition of what our current
1714 statutory definition of domestic terrorism is.

1715 So if that is what we are going to do we should be
1716 honest about it and not pretend that it is anything other
1717 than that.

1718 And with that, I yield back.

1719 Chairman Nadler. The gentleman yields back.

1720 The question occurs on the amendment.

1721 All in favor of the amendment, will say aye.

1722 Opposed, no.

1723 The amendment is not agreed to.

1724 Mr. Reschenthaler. I would ask for a recorded vote.

1725 Chairman Nadler. A recorded vote is requested.

1726 The clerk will -- the clerk will call the roll.

1727 Ms. Strasser. Mr. Nadler?
1728 Chairman Nadler. No.
1729 Ms. Strasser. Mr. Nadler votes no.
1730 Ms. Lofgren?
1731 Ms. Jackson Lee?
1732 Ms. Jackson Lee. No.
1733 Ms. Strasser. Ms. Jackson Lee votes no.
1734 Mr. Cohen?
1735 Mr. Johnson of Georgia?
1736 Mr. Deutch?
1737 Mr. Deutch. No.
1738 Ms. Strasser. Mr. Deutch votes no.
1739 Ms. Bass?
1740 Mr. Richmond?
1741 Mr. Jeffries?
1742 Mr. Cicilline?
1743 Mr. Cicilline. No.
1744 Ms. Strasser. Mr. Cicilline votes no.
1745 Mr. Swalwell?
1746 Mr. Swalwell. No.
1747 Ms. Strasser. Mr. Swalwell votes no.
1748 Mr. Lieu?
1749 Mr. Lieu. No.
1750 Ms. Strasser. Mr. Lieu votes no.
1751 Mr. Raskin?

1752 Mr. Raskin. No.

1753 Ms. Strasser. Mr. Raskin votes no.

1754 Ms. Jayapal?

1755 Ms. Jayapal. No.

1756 Ms. Strasser. Ms. Jayapal votes no.

1757 Mrs. Demings?

1758 Mr. Correa?

1759 Mr. Correa. No.

1760 Ms. Strasser. Mr. Correa votes no.

1761 Ms. Scanlon?

1762 Ms. Scanlon. No.

1763 Ms. Strasser. Ms. Scanlon votes no.

1764 Ms. Garcia?

1765 Ms. Garcia. No.

1766 Ms. Strasser. Ms. Garcia votes no.

1767 Mr. Neguse?

1768 Mrs. McBath?

1769 Mr. Stanton?

1770 Ms. Dean?

1771 Ms. Dean. No.

1772 Ms. Strasser. Ms. Dean votes no.

1773 Ms. Mucarsel-Powell?

1774 Ms. Mucarsel-Powell. No.

1775 Ms. Strasser. Ms. Mucarsel-Powell votes no.

1776 Ms. Escobar?

1777 Ms. Escobar. No.

1778 Ms. Strasser. Ms. Escobar votes no.

1779 Mr. Collins?

1780 Mr. Sensenbrenner?

1781 Mr. Sensenbrenner. Aye.

1782 Ms. Strasser. Mr. Sensenbrenner votes aye.

1783 Mr. Chabot?

1784 Mr. Gohmert?

1785 Mr. Gohmert. Aye.

1786 Ms. Strasser. Mr. Gohmert votes aye.

1787 Mr. Jordan?

1788 Mr. Jordan. Yes.

1789 Ms. Strasser. Mr. Jordan votes yes.

1790 Mr. Buck?

1791 Mr. Buck. Aye.

1792 Ms. Strasser. Mr. Buck votes aye.

1793 Mr. Ratcliffe?

1794 Mrs. Roby?

1795 Mr. Gaetz?

1796 Mr. Johnson of Louisiana?

1797 Mr. Biggs?

1798 Mr. Biggs. Aye.

1799 Ms. Strasser. Mr. Biggs votes aye.

1800 Mr. McClintock?

1801 Mrs. Lesko?

1802 Mrs. Lesko. Aye.

1803 Ms. Strasser. Mrs. Lesko votes aye.

1804 Mr. Reschenthaler?

1805 Mr. Reschenthaler. Aye.

1806 Ms. Strasser. Mr. Reschenthaler votes aye.

1807 Mr. Cline?

1808 Mr. Cline. Aye.

1809 Ms. Strasser. Mr. Cline votes aye.

1810 Mr. Armstrong?

1811 Mr. Armstrong. Yes.

1812 Ms. Strasser. Mr. Armstrong votes yes.

1813 Mr. Steube?

1814 Mr. Steube. Yes.

1815 Ms. Strasser. Mr. Steube votes yes.

1816 Chairman Nadler. Does anyone -- does anyone wish to

1817 vote who hasn't voted?

1818 Mr. Stanton?

1819 Mr. Stanton. No.

1820 Ms. Strasser. Mr. Stanton votes no.

1821 Chairman Nadler. Mr. Neguse?

1822 Mr. Neguse. No.

1823 Ms. Strasser. Mr. Neguse votes no.

1824 Chairman Nadler. Are there any other members who wish

1825 to vote who haven't voted?

1826 The clerk will report.

1827 [Pause.]

1828 Ms. Strasser. Mr. Chairman, there are 10 ayes and 16

1829 noes.

1830 Chairman Nadler. The amendment is not agreed to.

1831 Are there any other amendments to the amendment made to

1832 the -- for what purpose does the gentleman from Florida seek

1833 recognition?

1834 Mr. Steube. Thank you, Mr. Chairman. I have an

1835 amendment at the desk.

1836 Chairman Nadler. The clerk will report the amendment.

1837 Ms. Strasser. Amendment to the amendment in the nature

1838 of a substitute to H.R. 5601, offered by Mr. Steube of

1839 Florida. Page 8, insert after line 21 the following.

1840 Chairman Nadler. Without objection, the amendment is

1841 considered as read.

1842 [The amendment of Mr. Steube follows:]

1843

1844 Chairman Nadler. Without objection, the gentleman is
1845 recognized to explain his amendment.

1846 Ms. Jackson Lee. Mr. Chairman, I reserve a point of
1847 order.

1848 Chairman Nadler. Your point of order is reserved.

1849 Mr. Steube. Thank you, Mr. Chairman.

1850 During a recent hearing in the House Homeland Security
1851 Committee, Michael McGarrity, the assistant director in the
1852 FBI's Counterterrorism Division, explained that, quote,
1853 "Domestic terrorism is defined by statute as any act
1854 dangerous to human life that violates U.S. criminal laws and
1855 appears to be intended to intimidate or coerce a civilian
1856 population, influence the policy of a government by
1857 intimidation or coercion or affect the conduct of a
1858 government by mass destruction, assassination, or kidnapping.
1859 The act in question must occur primarily within the
1860 jurisdiction of the United States."

1861 However, H.R. 5602, the Domestic Terrorism Prevention
1862 Act of 2020, seems to have a much narrower definition of the
1863 crime, limiting the scope of its reporting mechanism to white
1864 supremacy groups and seemingly ignoring other perpetrators of
1865 domestic terror.

1866 While I agree we need more information on white
1867 supremacy groups in order to effectively prevent domestic
1868 terror in the future, I believe it is shortsighted to not

1869 also address other domestic terrorist groups that also pose a
1870 threat to our national security.

1871 That is why I am filing this amendment to expand the
1872 scope of the review called for in H.R. 5601. There are three
1873 particular groups that are of increasingly concern to me and
1874 should be included in this bill: Antifa, the Black Hebrew
1875 Israelite Movement, and Anti-Police.

1876 Antifa is a political protest movement comprising
1877 autonomous -- comprise autonomous groups affiliated by their
1878 militant opposition to fascism and other forms of extreme
1879 right wing ideology.

1880 Since 2016, we have seen a significant increase in their
1881 acts of domestic terror. Last June, during an attack on
1882 conservatives at a demonstration in Portland, an Antifa
1883 supporter brutally beat a man with a baton, leaving him with
1884 a concussion and cuts that required 25 staples to close. The
1885 attacker pled guilty to second degree assault and he was
1886 sentenced to six years in prison.

1887 Another Antifa attack in Washington, D.C., following the
1888 presidential inauguration caused a riot and did more than a
1889 \$100,000 in damage to several businesses in the nation's
1890 capital.

1891 The Black Hebrew Israelite Movement -- the Southern
1892 Poverty Law Center lists 144 Black Hebrew Israelite
1893 organizations as black separatist hate groups because of

1894 their anti-Semitic and anti-white beliefs.

1895 Last December, a member of the Black Hebrew Israelite
1896 Movement was involved in a prolonged firefight in Jersey
1897 City, New Jersey, that left six people dead, including one
1898 police officer.

1899 The violent rampage took place, largely, at a kosher
1900 supermarket where three bystanders were killed. This was an
1901 anti-Semitic hate crime targeted at Jewish people frequenting
1902 the market.

1903 The other -- the third organization, Anti-Police, in
1904 recent years we have also seen an uptick in acts of domestic
1905 terror against police. Just last night, if you saw the news
1906 an officer in Arkansas was just killed in the line of action
1907 -- in the line of duty -- and other law enforcement officers.

1908 As the son of a former sheriff and the brother of a law
1909 enforcement officer, the instances of terror are of
1910 particular concern to me. As we all remember, last July a
1911 heavily-armed sniper gunned down police officers in downtown
1912 Dallas, leaving five of them dead.

1913 According to reports he specifically set out to kill as
1914 many white officers as he could. In January of this year,
1915 cop-hating radicals wreaked havoc on New York City subways,
1916 vandalizing turnstiles, station walls, and busses to protest
1917 a police crackdown on turnstile jumping. Their tactics pose
1918 a significant risk to riders and employees.

1919 These groups pose a significant threat to the safety of
1920 our nation and I hope this committee will use this
1921 opportunity to address these groups and ensure we are
1922 prepared to address their threats in the future.

1923 I would also like to add in regards to each of those
1924 groups I would ask unanimous consent that the following
1925 articles be added to the record.

