# Congressional Testimony

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Before the Civil Rights and Civil Liberties Subcommittee of the House Oversight and Government Reform Committee

at a hearing on

Confronting White Supremacy (Part I): The Consequences of Inaction

> Washington D.C. May 15, 2019



Working to stop the defamation of the Jewish people and to secure justice and fair treatment for all since 1913

### **Introduction**

Mr. Chairman, Ranking Member Roy and Members of the Subcommittee, good morning. I am George Selim, Senior Vice President for Programs at the ADL, and it is an honor to appear before you today to address the issue of white supremacy and the threat it poses to our communities. More can be done to counter this threat, and more must be done *before* the next tragedy.

After 9/11, like many Americans, I felt the call to service. I am honored to have served our country in the Bush, Obama, and briefly in the Trump Administrations. My most recent experience as a career civil servant was serving as the Director of the interagency Task Force for Countering Violent Extremism and as the Director of the DHS Office for Community Partnerships. I witnessed ISIS manipulate and prey on young people in our communities through their sophisticated propaganda network. Today, I work at the Anti-Defamation League (ADL) because I cannot sit on the sidelines while American communities are weaponized against one another. Just as I saw the rise of politically-motivated violence by Islamist groups, I have real concerns about the rise of white supremacist terrorists I see today, and I urge you in the strongest possible terms to dramatically scale government resources to counter this threat.

Since 1913, the mission of the ADL has been to "stop the defamation of the Jewish people and to secure justice and fair treatment for all." For decades, the ADL has fought against bigotry and anti-Semitism by exposing extremist groups and individuals who spread hate and incite violence. My team within the ADL investigates threats like white supremacy, works with law enforcement to help keep our communities safe from those threats, and educates the next generation to help them identify signs of bias and hate in their communities and to be part of the solution. Together, we support advocacy, joint initiatives to work with the technology sector, and other efforts to counter the scourge of white supremacy.

# **Calling the Threat by Its Name**

On October 27, 2018, America witnessed the deadliest attack on Jews in its history when Robert Bowers allegedly stormed a Pittsburgh synagogue armed with an assault rifle and three handguns,<sup>1</sup> shouting "All Jews must die," and killed eleven people in their place of worship. Less than five months later, Brenton Tarrant allegedly perpetrated the deadliest attack against Muslims in New Zealand's history, slaughtering 50 people who had gathered for prayer at two mosques.<sup>2</sup> On April 27, 2019, alleged assailant John Earnest opened fire in a synagogue in Poway, California, killing one congregant and wounding several others. These were not the first tragedies at the hands of white supremacist terrorists, and, unfortunately, they will not be the last.

<sup>&</sup>lt;sup>1</sup> Jay Croft and Saeed Ahmed, "The Pittsburgh synagogue shooting is believed to be the deadliest attack on Jews in American history, the ADL says," CNN, October 28, 2018. <u>https://www-m.cnn.com/2018/10/27/us/jewish-hatecrimes-fbi/index.html</u>.

<sup>&</sup>lt;sup>2</sup> ADL, "White Supremacist Terrorist Attack at Mosques in New Zealand," March 15, 2019. <u>https://www.adl.org/blog/white-supremacist-terrorist-attack-at-mosques-in-new-zealand</u>

According to ADL's latest report on extremist-related murders, "Murder and Extremism in the United States in 2018," 78% of the 50 murders committed by extremists in 2018 were tied specifically to white supremacy.<sup>3</sup> The ten-year overview tells a similar story: Of the 313 people killed by right-wing extremists between 2009 to 2018, 76% were killed by white supremacists, making white supremacists the deadliest extremist movement in the United States over the past decade.

Since 1979, we have compiled an annual Audit of Anti-Semitic Incidents ("the Audit") throughout the United States, including both criminal and non-criminal acts of harassment and intimidation, including distribution of hate propaganda, threats, and slurs. The data we have compiled from the last three years shows that anti-Semitism in America is far more pervasive than in previous years. Our recently-released 2018 Audit recorded 1,879 anti-Semitic incidents in the United States.<sup>4</sup> Last year was the third-highest year on record since we began tracking incidents in 1979, it was the deadliest year on record for the U.S. Jewish community, and it saw a doubling of anti-Semitic assaults compared to 2017.

The data is clear: threats against Jews, Muslims, and other minorities in the United States are at disturbingly high levels, and a key reason for that is the embrace of white supremacist ideologies.