1926 Foxnews.com --

1927 Chairman Nadler. Without objection.

1928 Mr. Steube. Foxnews.com and --

1929 Chairman Nadler. Without objection.

1930 Mr. Steube. Can I read them?

1931 "Antifa-Linked Defendant Gets Six Years in Brutal Baton
1932 Act in Portland." The other one is a New York Times article,
1933 "Suspect in Jersey City Linked to Black Hebrew Israelite
1934 Group," and the third one is a New York Times article,
1935 "Gunman Storms NYPD Precinct After Firing at a Police Van,
1936 Wounding Two."

1937 Chairman Nadler. Without objection.

1938 [The information follows:]

1939

1940 Mr. Steube. I yield back.

1941 Chairman Nadler. The gentleman yields back.

1942 I recognize myself on --

1943 Ms. Jackson Lee. Mr. Chairman, I withdraw my point of
1944 order.

1945 Chairman Nadler. The gentlelady withdraws her point of
1946 order.

1947 I recognize myself on the amendment.

1948 The amendment is not objectionable. I support the
1949 amendment. I urge everyone to vote for the amendment.

1950 I yield back.

1951 Question occurs on the amendment.

1952 All in favor say aye.

1953 Oppose?

1954 The amendment is approved.

1955 Are there any -- does anyone else have any other
1956 amendments to the amendment in the nature of a substitute?

1957 [No response.]

1958 Then the question occurs on the amendment in the nature
1959 of a -- on the amendment in the nature of a substitute.

1960 All in favor say aye.

1961 Opposed?

1962 The ayes have it. The amendment in the nature of a
1963 substitute is agreed to.

1964 The amendment in the nature of a substitute is agreed

1965 to. As amended is agreed to.

1966 A reporting quorum being present, the question is on the
1967 motion to report the bill, H.R. 5602, as amended favorably to
1968 the House.

1969 Those in favor respond by saying aye.

1970 Opposed, no.

1971 The ayes have it. The bill as amended is ordered
1972 reported favorably.

1973 Mr. Buck. Roll call vote, Mr. Chairman.

1974 Chairman Nadler. A roll call vote is requested.

1975 The clerk will call the roll.

1976 Ms. Strasser. Mr. Nadler?

1977 Chairman Nadler. Aye.

1978 Ms. Strasser. Mr. Nadler votes aye.

1979 Ms. Lofgren?

1980 Ms. Jackson Lee?

1981 Ms. Jackson Lee. Aye.

1982 Ms. Strasser. Ms. Jackson Lee votes aye.

1983 Mr. Cohen?

1984 Mr. Johnson of Georgia?

1985 Mr. Deutch?

1986 Mr. Deutch. Aye.

1987 Ms. Strasser. Mr. Deutch votes aye.

1988 Ms. Bass?

1989 Mr. Richmond?

1990 Mr. Jeffries?
1991 Mr. Cicilline?
1992 Mr. Cicilline. Aye.
1993 Ms. Strasser. Mr. Cicilline votes aye.
1994 Mr. Swalwell?
1995 Mr. Swalwell. Aye.
1996 Ms. Strasser. Mr. Swalwell votes aye.
1997 Mr. Lieu?
1998 Mr. Lieu. Aye.
1999 Ms. Strasser. Mr. Lieu votes aye.
2000 Mr. Raskin?
2001 Mr. Raskin. Aye.
2002 Ms. Strasser. Mr. Raskin votes aye.
2003 Ms. Jayapal?
2004 Ms. Jayapal. Aye.
2005 Ms. Strasser. Ms. Jayapal votes aye.
2006 Mrs. Demings?
2007 Mr. Correa?
2008 Mr. Correa. Aye.
2009 Ms. Strasser. Mr. Correa votes aye.
2010 Ms. Scanlon?
2011 Ms. Scanlon. Aye.
2012 Ms. Strasser. Ms. Scanlon votes aye.
2013 Ms. Garcia?
2014 Ms. Garcia. Aye.

2015 Ms. Strasser. Ms. Garcia votes aye.
2016 Mr. Neguse?
2017 Mr. Neguse. Aye.
2018 Ms. Strasser. Mr. Neguse votes aye.
2019 Mrs. McBath?
2020 Mr. Stanton?
2021 Mr. Stanton. Aye.
2022 Ms. Strasser. Mr. Stanton votes aye.
2023 Ms. Dean?
2024 Ms. Dean. Aye.
2025 Ms. Strasser. Ms. Dean votes aye.
2026 Ms. Mucarsel-Powell?
2027 Ms. Mucarsel-Powell. Aye.
2028 Ms. Strasser. Ms. Mucarsel-Powell votes aye.
2029 Ms. Escobar?
2030 Ms. Escobar. Aye.
2031 Ms. Strasser. Ms. Escobar votes aye.
2032 Mr. Collins?
2033 Mr. Sensenbrenner?
2034 Mr. Chabot?
2035 Mr. Gohmert?
2036 Mr. Jordan?
2037 Mr. Buck?
2038 Mr. Buck. Aye.
2039 Ms. Strasser. Mr. Buck votes aye.

2040 Mr. Ratcliffe?
2041 Mrs. Roby?
2042 Mr. Gaetz?
2043 Mr. Johnson of Louisiana?
2044 Mr. Biggs?
2045 Mr. Biggs. No.
2046 Ms. Strasser. Mr. Biggs votes no.
2047 Mr. McClintock?
2048 Mr. McClintock. Aye.
2049 Ms. Strasser. Mr. McClintock votes aye.
2050 Mrs. Lesko?
2051 Mrs. Lesko. Aye.
2052 Ms. Strasser. Mrs. Lesko votes aye.
2053 Mr. Reschenthaler?
2054 Mr. Reschenthaler. Aye.
2055 Ms. Strasser. Mr. Reschenthaler votes aye.
2056 Mr. Cline?
2057 Mr. Cline. Aye.
2058 Ms. Strasser. Mr. Cline votes aye.
2059 Mr. Armstrong?
2060 Mr. Armstrong. No.
2061 Ms. Strasser. Mr. Armstrong votes no.
2062 Mr. Steube?
2063 Mr. Steube. Yes.
2064 Ms. Strasser. Mr. Steube votes yes.

2065 Mrs. McBath, you are not recorded.

2066 Mrs. McBath. Aye.

2067 Ms. Strasser. Mrs. McBath votes aye.

2068 Ms. Jackson Lee. How am I recorded?

2069 Ms. Strasser. Ms. Jackson Lee, you are recorded as aye.

2070 [Pause.]

2071 Chairman Nadler. The gentlelady from Florida?

2072 Mrs. Demings. Yes.

2073 Ms. Strasser. Mrs. Demings votes yes.

2074 Chairman Nadler. Has everyone voted who wishes to vote?

2075 [No response.]

2076 Chairman Nadler. The clerk will report.

2077 [Pause.]

2078 Ms. Strasser. Mr. Chairman, there are 24 ayes and two

2079 noes.

2080 Chairman Nadler. The ayes have it. The bill is

2081 amended, is reported favorably -- is ordered reported

2082 favorably to the House. Members will have two days to submit

2083 views.

2084 Without objection, the bill will be reported as a single

2085 amendment in the nature of a substitute incorporating all

2086 adopted amendments and staff is authorized to make technical

2087 and conforming changes.

2088 Pursuant to notice, I now call up H.R. 6100, the

2089 Strengthening the Opposition to Female Genital Mutilation

2090 Act, or the STOP FGM Act, for purposes of markup. I move
2091 that the committee report the bill favorably to the House.

2092 The clerk will report the bill.

2093 Ms. Strasser. H.R. 6100, to amend Title 18 United
2094 States Code to clarify the criminalization of female genital
2095 mutilation and for other purposes.

2096 Chairman Nadler. Without objection, the bill is
2097 considered as read and open for amendment at any point.

2098 [The bill follows:]

2099

2100 Chairman Nadler. I will begin by recognizing myself in
2101 an opening statement.

2102 H.R. 6100, the Strengthening the Opposition to Female
2103 Genital Mutilation Act, or STOP FGM Act, would clarify the
2104 current law to ensure that the horrible practice of female
2105 genital mutilation of minors is prohibited under federal law.

2106 FGM involves the partial or total removal of external
2107 female genitalia or other injury to the female genital organs
2108 for nonmedical reasons.

2109 According to the World Health Organization, it is a
2110 violation of the human rights of girls and women. It has no
2111 medical benefits, while carrying both immediate and long-term
2112 medical consequences for the women and girls who are
2113 subjected to it.

2114 In the United States, approximately 513,000 women and
2115 girls have experienced FGM or at risk for being subjected to
2116 FGM and its consequences, and worldwide more than 3 million
2117 girls are estimated to be at risk for FGM annually.

2118 Unfortunately, in 2018, in *United States v. Nagarwala*, a
2119 federal court determined that the existing statute banning
2120 FGM is unconstitutional because Congress lacked the authority
2121 to enact it.

2122 This legislation would overturn this misguided decision
2123 by explicitly stating the constitutional basis for banning
2124 FGM, primarily the commerce clause of the U.S. Constitution.

2125 The bill would also more clearly define the underlying
2126 crimes by adopting a definition of FGM that mirrors the
2127 definition adopted by the World Health Organization.

2128 The bill would make it a federal crime to knowingly
2129 perform, attempt to perform, or conspire to perform FGM on a
2130 minor; two, for parents, guardians, or caretakers to consent
2131 to FGM being performed on a minor; or three, to transport a
2132 minor for the purpose of the performance of FGM on the minor.

2133 The bill would also increase the statutory maximum term
2134 of imprisonment for a violation of the statute from five
2135 years to 10 years.

2136 It is critical that we take steps to update the FGM
2137 statute to ensure that girls are protected from this brutal
2138 practice.

2139 To address the *Nagarwala* court's concerns, H.R. 6100
2140 explicitly makes use of Congress's authority to regulate
2141 interstate and foreign commerce in setting forth the
2142 circumstances that would give rise to prosecution for FGM
2143 including, one, the defendant or victims traveling interstate
2144 or foreign commerce; two, the defendant's use of a means of
2145 interstate or foreign commerce; three, payment of any kind
2146 made using any means, channel instrumentality of interstate
2147 or foreign commerce; and four, the defendant's use of a means
2148 of communication affecting interstate or foreign commerce.

2149 It is clear that FGM has a substantial effect on

2150 interstate commerce because, although illegal, there is an,
2151 unfortunately, an established interstate and international
2152 market for the practice.

2153 Indeed, the fight against FGM is a global struggle.
2154 Federal law enforcement agencies acknowledge that FGM is a
2155 global issue. They work with international partners to
2156 eliminate this horrible practice.

2157 In 2018, Immigration and Customs Enforcement initiated
2158 Operation Limelight USA, an outreach program designed by ISIS
2159 Human Rights Violators and War Crimes Unit to educate
2160 travelers on the dangers and consequences of FGM.

2161 In addition, both the Human Rights and Special
2162 Prosecutions sections of the DOJ Criminal Division and the
2163 FBI work domestically to prosecute and investigate cases
2164 involving FGM.

2165 I commend Representative Jackson Lee for introducing
2166 this important bipartisan bill which would protect all women
2167 and girls from the practice of FGM. It would provide the
2168 Justice Department with an effective means of prosecuting
2169 those who commit this terrible act.

2170 I strongly support this legislation and I ask my
2171 colleagues to do the same.

2172 I now recognize the ranking minority -- the ranking
2173 member of the committee, whose statement will go into the
2174 record.

2175 I now recognize the chair of the subcommittee. I now
2176 recognize Ms. Jackson Lee as a substitute for the chair of
2177 the Subcommittee on Crime.

2178 Ms. Jackson Lee. Mr. Chairman, I am pleased to
2179 introduce H.R. 6100 -- to have introduced H.R. 6100, the
2180 Strengthening the Opposition to Female Genital Mutilation Act
2181 of 2020, and I would like to emphasize that this is a
2182 bipartisan bill.

2183 I thank my colleague, Representative Bacon of Nebraska,
2184 joining me on this legislation and I would also like to thank
2185 the Judiciary staff of the prime subcommittee for their
2186 diligent and consistent work working to ensure that this is a
2187 bipartisan bill because the brutality of female genital
2188 mutilation requires that kind of leadership and that kind of
2189 effort to move this bill forward.

2190 FGM is an abhorrent practice and a recognizable
2191 international human rights violation. It is an issue, in
2192 fact, that I have worked on for years alongside of former
2193 Congressman Crowley.

2194 The World Health Organization asserts that there are no
2195 health benefits of the practice and the procedure can have
2196 severe long-term impacts on the physical, psychological,
2197 sexual, and reproductive health of girls and women.

2198 Plainly, it is a brutal act and it is to diminish and
2199 demean women, and to make them less of a whole and full human

2200 being, depriving them of their own emotions and feelings. It
2201 is, in fact, a disgraceful act.

2202 This past Sunday, March 8th, we celebrated International
2203 Women's Day, which is designated to help nations worldwide
2204 eliminate discrimination against women. It also focuses on
2205 helping women gain full and equal participation in global
2206 development.

2207 The practice of FGM violates girls' and women's rights
2208 to sexual and reproductive health, security, and physical
2209 integrity, their right to be free from torture and cruel,
2210 inhuman, or degrading treatment, and their right to life when
2211 the procedure results in death.

2212 In order for little girls to eventually celebrate
2213 International Women's Day where they have reached their
2214 fullest promise, we must protect them now as girls to give
2215 them a fighting chance.

2216 That is why I introduced this bipartisan legislation
2217 with Representative Bacon to protect girls everywhere.

2218 In 2017, Dr. Nagarwala, a Michigan doctor, performed
2219 this brutal act on several minors right here in the United
2220 States. DOJ then prosecuted her and others for violating the
2221 law. It was the first federal case of its kind brought under
2222 the existing statute.

2223 The doctor challenged the law and the district court
2224 agreed and found that the statute was unconstitutional and

2225 that FGM is a purely local crime.

2226 According to the World Health Organization, it is
2227 estimated that more than 200 million girls and women alive
2228 today have undergone this horrendous brutal procedure, female
2229 genital mutilation. And it is mutilation.

2230 Furthermore, there are an estimated 3 million girls at
2231 risk of undergoing female genital mutilation every year. I
2232 am ashamed that we would even think of doing it here in the
2233 United States.

2234 Because of the manner in which female genital mutilation
2235 is being practiced in the United States, it implicates
2236 interstate and foreign commerce. Therefore, Congress has the
2237 authority on both the United States Constitution's necessary
2238 and proper clause as well as the commerce clause to enact
2239 legislation to prohibit the practice of FGM.

2240 H.R. 6100 improves current law in several important
2241 respects by amending Title 18 Section 116 to set forth the
2242 three groups of persons who can be prosecuted under the
2243 statute: anyone who performs the -- attempts to perform or
2244 conspires to perform female genital mutilation on a minor; a
2245 parent, guardian, or caretaker of a minor who facilitates or
2246 consents to female genital mutilation of that minor; and
2247 anyone who transports a minor for the purpose of performance
2248 of female genital mutilation on the minor.

2249 Increases the statutory maximum for a violation of the

2250 statute from five years to 10 years. It is not a mandatory
2251 minimum. It is an increase of the time to be served.

2252 Prohibit a defendant charged with this offense from
2253 using as a defense the argument that they were compelled to
2254 commit the offense because of religion, custom, tradition,
2255 ritual, or standard practice.

2256 Amend the existing statute to more explicitly define
2257 what types of procedures constitute female genital mutilation
2258 and, more significantly, H.R. 6100 would enable us to better
2259 address FGM more wholesomely in the United States by
2260 requiring the attorney general, in consultation with other
2261 federal agencies, to submit an annual report to Congress to
2262 include the number of women and girls in the United States at
2263 risk of FGM, the protection available, and actions taken; and
2264 three, the education assistance provided to communities about
2265 FGM, particularly religious communities.

2266 H.R. 6100 is a comprehensive response to addressing FGM
2267 more effectively and it includes input from a wide array of
2268 stakeholders including DOJ, anti-FGM advocates, clinicians,
2269 and CDC experts.

2270 It also has, in conclusion, a procedure dealing with
2271 medical procedures that may not be -- necessary that maybe
2272 not be covered by this.

2273 I support this legislation because I know I want no more
2274 doctors like the doctor in Michigan to brutalize our children

2275 anywhere around the world but, certainly, not in the United
2276 States.

2277 Mr. Chairman, I ask my colleagues to support this
2278 legislation and I yield back my time.

2279 Chairman Nadler. The gentlelady yields back.

2280 The question then occurs on the -- are there any -- are
2281 there any amendments to the bill?

2282 For what purpose does the gentleman from Texas?

2283 Mr. Gohmert. I have an amendment at the desk.

2284 Chairman Nadler. The gentleman -- the clerk will report
2285 the amendment.

2286 Ms. Strasser. Amendment to H.R. 6100, offered by Mr.
2287 Gohmert of Texas, amendment to STOP FGM Act of 2020. Page 1,
2288 strike line 7 and all that follows through page 8 line 3 and
2289 insert the following.

2290 [The amendment of Mr. Gohmert follows:]

2291

2292 Chairman Nadler. The gentleman is recognized for the
2293 purpose of explaining his amendment.

2294 Mr. Gohmert. Thank you, Mr. Chairman.

2295 This amendment would -- is, basically, a substitute.
2296 But let me first say how gratifying it is that my friend from
2297 Texas, Ms. Jackson Lee, has worked so hard and long and
2298 diligently on this issue.

2299 But this amendment would insert text similar to H.R.
2300 3583, the Federal Prohibition of Female Genital Mutilation
2301 Act of 2019. I prepared a bill to file, and then I found
2302 that my friend, Congressman Scott Perry, had already filed
2303 one that basically was the same language, so I joined in
2304 support of his bill. But of the treatment by the courts in
2305 *United States v. Nagarwala*, it allowed female genital
2306 mutilation to go unpunished under Federal law.

2307 Additionally, the U.S. Sixth Circuit Court of Appeals
2308 denied the motion that congressional leaders tried to get
2309 them to consider, but that defended the constitutionality of
2310 the FGM ban. I have grave concerns, though I totally share
2311 the concerns of my friend from Texas, Ms. Jackson Lee. We
2312 need this law, and we need it in such a form that it will be
2313 upheld as constitutional, and we also need it in such a form
2314 that it will hopefully get bipartisan support in the House
2315 and would also pass the Senate and get signed into law. So
2316 my effort here with this amendment is in total accord with

2317 the effort of my friend from Texas in the underlying bill,
2318 but it does not include language that would keep it from
2319 being completely bipartisan and getting through both Houses,
2320 in my opinion.

2321 The amendment has provisions in it that totally address
2322 the basis for having the previous law declared
2323 unconstitutional. It provides a strong and adequate nexus
2324 for Federal authority to engage in this area. It provides an
2325 adequate interstate commerce nexus that should prevent it
2326 from ever being struck down. This amendment is offered
2327 because female genital mutilation and female circumcision are
2328 very real, very horrific procedures on countless girls and
2329 women around the world. It is estimated that more than
2330 500,000 women and girls in the United States are at risk or
2331 have already been subjected to this horrific procedure, so it
2332 would be good to have a bill that will pass. We can show the
2333 world and Nation that we have bipartisan support, and that we
2334 can get it to the President's desk, and that it will survive
2335 the same district court judges' consideration, the U.S. Sixth
2336 Circuit Court's consideration, and should absolutely pass the
2337 Supreme Court's test on this bill.

2338 So with that, I would encourage everyone to support this
2339 amendment so that we will have the best chance of keeping a
2340 female genital mutilation bill or law on the books, and
2341 punishing those that would engage in this horrific procedure.

2342 With that, I yield back.

2343 Chairman Nadler. The gentleman yields back. I
2344 recognize myself in opposition to the amendment. The
2345 amendment, while obviously well intentioned, is harmful to
2346 the bill. The amendment does nothing to alter the bill other
2347 than eliminate a redefinition of FGM in the bill, a
2348 redefinition that is crucial to getting better enforcement of
2349 the law. The bill is based on an updated definition set
2350 forth by the World Health Organization. The amendment would
2351 eliminate that for no reason that I can think of.