Like other forms of extremism, white supremacy is an ideology that its adherents seek to spread. The ADL defines white supremacy as the belief system with one or more of the following key tenets: 1) white people should have dominance over people of other ethnic and racial backgrounds, especially in places where they may co-exist; 2) white people should live by themselves in a whites-only society; 3) white people have their own "culture" that is superior to other cultures; 4) white people are genetically superior to other people. Most white supremacists feel the pull to this ideology because they believe the white race is in danger of extinction due to a rising "flood" of non-whites, who are controlled and manipulated by Jews, and that imminent action is needed to "save" the white race. White supremacists themselves typically do not label themselves as such, but instead tend to prefer euphemisms ranging from "white nationalist" to "white separatist" to "race realist" or "identitarian."

In our 2018 report, "New Hate and Old: The Changing Face of White Supremacy in the U.S."<sup>5</sup> we found that the white supremacist "Unite the Right" rally in Charlottesville, Virginia, in August 2017 that tragically killed Heather Heyer – whose mother I am honored to share a panel with today – attracted some 600 extremists from around the country. The movement is not as obvious about its true objectives as it was in the 1980s and early 1990s, when racist skinheads dominated white supremacists' ranks. Today, many of white supremacists seek to dress non-descriptly and use coded language. Within the white supremacist community, there is some disagreement on strategy. Some factions feel the need to adhere to "optics"<sup>6</sup> and

<sup>&</sup>lt;sup>3</sup> ADL. "Murder and Extremism in the United States in 2018," *available at <u>https://www.adl.org/murder-and-extremism-2018</u>#murder-and-extremism-in-the-united-states-in-2018* 

<sup>&</sup>lt;sup>4</sup> ADL. "Audit of Anti-Semitic Incidents: Year in Review 2018." <u>https://www.adl.org/audit2018</u>

<sup>&</sup>lt;sup>5</sup> ADL. "New Hate and Old: The Changing Face of American White Supremacy." <u>https://www.adl.org/new-hate-and-old</u>

<sup>&</sup>lt;sup>6</sup> ADL. "Tree of Life Shooting Revives 'Optics' Debate Among White Supremacists." <u>https://www.adl.org/blog/tree-of-life-shooting-revives-optics-debate-among-white-supremacists</u>

purposefully obfuscate their views in order to infiltrate mainstream politics (an approach decried by Bowers immediately before his alleged attack), whereas others seek "accelerationism,"<sup>7</sup> hoping to purposefully spark a race war. With one approach involving secrecy and coded language, and the other sometimes including seemingly random acts of violence, both approaches are alarming in their potential to shift from seemingly innocuous to tragedy.

## The Propaganda of White Supremacist Extremism

Our 2018 data show a 182% increase of white supremacist propaganda incidents, with 1,187 cases reported, compared to 421 in 2017.<sup>8</sup> While hate on campuses is still at a relatively high point, on-campus incidents increased only modestly (9%) compared to 2017. However, off-campus incidents spiked – a 572% increase, year-on-year. The propaganda, which includes everything from veiled white supremacist language to explicitly racist images and words, often features a recruitment element, and frequently targets minority groups, including Jews, Blacks, Muslims, non-white immigrants, and the LGBTQ community.

These trends are troubling, and we urge your committee to regularly consult our Hate, Extremism, Anti-Semitism, and Terrorism (HEAT) Map,<sup>9</sup> which provides the public with an ongoing opportunity to observe incident and propaganda data from throughout the country, updated regularly.

While many white supremacists do not belong to one specific group, much of this propaganda is pushed by a several organized groups. For example, in 2018, the ADL recorded 319 incidents of white supremacist propaganda on 212 college and university campuses in 37 states and the District of Columbia. Much of that propaganda came from active alt right groups, such as Identity Evropa,<sup>10</sup> (which in early 2019 rebranded itself as the American Identity Movement, or AIM) which proliferated 191 pieces of propaganda on college campuses and Patriot Front,<sup>11</sup> responsible for 51. Off-campus, Patriot Front led propaganda distribution with 324, followed closely by 312 from Identity Evropa, 97 by the North Carolina-based Loyal White Knights, 97 by the Ku Klux Klan, and Daily Stormer with 34. Although the Klan may be in decline compared to previous periods, 2018's figure represents a 20% increase from 2017. To a smaller extent – but no less concerning – approximately 5% of off-campus flier propaganda in 2018 was from neo-Nazi groups, such as Atomwaffen Division, National Alliance, National Socialist Legion, National Socialist Movement, and Vanguard America.