2352 In addition, H.R. 6100 ensures DOJ will be able to fight
2353 back legal challenges by sending out the facts and
2354 circumstances that provide a clear nexus to interstate
2355 commerce. The Court will no longer be able to throw out
2356 these prosecutions. The effect of the amendment would be to
2357 eliminate some of the strengths of the bill in establishing
2358 jurisdiction and the Court, and, therefore, the amendment
2359 would nullify the bill and makes no sense. I, therefore,
2360 urge opposition to the bill. I yield back.

2361 Are there any further amendments?

2362 [No response.]

2363 Chairman Nadler. Does anyone else wish to speak on this
2364 amendment? Who seeks recognition on this amendment? The
2365 gentleman is recognized.

2366 Mr. McClintock. I yield to my friend from Texas, Mr.

2367 Gohmert.

2368 Mr. Gohmert. Thank you. The chairman has said he
2369 doesn't see any reason for changing the definition, but the
2370 bill before us today has a new definition of FGM, which
2371 includes any procedure performed for non-medical reasons that
2372 involves partial or total removal of the external genitalia.
2373 But there is already an exception in the law that allows a
2374 surgical operation when it is "necessary to the health of the
2375 person on whom it is performed."

2376 The new language, "non-medical reason," is broader than
2377 "necessary to the health," and I am concerned this will give
2378 some unscrupulous doctor who is looking to make money an
2379 opening to argue that performing FGM is done for medical
2380 reasons. Cleanliness and hygiene are frequently quoted as
2381 justifications for FGM, and those could be used as "medical
2382 reasons." So though the chairman sees no reason for this
2383 change in the definition whatsoever, I would suggest to the
2384 chairman that if you look more closely, you will see that
2385 this will prevent thousands, or even hundreds of thousands,
2386 of people being subjected to this brutal horrible procedure
2387 under the exception that it is for medical reasons of
2388 cleanliness or hygiene.

2389 Chairman Nadler. Would the gentleman yield?

2390 Mr. Gohmert. So that is why I would suggest that I
2391 changed --

2392 Chairman Nadler. Would the gentleman yield?

2393 Mr. Gohmert. Mr. Chairman, you said you didn't see any
2394 reason for it. I am explaining the reason it was good.

2395 Chairman Nadler. Would the gentleman yield?

2396 Mr. Gohmert. Yes, I will yield to the chair.

2397 Chairman Nadler. I think you had it backwards. I said
2398 I saw no reason for change in the amendment. The change in
2399 the language in the law to broaden the language is
2400 specifically to enable courts to have a broader definition of
2401 FGM to make sure that we are not eliminating, to make sure
2402 that it covers all the cases we should cover. Your language,
2403 by eliminating this change, would narrow the definition of
2404 FGM. Maybe you don't intend it, but you clearly would narrow
2405 the definition of FGM, and it would make it much harder to
2406 prosecute. So that is why we --

2407 Mr. Gohmert. Okay. Reclaiming my time.

2408 Chairman Nadler. The gentleman is --

2409 Mr. Gohmert. Obviously we disagree on that because by
2410 narrowing the definition, it does not allow potentially
2411 hundreds of thousands of exceptions so that more procedures
2412 can be done under the definition of the bill I am attempting
2413 to amend. Clearly we have a disagreement on that, so
2414 obviously when you disagree, you vote against. But I would
2415 submit to you if we really want to protect the people, the
2416 girls that are the potential victims of this abuse, we will

2417 adopt my amendment so it will be both constitutional, and we
2418 won't leave hundreds of thousands of girls exposed under the
2419 definition in the current bill before this committee. And I
2420 yield back to my friend.

2421 Chairman Nadler. Who else seeks recognition? The
2422 gentlelady from Texas.

2423 Ms. Jackson Lee. Mr. Chairman, I rise to strike the
2424 last word. Let me thank the gentleman for his concern, but
2425 let me be very clear that we have vetted this language to my
2426 colleagues extensively. This language was also part of the
2427 World Health Organization's recent definition and vetted by
2428 multiple anti-FGM advocates, clinicians, and experts on the
2429 issue. I am also concerned that the nexus between the
2430 commerce clause and the stated law is broken with the
2431 language that is being submitted, and that is the crux of
2432 what we are trying to do, to make sure that the case where it
2433 was referred, saying it was a local crime, that this will be
2434 a Federal crime to protect these girls and women across the
2435 Nation.

2436 Mr. Chairman, let me submit to the record now several
2437 extensive writings of support from Equality Now dealing with
2438 a "Just World for Women and Girls;" Institute for
2439 Constitutional Advocacy and Protection; Georgetown University
2440 Law Center, the FGM U.S. Network; the letter and support by
2441 the AHA Foundation, and one by Global Women. I ask unanimous

2442 consent that these be submitted into the record.

2443 Chairman Nadler. Without objection.

2444 [The information follows:]

2445

2446 Ms. Jackson Lee. And in conclusion, I want to say let
2447 it be very clear, this is a bipartisan bill. We worked very
2448 hard because this is a dastardly act, and it violates women
2449 to the extent of death in some instances, but it certainly
2450 alters their life, undermines justice, and certainly changes
2451 them from the full and beautiful creature that they are in
2452 terms of being a full woman, a full young girl. And I think
2453 it is so dastardly, that we need to pass this legislation. I
2454 yield to the chairman.

2455 Chairman Nadler. I thank you for yielding, and I want
2456 to commend the gentlelady for introducing the bill. But I
2457 want to address the amendment that is on the floor by Mr.
2458 Gohmert. Mr. Gohmert is obviously misreading the bill. We
2459 want to expand the definition and the jurisdiction here, and
2460 that is what the bill does. Mr. Gohmert says he wants to do
2461 the same thing, but his amendment goes in the other
2462 direction. His amendment narrows it. The intention in our
2463 bill is to expand it. We do. Mr. Gohmert's amendment
2464 narrows it. He says he wants to expand it, but obviously
2465 he's misreading the bill, and his amendment. So I would
2466 oppose his amendment because it does the opposite of what we
2467 should do and the opposite of what Mr. Gohmert agrees we
2468 should do. I yield back.

2469 Ms. Jackson Lee. Thank you. Let me just conclude by
2470 this heinous number: 3 million girls at risk of undergoing

2471 female genital mutilation every year, Members, and it is
2472 estimated at more than 200 million girls and women alive
2473 today have already undergone this procedure. I would say
2474 that we can wait no longer. We must pass this legislation,
2475 and the President United States must sign this legislation.
2476 I yield back to the gentleman.

2477 Chairman Nadler. The gentlelady yields back. Does
2478 anyone else seek recognition on the amendment?

2479 Mr. Reschenthaler. Yes, Mr. Chairman. I move to strike
2480 the last --

2481 Chairman Nadler. For what purpose does the gentleman
2482 seek recognition?

2483 Mr. Reschenthaler. I move to strike the last word.

2484 Chairman Nadler. The gentleman is recognized.

2485 Mr. Reschenthaler. Thank you, Madam Chairwoman. I
2486 yield to my colleague and good friend from Texas.

2487 Mr. Gohmert. And I thank the gentleman for yielding.
2488 You know, the chair seems infer or state outright my
2489 misunderstanding of the underlying bill. I would suggest the
2490 chair perhaps has not read *United States v. Nagarwala* and
2491 doesn't know the facts adequately of that case, because if he
2492 did, he would know that the doctor testified that he had
2493 medical reasons for performing the procedure in that case.
2494 Now, the case was not struck down based on a definition. It
2495 was struck down because there was inadequate connection to

2496 interstate commerce, which my amendment will fix in the
2497 underlying bill on which we agree for the intent. But the
2498 underlying bill does not adequately address the reason for
2499 which original law was struck down.

2500 And it is also important to note that I get the
2501 impression none on this committee were happy with the
2502 decision for 1996. This underlying bill actually condemns
2503 the District Court's opinion, and I think that gets a little
2504 dangerous to have that actually in the law when the judge
2505 used the plain language of the Constitution to strike down
2506 the law because it was not involved. There wasn't an
2507 adequate nexus. There was no adequate nexus to interstate
2508 commerce. So that is one problem that my amendment will fix.

2509 And the other would prevent the doctor's own testimony
2510 from being a reason for him to be acquitted. That is why we
2511 are reverting to the original definition. If he says his
2512 testimony is medical reasons the way the underlying bill
2513 says, any procedure performed for non-medical reasons, well,
2514 he's off the hook. So those are the two most important
2515 things about my amendment and why I would continue to urge
2516 the adoption of this amendment, and appreciate my friend from
2517 yielding. I yield back.

2518 Chairman Nadler. Would the gentleman yield?

2519 Mr. Reschenthaler. Thank you. Mr. Chairman, I yield
2520 back any remaining time.

2521 Chairman Nadler. Would the gentleman yield?

2522 Mr. Reschenthaler. Yes.

2523 Chairman Nadler. Thank you. I would just observe, of
2524 course we knew about the *Nagarwala* decision. Of course we
2525 disagreed with it. That is why the bill was designed to
2526 overturn and deal with the consequences of that decision.
2527 The bill does that, and it does what we wanted to do. I
2528 think it does what you wanted to do, but you are still
2529 misreading the bill because your amendment would narrow the
2530 bill, not widen it as you wanted to do and as we want to do.
2531 I yield back.

2532 Mr. Reschenthaler. I yield the balance of my time.

2533 Chairman Nadler. The gentleman yields back. Does
2534 anyone else seek recognition? For what purpose does
2535 gentleman from Maryland seek recognition?

2536 Mr. Raskin. I move to strike the last word, Mr.
2537 Chairman.

2538 Chairman Nadler. The gentleman is recognized.

2539 Mr. Raskin. Thank you very much. I want to salute Ms.
2540 Jackson Lee for her great leadership in bringing forward this
2541 legislation. The bill addresses the Eastern District of
2542 Michigan decision from 2018, *U.S. v. Nagarwala*, which struck
2543 down the first prosecution under the anti-FGM legislation as
2544 being outside of Congress' powers under the commerce clause
2545 or under the Constitution. So that is obviously a serious

2546 problem because female genital mutilation is a terrible
2547 offense against bodily integrity and the human rights of
2548 women and girls all over the world, and it should be
2549 intolerable in our society and Federal law should be able to
2550 address it.

2551 I like the legislation very much, which establishes
2552 specific Federal nexus links that would be the basis for a
2553 prosecutorial predicate in cases involving FGM. It specifies
2554 that the defendant or victim's travel in interstate commerce
2555 or foreign commerce would establish our authority to
2556 prosecute the defendant's use of a means of interstate or
2557 foreign commerce; would establish the proper Federal nexus
2558 payment of any kind using the means or instrumentalities of
2559 interstate or foreign commerce; the defendant's use of a
2560 means of communication relating to interstate or foreign
2561 commerce; the use of any instrument, item, substance, or
2562 other object that has traveled in interstate or foreign
2563 commerce; or the conduct otherwise occurred in or affected
2564 interstate or foreign commerce has called for by these
2565 limiting Supreme Court doctrines in the *Lopez* case and in the
2566 *U.S. v. Morrison* case, striking down parts of the Violence
2567 Against Women Act.

2568 So I think that the introducer or the sponsor of the
2569 legislation has done a terrific job of specifying precisely
2570 the Federal nexus that is called for by the Federal court

2571 decision. I would be open to Mr. Gohmert's amendment, as I
2572 suppose the sponsor would be, if it added something here, but
2573 I am not sure that it does. And I would be interested to
2574 know if there is something in the amendment that is missing
2575 in the underlying legislation. Otherwise, I am persuaded by
2576 the chairman's point that it would have the effect of
2577 actually limiting the substantive criminal jurisdiction and
2578 prohibition that is built into the statute.

2579 But we have to make sure that we have got a
2580 constitutionally seaworthy vehicle, and I think that we have
2581 got it in this new legislation. And I am very glad that the
2582 gentlelady from Texas has brought it forward, and I am also
2583 happy that there is an explicit rejection of some kind of
2584 religious defense, or customary, or traditional, or
2585 ritualistic defense of the practice. It makes very clear
2586 that this is an objective social harm that is being regulated
2587 here, that there are no excuses for FGM in the United States
2588 of America, and we will not accept any defense either, you
2589 know, clothed in religious reasons, or ritualistic reasons,
2590 or social reasons, or what have you. So I hope we can pass
2591 this quickly on a bipartisan basis, and I yield back, Mr.
2592 Chairman.

2593 Chairman Nadler. The question occurs on the amendment.

2594 All in favor of the amendment, say aye.

2595 Opposed, no.

2596 The noes have it.

2597 The question occurs on the bill.

2598 All in favor of the bill will say aye.

2599 Opposed, no.

2600 The ayes have it.

2601 A reporting quorum being present, the bill is reported

2602 favorably to the House.

2603 Members will have 2 days to submit their views.

2604 Pursuant to notice, I now call up H.R. 1548, For the

2605 Relief of Maria Carmen Castro Ramirez and J. Refugio Carreno

2606 Rojas, for purposes of markup, and move that the committee

2607 report the bill favorably to the House.

2608 The clerk will report the bill.

2609 Ms. Strasser. H.R. 1548, For the Relief of Maria Carmen

2610 Castro Ramirez and J. Refugio Carreno Rojas.

2611 Chairman Nadler. Without objection, the bill is

2612 considered as read and open for amendment at any point.

2613 [The bill follows:]

2614

2615 Chairman Nadler. I will begin by recognizing myself for
2616 an opening statement.

2617 The committee will now consider H.R. 1548, a private
2618 bill, For the Relief of Maria Carmen Castro Ramirez and J.
2619 Refugio Carreno Rojas. This legislation provides the
2620 beneficiaries with an opportunity to apply for and be granted
2621 lawful permanent resident status in the United States. Ms.
2622 Castro Ramirez and Mr. Carreno Rojas were born in Mexico and
2623 have resided in the United States for more than 30 years.
2624 They are married and have three U.S. citizen children,
2625 Guadalupe age 26, Ivan age 25, and the youngest, Jose age 12.
2626 The family is extremely close knit and reside together in
2627 their home outside San Francisco.

2628 Two of their children suffer from severe medical
2629 conditions. Guadalupe was diagnosed with epilepsy as a
2630 child. Her condition can lead to permanent neurological
2631 impairment and life-threatening seizures if not properly
2632 controlled. The medication the Guadalupe is required to take
2633 to manage her epilepsy is not widely available in Mexico.

2634 Twelve-year-old Jose suffers from severe asthma, which
2635 requires regular treatment from a pulmonologist, prescription
2636 medication, and additional treatments, including, at times,
2637 emergency hospital care. He also receives psychological
2638 treatment to address suicidal thoughts and anxiety associated
2639 with the potential separation of his family and the effects

2640 of bullying. Jose has been recently evaluated by a
2641 therapist, who has concluded that if he were to be separated
2642 from his parents due to their forced relocation to Mexico, he
2643 would certainly face a significant crisis leading to a
2644 worsening of his condition. Jose also recently suffered a
2645 perforated eardrum, which has resulted in hearing loss and
2646 requires surgery to correct.

2647 Mr. Castro Ramirez also struggles with mental health
2648 issues, which were triggered when she was attacked at
2649 knifepoint and robbed while walking home from work 2 years
2650 ago. She has been diagnosed with post-traumatic stress
2651 disorder and experiences depression and anxiety. She
2652 receives regular therapy and takes medication to help manage
2653 these symptoms. Fortunately, both husband and wife, who are
2654 union members and are gainfully employed, have health
2655 insurance, which allows them to receive the medical care they
2656 require. If the family were forced to relocate to Mexico,
2657 however, they would lose their current insurance benefits and
2658 would be subject to substandard medical care, which would
2659 cause their condition to worsen.

2660 One year ago today, the Subcommittee on Immigration and
2661 Citizenship convened and passed the motion by bipartisan
2662 voice vote to ask the Department of Homeland Security to
2663 produce a departmental report on the beneficiaries of this
2664 bill. This report revealed no criminal history or other

2665 derogatory information on the beneficiaries. As the victim
2666 of an assault and robbery, Ms. Castro Ramirez cooperated with
2667 the police and filed a request for U non-immigrant status.
2668 However, the petition is still pending, and even if it is
2669 approved, it will be many years before relief could be
2670 granted due to the significant backlog of U visa petitions.
2671 Enactment of a private bill is the only option for this
2672 family to receive the permanent relief and medical attention
2673 they require.

2674 In 2012, under the leadership of former chairman, Lamar
2675 Smith, the Judiciary Committee considered this bill and
2676 ordered it favorably reported, without amendment, on a
2677 bipartisan basis. It is my hope that we can do so once again
2678 today. Later that year, the House passed the bill by
2679 unanimous consent. Although the Senate failed to move this
2680 bill at that time, it is also my hope that the Senate will
2681 join us this time around. This family deserves the relief
2682 that this bill will provide lawful permanent residents and
2683 the peace of mind that comes with it. I thank Speaker Pelosi
2684 for introducing this compassionate legislation, and I urge my
2685 colleagues to support the bill.

2686 Does anyone seek recognition?

2687 Mr. Buck. Opening statement.

2688 Chairman Nadler. Mr. Buck is recognized for an opening
2689 statement.

2690 Mr. Buck. Thank you, Mr. Chairman. The bill before us
2691 today would grant lawful permanent resident status to the
2692 parents of three U.S. citizen children, each of whom suffer
2693 from serious health issues. Maria Ramirez entered the U.S.
2694 illegally from Mexico in 1991. In 1992, she married another
2695 illegal immigrant from Mexico, Refugio Rojas. Maria then
2696 gave birth to three children in the U.S., who are all U.S.
2697 citizens pursuant to birthright citizenship. In January of
2698 2009, Mr. Rojas was deported to Mexico.

2699 This is a private bill precedent where immigrants have
2700 been granted permanent residence after coming to the U.S. to
2701 receive medical treatment that was unavailable in their home
2702 country. In addition, there is private bill precedent where
2703 an immigrant has been granted permanent residence because a
2704 U.S. citizen spouse or child risked serious illness or death
2705 if they were to follow the immigrant family member to that
2706 person's home country. During the last five Congresses, the
2707 subcommittee requested DHS reports on Ms. Ramirez and Mr.
2708 Rojas, which Mr. Rojas which revealed no derogatory
2709 information. We did so again last year, and the report came
2710 back again without derogatory information.

2711 The House passed a private relief bill for these
2712 individuals during the 112th Congress. As this bill falls
2713 under the subcommittee private bill precedent, specifically
2714 because the House passed this bill before, I do not oppose

2715 the bill. I yield back the balance of my time.

2716 Chairman Nadler. The gentleman yields back. Are there
2717 any amendments to H.R. 1548?

2718 [No response.]

2719 Chairman Nadler. A reporting quorum being present, the
2720 question is on the motion to report the bill, H.R. 1548,
2721 favorably to the House.

2722 Those in favor, say aye.

2723 Opposed, no.

2724 The ayes have it, and the bill is reported favorably to
2725 the House.

2726 Members will have 2 days to submit views.

2727 Pursuant to notice, I now call up H.R. 2733, Savanna's
2728 Act, for purposes of markup, and move that the committee
2729 report the bill favorably to the House.

2730 The clerk will report the bill.

2731 Ms. Strasser. H.R. 2733, to direct the Attorney General
2732 to review, revise, and develop law enforcement and Justice
2733 protocols appropriate to address missing and murdered
2734 Indians, and for other purposes.

2735 Chairman Nadler. Without objection, the bill is
2736 considered as read and open for amendment at any point.

2737 [The bill follows:]

2738

2739 Chairman Nadler. I will begin by recognizing myself for
2740 an opening statement.

2741 H.R. 2733, Savanna's Act, responds to the epidemic of
2742 missing and murdered Native Americans. This crisis is
2743 appalling and threatens millions of innocent people living
2744 both on tribal lands and beyond. The available data
2745 indicates that violence against Native Americans is
2746 particularly high. In some tribal communities, Native
2747 American women experience murder rates that are more than 10
2748 times the national average. This is unacceptable.