Other propaganda efforts include podcasts, videos, banners along highways, private events like the Hammerfest hate rock concert, which garnered 150 attendees in San Diego last year, and public events, including "flash" demonstrations whereby unannounced events gain exposure but mitigate negative media coverage. In this era, it goes without saying that social

<sup>&</sup>lt;sup>7</sup> ADL. "White Supremacists Embrace 'Accelerationism."" <u>https://www.adl.org/blog/white-supremacists-embrace-accelerationism</u>

<sup>&</sup>lt;sup>8</sup> ADL. "White Supremacists Step Up Off-Campus Propaganda Efforts in 2018." <u>https://www.adl.org/resources/reports/white-supremacists-step-up-off-campus-propaganda-efforts-in-2018</u>

<sup>&</sup>lt;sup>9</sup> ADL. H.E.A.T. Map. https://www.adl.org/education-and-resources/resource-knowledge-base/adl-heat-map

<sup>&</sup>lt;sup>10</sup> ADL. "Identity Europa." <u>https://www.adl.org/resources/profiles/identity-evropa</u>

<sup>&</sup>lt;sup>11</sup> ADL. "Patriot Front." <u>https://www.adl.org/resources/backgrounders/patriot-front</u>

media exacerbates the potency of these methods and - in addition to acting as a source for instructions for lone actor attacks, such as via stabbings or car-rammings - it is a propaganda tool in itself.

When I worked for the federal government to counter ISIS, I saw this terrorist group abuse social media resources like Facebook and Twitter, before migrating to less-common platforms like Telegram. White supremacists similarly avail themselves of both mainstream platforms ranging from Facebook and Twitter to Reddit and Tumblr, and also those less scrutinized by the public eye. For example, largely as a response to being removed from Twitter for violating its terms of service, the alt right has created its own version of Twitter, Gab,<sup>12</sup> where they feel at liberty to share content that typically would not survive standard social media platform content policy. Gab was the preferred platform of Robert Bowers, the alleged perpetrator of the murderous attack on worshippers at the Tree of Life Synagogue in Pittsburgh.<sup>13</sup>

One of the most significant and underreported-on social platforms is 4chan, a 15-yearold "imageboard," which serves as a key source of internet memes.<sup>14</sup> Its "politically incorrect" /pol sub-forum includes an anarchic collection of posts that range from relatively innocuous to highly offensive. 4chan's success at proliferating offensive memes has borne imitators, such as 8chan, the virulent racism on which is virtually unmatched.

8chan recently made headlines as the preferred platform of John Earnest and Brenton Tarrant, the alleged perpetrators of the Poway, California and Christchurch, New Zealand massacres. Both Bowers and Tarrant were keenly interested in the concept of "white genocide," which has proven one of the most virulent conspiracy theories among white supremacists. Tarrant posted his manifesto and goaded potential followers on 8chan, the same type of proselytizing and incitement to violence that, if it were by an ISIS supporter, would inspire significant government reaction to counter and prevent. As described in our April 2019 report<sup>15</sup> with analysis from the Network Contagion Research Institute, the Pittsburgh and Christchurch massacres both involved online announcements of their intentions, both subscribed to the same violent extremist ideology, and both used their respective platforms – Gab and 8chan – as key tools in advancing their cause. Both alleged killers announced their violent plans to their preferred internet forums, Gab and 8chan, and were consumed by the white supremacist conspiracy theory of "white genocide," which is frequently referenced on both sites. Both Gab and 8chan are rife with white supremacist, anti-Semitic, and hateful content. Earnest, inspired by Tarrant, attempted to livestream his attack in Poway and replicate the carnage of Christchurch.

<sup>&</sup>lt;sup>12</sup> See, e.g. ADL "Gab Was Down for a Week, Forcing Extremists to Consider Their Alternatives." <u>https://www.adl.org/blog/gab-was-down-for-a-week-forcing-extremists-to-consider-their-alternatives</u>

<sup>&</sup>lt;sup>13</sup> See, e.g. ADL "Deadly Shooting at Pittsburgh Synagogue." <u>https://www.adl.org/blog/deadly-shooting-at-pittsburgh-synagogue</u>

<sup>&</sup>lt;sup>14</sup> ADL. "From 4Chan, Another Trolling Campaign Emerges." <u>https://www.adl.org/blog/from-4chan-another-trolling-campaign-emerges</u>

<sup>&</sup>lt;sup>15</sup> ADL. "Gab and 8chan: Home to Terrorist Plots Hiding in Plain Sight." <u>https://www.adl.org/resources/reports/gab-and-8chan-home-to-terrorist-plots-hiding-in-plain-sight</u>

This sick attempt at inspirational copycat behavior is pervasive, and the risk of further incitement is severe. Anders Breivik, the Norwegian far-right terrorist who killed 77 people in 2011, influenced Tarrant. American white supremacist Dylann Roof, who killed nine black parishioners in South Carolina in 2015, also influenced Tarrant. Tarrant influenced Earnest. The inspiration is global,<sup>16</sup> and the trend is alarming.