2749 Savanna's Act is named in favor of Savanna LaFontaine-
2750 Greywind, a member of the Spirit Lake Tribe, who vanished
2751 from her apartment in Fargo, North Dakota while 8 months
2752 pregnant. Eight days after she disappeared, her body was
2753 found wrapped in plastic in the Red River. This legislation
2754 empowers tribal governments with the resources and
2755 information necessary to respond to cases of missing or
2756 murdered Native Americans, like Savanna, and to increase the
2757 collection of data in such cases. It also increases
2758 coordination and communication among the Federal, State, and
2759 tribal officials responsible for investigating these cases in
2760 a variety of ways.

2761 This legislation provides best practices in conducting
2762 searches for missing persons on and off Native American land,
2763 standards on the collection, reporting, and analysis of data

2764 and information on missing persons and unidentified human
2765 remains, and culturally appropriate identification and
2766 handling of human remains identified as Native American.
2767 H.R. 2733 also provides guidance on which law enforcement
2768 agency is responsible for inputting information into
2769 databases, guidance on improving agency response rates and
2770 follow up two cases of missing and murdered Native Americans,
2771 and guidance on ensuring access to culturally-appropriate
2772 victim Services.

2773 Lastly and most importantly, H.R. 2733 adds two new
2774 purpose areas to existing grant programs administered by the
2775 Department of Justice, namely, specifically allowing grantees
2776 to use funds to implement policies, protocols, and training
2777 for law enforcement regarding cases of missing or murdered
2778 Native Americans, and to compile and report data to the
2779 Attorney General. In short, this important legislation will
2780 help address the alarming cases of missing and murdered
2781 Native Americans in a robust and effective way.

2782 I appreciate the leadership of Representative Norma
2783 Torres for introducing Savanna's Act, and I urge my
2784 colleagues to support it. I recognize Mr. Armstrong to make
2785 an opening statement on behalf of the ranking member.

2786 Mr. Armstrong. Thank you, Mr. Chairman, and thank you
2787 for bringing before us today H.R. 2733, Savanna's Act. H.R.
2788 2733 is named in honor of Savanna LaFontaine-Greywind, a 22-

2789 year-old pregnant member of the Spirit Lake Tribe, who was
2790 brutally murdered in my district in August of 2017. Her
2791 disappearance and murder devastated the Fargo community and
2792 the entire State of North Dakota. For 8 days, her family,
2793 friends, and the community searched for her hoping that she
2794 would be found alive. Thankfully, her baby was found alive
2795 after surviving the attack and being cut from the womb.

2796 Savanna's murder brought to light that data on missing
2797 and murdered indigenous people, women and girls in
2798 particular, scattered around government agencies are
2799 completely non-existent. Savanna's Act addresses this issue.
2800 This act would address and bring awareness to the crisis of
2801 missing and murdered indigenous women by developing
2802 guidelines and best practices for law enforcement agencies
2803 across the country, improving coordination between law
2804 enforcement agencies, as well as enhancing reporting,
2805 recordkeeping, and communication for law enforcement and the
2806 families of victims.

2807 Tragically, Native American and Alaska Native women face
2808 a murder rate that is often times 10 times higher than the
2809 national average. A shocking 84 percent of women in these
2810 communities experience some form of violence in their
2811 lifetime. The rural nature of many Native American
2812 reservations and the increased levels of poverty and
2813 addiction are well-known and cause unique and special

2814 circumstances. Unfortunately, there is no reliable way of
2815 knowing how many indigenous women go missing each year
2816 because of outdated databases and a lack of coordination
2817 between law enforcement agencies. Savanna's Act addresses
2818 the disturbing increase in missing and murdered Native
2819 American women by creating new guidelines for investigation
2820 of such cases and by incentivizing their implementation.

2821 And I would end that while this is named for Savanna
2822 Greywind, at the same time on the other side of my State, a
2823 woman named Olivia Lone Bear went missing as well. So this
2824 is more than aptly named, but it is definitely not unique,
2825 and I would urge my colleagues to support this legislation.
2826 I yield back.

2827 Chairman Nadler. The gentleman yields back. Without
2828 objection, all other opening systems will be included in the
2829 record.

2830 [The information follows:]

2831

2832 Chairman Nadler. I now recognize myself for purposes of
2833 offering an amendment in the nature of a substitute.

2834 The clerk will report the amendment.

2835 Ms. Strasser. Amendment in the nature of a substitute
2836 to H.R. 2733, offered by Mr. Nadler --

2837 Chairman Nadler. Without objection, the amendment in
2838 the nature of a substitute shall be considered as read and
2839 shall be considered as base text for purposes of amendment.

2840 [The amendment in the nature of a substitute of Mr.

2841 Nadler follows:]

2842

2843 Chairman Nadler. I will recognize myself to explain the
2844 amendment.

2845 This amendment would update the text to reflect
2846 bipartisan discussions here and in the Senate. It will, one,
2847 enhance the development of guidance to the U.S. attorney with
2848 respect to addressing cases of missing and murdered Native
2849 Americans; two, expand assistance with respect to missing and
2850 murdered Native Americans beyond tribal jurisdiction; and
2851 three, help provide additional resources to law enforcement
2852 to assist with efforts to address this crisis. This
2853 amendment strengthens the bill and would update its text to
2854 correspond to that which has been approved by the Senate's
2855 Committee on Indian Affairs. Therefore, I ask my colleagues
2856 to support this amendment and the underlying bill.

2857 Are there any amendments to the amendment in the nature
2858 of a substitute? For what purpose does gentlelady from
2859 Washington seek recognition?

2860 Ms. Jayapal. I move to strike the last word.

2861 Chairman Nadler. The gentlelady, is recognized.

2862 Ms. Jayapal. Thank you, Mr. Chairman, and I am so proud
2863 that we are taking up Savanna's Act today to take an
2864 important step to address the crisis of missing and murdered
2865 indigenous women and girls. In 2016, over 5,700 cases of
2866 missing and murdered indigenous women and girls were
2867 reported, and yet only 116 were added to the Department of

2868 Justice's National Missing and Unidentified Persons System.
2869 In fact, the Centers for Disease Control and Prevention has
2870 found that murder is the third leading cause of death among
2871 Native American and Alaska Native women, a rate that is about
2872 10 times the national average. And yet all of these
2873 estimates are considered to be undercounted.

2874 This is a crisis, and our institutions are failing to
2875 respond. Federal agencies have failed to keep data rates of
2876 violence and disappearances of Native American and Alaska
2877 Native women and girls, and States and localities are too
2878 frequently not tracking the data, and sometimes lack basic
2879 classification options in their databases to track the
2880 information accurately. Ultimately, though, this lack of
2881 data is not just about numbers. It impedes the ability of
2882 communities, tribal nations, and Congress to make informed
2883 decisions on how to stop this crisis of violence and how to
2884 save lives.

2885 This bill is particularly important for my district. It
2886 is heartbreaking to me that the City of Seattle has the
2887 highest number of missing and murdered indigenous women and
2888 girls, according to a report by the Urban Indian Health
2889 Institute. Mr. Chairman, I seek unanimous consent to enter
2890 into the record this report.

2891 Ms. Scanlon. [Presiding.] Without objection.

2892 [The information follows:]

2893

2894 Ms. Jayapal. Violence against indigenous women and
2895 girls is not limited to rural areas and federally-defined
2896 tribal lands. Approximately 71 percent of Native American
2897 and Alaska Natives live in urban areas like my district. I
2898 am pleased to see the explicit inclusion of urban Indian
2899 organizations in this bill to ensure that we protect all
2900 Native people.

2901 Savanna's Act is named for Savanna LaFontaine-Greywind,
2902 a Spirit Lake Dakota and Turtle Mountain Chippewa, who went
2903 missing and was brutally murdered at age 22 while she was 8
2904 months pregnant, and I appreciate my colleague across the
2905 aisle for his support and his words. I would like to use
2906 some of my time to share the stories of other missing and
2907 murdered women from Seattle and from the State of Washington.

2908 Alillia "Lala" Minthorn from Toppenish died at the age
2909 of 25 in 2019 of gunshot wounds. Lala was found dead in a
2910 remote area of the Yakama Nation Reservation. Lala earned
2911 her nickname because she was known for being in her own world
2912 singing "la la la." She was a daughter, a friend, and a
2913 sister. Sandra Lee Smiscon died at the age of 45 in 2003 in
2914 Seattle of gunshot wounds. She lived and traveled between
2915 Seattle and Wapato, Washington. She was killed by a man who
2916 was angered by someone setting off firecrackers. He pulled
2917 out his gun, fired, and then walked away. Sandra was a
2918 mother with a big family, a broad smile, and she loved

2919 adventure. Her son served in the Air Force.

2920 Rosenda Strong was found dead in a freezer on the Yakama
2921 Reservation in July of 2019 after being missing since October
2922 of 2018. She was a member of the Confederated Tribes of the
2923 Umatilla Indian Reservation and a descendant of the Yakima
2924 Nation. Rosenda was a mother of four, who was outgoing and
2925 loved to laugh her unique loud laugh. Eveona Cortez was just
2926 19 years old when she was killed in a shooting at an
2927 apartment complex in Burien, Washington. Eveona's father
2928 said she was spirited and full of joy. She was a singer who
2929 also played the saxophone, clarinet, and piano.

2930 I am proud to support this bill today for Savanna, for
2931 Lala, for Sandra, for Rosenda, Eveona, and the thousands of
2932 missing and murdered indigenous women and girls. Today we
2933 say their names. And I am grateful to Congresswoman Norma
2934 Torres for bringing this bill forward. When we fail to count
2935 and track the data of violence in vulnerable communities,
2936 when we fail to lift up these issues and fix the problems we
2937 see right in front of us, we fail to acknowledge the severity
2938 of the violence and its impact on these communities. Today I
2939 am proud that this committee is taking the step to move
2940 Savanna's Act forward and to address this crisis of missing
2941 and murdered indigenous women and girls. We need their
2942 families to know that their deaths have not been in vain.
2943 Thank you, Mr. Chairman. I yield back.

2944 Ms. Scanlon. Does anyone else wish to speak to the
2945 amendment?

2946 Ms. Jackson Lee. Excuse me.

2947 Ms. Scanlon. Ms. Mucarsel-Powell?

2948 Ms. Mucarsel-Powell. Yes, thank you, Madam Chair. I
2949 would like to just support the underlying bills, H.R. 2733 ad
2950 H.R. 2438. My district is home to the Miccosukee Tribe of
2951 Florida, and it is time that we address the unique challenges
2952 faced by Native American tribes across the country.
2953 Indigenous peoples in the United States are facing a crisis
2954 of abduction, assault, and murder. The information is clear:
2955 Native American men and women experience violence at
2956 shockingly high rates compared to other groups, and the
2957 statistics are even worse for Native American women.

2958 Reports show that more than 4 in 5 Native American and
2959 Alaska Native women have experienced violence in their
2960 lifetime, and over 55 percent of them have experienced sexual
2961 violence. There is an epidemic of missing women, and on some
2962 reservations, women are 10 times as likely to be murdered
2963 than the national average. These communities and their
2964 people are not invisible, and it is Congress' responsibility
2965 to bring those crimes to the forefront of public
2966 conversation.

2967 Over the years, many of these problems can be traced to
2968 challenges with law enforcement and the lack of an adequate

2969 Federal response. Tribal communities are often tasked with
2970 working through antiquated law enforcement policies,
2971 jurisdictional ambiguity, or ambivalence toward Native
2972 Americans. And as a result, homicides and missing persons
2973 cases remain unsolved, and hundreds more remain unreported.
2974 These high rates of missing and murdered Native Americans
2975 have been overlooked for far too long. I am so glad to see
2976 that we are finally acting to shed light on the crisis and we
2977 are working together to protect our indigenous and Native
2978 American citizens.

2979 These bills will foster coordination between tribal,
2980 local, State, and Federal law enforcement in cases involving
2981 missing and murdered Native American women. These bills
2982 integrate tribal leaders and survivors into the process.
2983 Resources will be dedicated to answering why Native American
2984 women are going missing, and these bills will make sure law
2985 enforcement is trained to identify and persecute sex
2986 trafficking crimes.

2987 It is time we provide the resources to protect our
2988 tribal communities and ensure the safety of Native American
2989 men and women. I urge my colleagues to support both bills,
2990 and I yield back.

2991 Ms. Scanlon. Who seeks recognition?

2992 Ms. Jackson Lee. Right here.

2993 Ms. Scanlon. For what purpose does the gentleman from

2994 Arizona seek recognition?

2995 Mr. Stanton. I move to strike the last word.

2996 Ms. Scanlon. So moved.

2997 Mr. Stanton. Thank you, Madam Chair. I would like to
2998 address two of the bills that we are here to mark up today,
2999 Savanna's Act and the Not Invisible Act. Native American
3000 women face a murder rate 10 times higher than the national
3001 average with 84 percent experiencing some form of violence in
3002 their lifetime. Today we do not have a reliable way of
3003 knowing how many Native women go missing or murdered every
3004 year because there is no dedicated Federal database designed
3005 collect and track this critical information. These two bills
3006 take critical steps to address the crisis of missing and
3007 murdered indigenous women and girls in a holistic manner.

3008 In August 2017, Savannah LaFontaine-Greywind, a 22-year-
3009 old member of the Spirit Lake Nation in North Dakota, was 8
3010 months pregnant when she was kidnapped. And when her body
3011 was eventually found in the Red River, it was revealed that
3012 her baby had been cut from her womb. To honor her memory,
3013 former senator, Heidi Heitkamp, introduced Savanna's Act to
3014 address the disproportionality of the high rates of violence
3015 Native American women experience. The Senate passed
3016 Savanna's Act unanimously in December 2018, but it
3017 unfortunately did not move forward in the House of
3018 Representatives.

3019 Lack of congressional action led 13 States, including my
3020 State of Arizona, to proactively pass their own laws to
3021 address this crisis. Now nearly 2 years later, I am
3022 encouraged to see this committee finally considering
3023 Savanna's Act, which directs the Department of Justice to
3024 your create guidelines to collect accurate information on the
3025 number of missing Native women across all jurisdiction, not
3026 just on tribal lands.

3027 And while Savanna's Act addresses the lack of
3028 information collecting mechanisms, when Native women are
3029 missing, the Not Invisible Act aims to prevent Native women
3030 from going missing in the first place. It does so by
3031 requiring the Secretary of the Interior to designate an
3032 official to combat violence against native people and
3033 establish a commission on reducing violence by asking for
3034 input from tribes, advocates, agencies, survivors of human
3035 trafficking, and family members of missing persons.

3036 What makes this crisis worse is the lack of available
3037 information that creates a misconception that Native women go
3038 missing or murdered only on tribal land. This is totally
3039 false. A 2017 study by the Urban Indian Health Institute
3040 found that a majority of Native Americans and Alaska Native
3041 people now live in urban communities. With permission from
3042 her family, I want to share Sarah's story. Her name has been
3043 changed to protect her identity. Her story shows crimes

3044 against Native women do not necessarily stay within the
3045 borders of tribal lands.

3046 Sarah, a Native American woman and a Phoenix resident,
3047 went missing in Las Vegas in June 2019 after a weekend visit.
3048 Her family notified a Phoenix-based advocacy organization,
3049 and together they began to reach out to Las Vegas hospitals
3050 and jails in hopes of finding her. Sarah's mom contacted the
3051 Las Vegas Police Department missing persons and investigation
3052 units, but, in her words, they were unfortunately not
3053 helpful. It was not until the Phoenix Police Department got
3054 involved on the family's behalf that the information was
3055 finally shared about Sarah. After days of searching, she was
3056 eventually found in a hospital and fortunately was returned
3057 home.

3058 We are so fortunate that the Phoenix Police Department
3059 got involved to help reunite Sarah and her family, but her
3060 story is not unique. For far too many other Native American
3061 women, this is tragically not the case. We must take these
3062 cases of crimes against Native American women seriously,
3063 regardless of where they reside, because we know that they
3064 are disproportionately affected by violence that spans beyond
3065 tribal lands. This violence is prevalent in our urban cities
3066 and towns. Thankfully, these two bills address this issue
3067 with measures that affect all jurisdictions in the U.S.

3068 And I also want to thank Congresswoman Norma Torres and

3069 our fellow freshman, Congresswoman Deb Haaland, for
3070 introducing these bills. And I want to thank my colleague
3071 from Arizona, Congressman Ruben Gallego, for his efforts on
3072 this front as well. And I do want to thank Arizona State
3073 Representative Jennifer Jermaine for being a champion for
3074 this issue at the State level. I am a proud co-sponsor of
3075 Savanna's Act and Not Invisible Act, and I hope these bills
3076 are swiftly brought before the House for a vote. We cannot
3077 allow more inaction on this issue, not when Native American
3078 women's lives are on the line. I yield back.

3079 Ms. Scanlon. For what purpose does the gentlewoman from
3080 Texas seek recognition?

3081 Ms. Jackson Lee. I thank the chair. I want to join my
3082 colleagues who have been eloquent in their advocacy for these
3083 bills, former mayor and gentlelady from Washington State, and
3084 our good friend, whose district has been impacted by these
3085 tragedies. Let me also salute Congresswoman Torres,
3086 Congresswoman Haaland, and say that I stand with outrage
3087 against the silence that has been perpetrated as it relates
3088 to Native American women all over the Nation, including
3089 Alaska.

3090 This tragedy of Native American women being murdered and
3091 no determination of the criminal that kill them, or no
3092 findings of what happened, is a tragedy personally to their
3093 families, but it is a reflection and a mark on this great

3094 Nation. We are a Nation of equality and justice, and it is
3095 not defined by your heritage, and I think it is crucial that
3096 these bills are passed.

3097 That is one of the reasons in my authoring of the
3098 Violence Against Women Act, we specifically included the
3099 heinous crimes perpetrated against Native American women,
3100 meaning that there would be individuals who would go into the
3101 pueblos or reservations, perpetrate horrible sexual acts,
3102 even violence to the extent of murder, and never be
3103 prosecuted because they leave that territory and go back into
3104 populations outside of the reservation and/or pueblo.

3105 And so we hope that the Violence Against Women Act will
3106 pass swiftly. We hope that the Senate leadership, led by
3107 Senator McConnell, will stop creating a massive graveyard for
3108 these vital and important bills. And so I am eager to move
3109 forward on the Savanna's Act, which is 2733, and the Not
3110 Invisible Act, which is H.R. 2438. Both of them I support
3111 and have joined in as a co-sponsor, and both of them I now
3112 express my vote for and sense of urgency.

3113 We must pass these bills now. And to those families who
3114 have lost loved ones, we mourn with you, but we say today no
3115 more deaths, no more death, no more mourning of these great
3116 and beautiful women. I yield back.

3117 Ms. Scanlon. For what purpose does the gentlewoman from
3118 Pennsylvania seek recognition?

3119 Ms. Dean. I move to strike the last word.

3120 Ms. Scanlon. So moved.

3121 Ms. Dean. Thank you, Madam Chair. I, too, raise my
3122 voice in support of both of the bills that we will be
3123 considering today right now, Savanna's Act, and in a few
3124 moments, I assume the Not Invisible Act. Violence against
3125 women is an insidious problem that affects communities across
3126 geographic, racial, religious, and ethnic divides of our
3127 country. This problem is deeply felt in our native
3128 communities.

3129 Today we are marking up two bills, Savanna's Act, which
3130 honors Savannah LaFontaine-Greywind, a 22-year-old pregnant
3131 member of the Spirit Lake Tribe, who was tragically murdered.
3132 Eighty-four percent of Native American women face some form
3133 of violence in their lifetime. It is a statistic that should
3134 horrify all of us. Native women face a murder rate at 10
3135 times higher than the national average. Because of outdated
3136 databases and lack of coordination between law enforcement
3137 agencies, we do not have a reliable way of knowing how many
3138 Native women go missing each year. Savanna's Act improves
3139 tribal access to Federal crime information databases. It
3140 requires the Justice Department, the Department of Interior,
3141 the Department of Health and Human Services to work with
3142 tribes on improving safety for Native women. It requires the
3143 creation of standardized guidelines for responding to cases

3144 of missing and murdered native Americans, and mandates an
3145 annual report to Congress on updated statistics concerning
3146 missing and murdered Native women. In short, this bill
3147 requires the bare minimum of what we should already have been
3148 doing to address violence.

3149 In addition, the Not Invisible Act is similarly focused
3150 on addressing the crisis of missing and murdered indigenous
3151 women. This bill is the first in our Nation's history to be
3152 introduced by members of Congress who belong to native
3153 tribes. That it focuses on violence against Native women
3154 tells us just how important an issue this is to a community
3155 Congress has too long ignored. The Not Invisible Act creates
3156 an advisory committee on violent crime comprised of tribal
3157 leaders, Federal partners, law enforcement, service
3158 providers, and survivors to make recommendations to Federal
3159 authorities. It also creates a position within the Bureau of
3160 Indian Affairs responsible for improving coordination of
3161 violent crime prevention efforts.

3162 This Congress has already taken action to address
3163 violence against women when we considered the Violence
3164 Against Women act last year, but one bill is clearly not
3165 enough, and different communities require different
3166 resources. I am pleased to see this bipartisan effort to
3167 help native communities. I urge my colleagues to support
3168 these bills, and I urge our Senate to do the right thing as

3169 well. With that, I yield back, Madam Chair.

3170 Ms. Scanlon. The question occurs on the amendment in
3171 the nature of a substitute. This will be followed
3172 immediately by a vote on final passage of the bill.

3173 All those in favor, by saying aye.

3174 Those opposed, no.

3175 In the opinion of the chair, the ayes have it, and the
3176 amendment in the nature of a substitute is agreed to.

3177 A reporting quorum being present, the question is on the
3178 motion to report the bill, H.R. 2733, as amended, favorably
3179 to the House.

3180 Those in favor, respond by saying aye.

3181 Those opposed, no.

3182 The eyes have it, and the bill, as amended, is ordered
3183 reported favorably.

3184 Members will have 2 days to submit views.

3185 Without objection, the bill will be reported as a single
3186 amendment in the nature of a substitute, incorporating all
3187 adopted amendments, and staff is authorized to make technical
3188 and conforming changes.

3189 Pursuant to notice, I now call up H.R. 2438, the Not
3190 Invisible Act of 2019, for purposes of markup, and move that
3191 the committee report the bill favorably to the House.

3192 The clerk will report the bill.

3193 Ms. Strasser. H.R. 2438, to increase intergovernmental

3194 coordination to identify and combat violent crime within
3195 Indian lands and of Indians.

3196 Ms. Scanlon. Without objection, the bill is considered
3197 as read and open for amendment at any point.

3198 [The bill follows:]

3199

3200 Ms. Scanlon. I will begin by recognizing myself for an
3201 opening statement. This will be the statement of the chair,
3202 Jerry Nadler.

3203 H.R. 2438, the Not Invisible Act of 2020, would address
3204 the crisis of violence, especially sexual violence, committed
3205 against Native American and Alaska Native men and women in
3206 two concrete ways: by directing the appointment within the
3207 Bureau of Indian Affairs of a coordinator of Federal efforts
3208 to combat violence against native people, and by establishing
3209 a commission on reducing violent crime against Indians.

3210 For decades, Native American and Alaska Native
3211 communities have struggled with high rates of assault,
3212 abduction, and murder of women. Community advocates describe
3213 the crisis as a legacy of generations of government policies
3214 promoting forced removal, land seizures, and violence
3215 inflicted on native peoples. Advocates and victims' families
3216 also complain, and rightly so, that the investigation and
3217 monitoring of disappearances and killings of members of their
3218 communities have gotten lost in bureaucratic gaps generated
3219 by a system that lacks Clarity on whether local or Federal
3220 agencies should investigate. The Federal Government must
3221 address these problems.

3222 The statistics on violence in Native American
3223 communities are staggering. More than 4 in 5 American Indian
3224 and Alaska Native women have experienced violence in their

3225 lifetime, including 56.1 percent who have experienced sexual
3226 violence. American Indian and Alaska Native men also have
3227 high victimization rates, with 81.6 percent having
3228 experienced violence in their lifetime. This problem is in
3229 large part the result of decades of neglect by the Federal
3230 Government.

3231 This crisis has particularly affected Native American
3232 women, scores of whom have gone missing and have been found
3233 murdered. Recently, these women's stories have begun to be
3234 told to a wider audience, but these stories are not new, and
3235 it is long overdue that we address them. The Not Invisible
3236 Act of 2020 is an important step for the Federal Government
3237 in finding an adequate response to the problem of violence
3238 against Native Americans by making a permanent position
3239 within the BIA that reports directly to the Secretary of
3240 Interior, and who will submit an annual report to Congress.
3241 We will significantly improve the Federal response to
3242 combating violence in Native communities.

3243 Significantly, this bill also directs the BIA
3244 coordinator to take into consideration the unique challenges
3245 faced by Native American communities both on and off tribal
3246 lands, and to work in cooperation with outside organizations
3247 to train tribal law enforcement, Indian Health Service care
3248 providers, and other tribal community members on identifying,
3249 responding to, and reporting on cases of missing persons,

3250 murder, and human trafficking.

3251 And for 2 years, a joint commission on reducing violent
3252 crimes against Indians will be tasked with preparing
3253 recommendations on concrete actions the Department of the
3254 Interior and the Department of Justice can take to help
3255 combat violent crimes against Native Americans and on Native
3256 American lands. These include the development and
3257 implementation of strategies for identifying, reporting, and
3258 responding to instances of missing persons, murder, and human
3259 trafficking, tracking and reporting relevant data, and
3260 increasing prosecutions in this neglected arena.

3261 These are long overdue critical measures. It is well
3262 past the time to help rectify these problems, and I am
3263 pleased that H.R. 2438 will go a long way in that process. I
3264 commend Representative Debra Haaland for her leadership and
3265 her efforts in developing this legislation. I urge all of my
3266 colleagues to join me in support of this bill today. I now
3267 recognize Mr. Armstrong for his opening statement.

3268 Mr. Armstrong. Thank you, Madam Chair, and thanks for
3269 bringing before us H.R. 2438, the Not Invisible Act of 2019
3270 for markup. This act addresses the serious problem of
3271 violence afflicting Native American communities, which we
3272 just discussed during the consideration of Savanna's Act.
3273 The Not Invisible Act of 2019 provides an opportunity for the
3274 Federal Government to improve its efforts to combat the

3275 growing crisis of murder, trafficking, and the disappearance
3276 of indigenous men and women.

3277 While there are many Federal programs tasked with
3278 addressing violent crime, the agencies that operate these
3279 programs lack an overarching strategy to properly deploy
3280 these resources in Indian Country and in urban Indian
3281 communities. Program implementation often takes place
3282 without considering the unique needs of native communities in
3283 this context. H.R. 2438 will require the appropriate
3284 agencies to coordinate prevention efforts, grants, and
3285 programs across the Bureau of Indian Affairs and the
3286 Department of Justice, among other agencies.

3287 While coordination between DOJ and the BIA is important
3288 to ensure a comprehensive Federal strategy, we need to ensure
3289 that this bill does not simply create additional Federal
3290 bureaucracy. Continued oversight is needed to ensure that
3291 DOJ and BIA are effectively and efficiently using resources
3292 to address the problems of violent crimes against Native
3293 Americans. In short, we need to make sure that the assets
3294 being deployed are being used to help victims and not create
3295 more paperwork.

3296 I urge my colleagues to support this bill, and with
3297 that, I yield back my time.

3298 Chairman Nadler. [Presiding.] The gentleman yields back.
3299 I now recognize myself for purposes of offering an amendment

3300 in the nature of a substitute.

3301 The clerk will report the amendment.

3302 Ms. Strasser. Amendment in the nature of a substitute

3303 to H.R. 2438, offered by Mr. Nadler --

3304 Chairman Nadler. Without objection, the amendment in

3305 the nature of a substitute shall be considered as read, and

3306 shall be considered as based text for purposes of amendment.

3307 [The amendment in the nature of a substitute of Mr.

3308 Nadler follows:]

3309

3310 Chairman Nadler. I will recognize myself to explain the
3311 amendment. This amendment in the nature of a substitute for
3312 H.R. 2438 takes a number of steps toward addressing violence
3313 against Native American and Alaska Native men and women in
3314 the United States. This text reflects the version of the
3315 bill recently approved on a bipartisan basis by the Standing
3316 Committee on Indian Affairs. I urge adoption of this
3317 amendment, which I hope will assist our bipartisan effort to
3318 approve this bill today.

3319 Does anyone seek recognition?

3320 [No response.]

3321 Chairman Nadler. The question occurs on the amendment
3322 in the nature of a substitute. This will be followed
3323 immediately by vote on final passage of the bill.

3324 All those in favor, respond by saying aye.

3325 Opposed, no.

3326 In the opinion of the chair, the ayes have it, and the
3327 amendment nature of a substitute is agreed to.

3328 A reporting quorum being present, the question is on the
3329 motion to report the bill, H.R. 2438, as amended, favorably
3330 to the House.

3331 Those in favor, respond by saying aye.

3332 Those opposed, no.

3333 And the ayes have it, and the bill, as amended, is
3334 ordered reported favorably.

3335 Members will have 2 days to submit views.

3336 Without objection, the bill will be reported as a single
3337 amendment in the nature of a substitute incorporating all
3338 adopted amendments, and staff is authorized to make technical
3339 and conforming changes.

3340 This concludes our business for today. Thanks to all of
3341 our members for attending.

3342 Without objection, the markup is adjourned.

3343 [Whereupon, at 1:17 p.m., the committee was adjourned.]