#### Hate Crimes in America

While most anti-Semitic incidents are not directly perpetrated by extremists, there are important connections between the trends. We found in our audit that in 2018, 249 acts of anti-Semitism (13 percent of the total incidents) were attributable to known extremist groups or individuals inspired by extremist ideology, making it the highest level of anti-Semitic incidents with known connections to extremists or extremist groups since 2004. Of those, 139 incidents were part of fliering campaigns by white supremacist groups. Another 80 were anti-Semitic robocalls allegedly perpetrated by anti-Semitic podcaster Scott Rhodes in support of the candidacy of Patrick Little, an unabashed white supremacist who ran an unsuccessful campaign for U.S. Senate in California.

The Audit also noted spikes at several points during the year. The final three months of the year were unusually active, with 255 incidents in October, 300 in November and 194 in December. The high number in October included 45 propaganda distributions by white supremacists. The incidents in November and December immediately followed the Pittsburgh massacre, which likely drew more attention to anti-Semitic activities. Incidents first spiked in May, when 209 anti-Semitic acts were reported, including 80 anti-Semitic robocalls sent by white supremacists, which targeted Jewish individuals and institutions with harassing messages.

Hate crimes are only an element of the anti-Semitic incidents that we track. The most recent data about hate crimes made available by the FBI is for 2017. The FBI has been tracking and documenting hate crimes reported from federal, state, and local law enforcement officials since 1991 under the Hate Crimes Statistics Act of 1990 (HCSA). Though clearly incomplete, the Bureau's annual HCSA reports provide the best single national snapshot of bias-motivated criminal activity in the United States. The Act has also proven to be a powerful mechanism to confront violent bigotry, increasing public awareness of the problem and sparking improvements in the local response of the criminal justice system to hate violence – since in order to effectively report hate crimes, police officials must be trained to identify and respond to them.

The FBI documented 7,175 hate crimes reported by 16,149 law enforcement agencies across the country – the highest level of participation since the enactment of the HCSA, and a 6 percent increase over 2016 participation of 15,254. Of the 7,175 total incidents:

<sup>&</sup>lt;sup>16</sup> See, e.g., Cai, Waiya and Simone Landon. "Attacks by White Extremists Are Growing. So Are Their Connections." *New York Times.* 3 April 2019. <u>https://www.nytimes.com/interactive/2019/04/03/world/white-extremist-terrorism-christchurch.html</u>

Religion-based crimes increased 23 percent, from 1,273 in 2016 to 1,564 in 2017 – the second highest number of religion-based crimes ever [only 2001, after 9/11, recorded more – 1,828].

Crimes directed against Jews increased 37% – from 684 in 2016 to 938 in 2017. Crimes against Jews and Jewish institutions were slightly more than 13 percent of all reported hate crimes – and 60 percent of the total number of reported religion-based crimes. Every year since 1991, crimes against Jews and Jewish institutions have been between 50 and 80 percent of all religion-based hate crimes.

Race-based crimes were the most numerous (as they have been every year since 1991), totaling 4,131 crimes, almost 58 percent of the total. Crimes against African-Americans, as always, were the plurality of these crimes – 2,013, about 28 percent of all reported hate crimes.

Reported crimes against Muslims decreased 11 percent, from 307 in 2016 to 273 in 2017. However, the 273 anti-Muslim hate crimes recorded was the third most reported crimes against Muslims ever – behind 2016's 307 and 481 in 2001, after the 9/11 terrorist incidents.

Crimes directed against LGBTQ people increased from 1,076 in 2016 to 1,130 in 2017. Crimes directed against individuals on the basis of their gender identity, decreased slightly, from 124 in 2016 to 119 in 2017, slightly less than two percent of all hate crimes.

Importantly, only 2,040 of the 16,149 reporting agencies – less than 13 percent – reported one or more hate crimes to the FBI. That means that about 87 percent of all participating police agencies affirmatively reported zero (0) hate crimes to the FBI (including at least 92 cities over 100,000). And more than 1,000 law enforcement agencies did not report any data to the FBI (including 9 cities over 100,000).

Moreover, we need to remember that these are only reported crimes. Many communities and individuals do not feel comfortable going to law enforcement for a variety of reasons, and so there is likely an undercount of hate crimes resulting from unwillingness to report.

#### **Policies Are Trending in the Wrong Direction**

The proliferation of hate and the dangerous ideology of white supremacy puts our communities at risk. From Charlottesville to Pittsburgh to Poway, American communities are under attack. In a time of crisis such as this, one might expect a complete overhaul of the priorities, policies, and resources that the U.S. government brings to bear to counter and prevent this ideology from claiming its next victims. Instead, Americans have been met with an abdication of that duty, while the government in fact has *reduced* resources to counter domestic terrorism, leaving our communities vulnerable to the next inevitable tragedy.

There are a range of ways that public officials could improve capacity to counter white supremacist extremism. First, they could forcefully and clearly speak out against white supremacy and express support for its victims. Even beyond sentiment, the insufficient actions of our government to confront the pervasive and growing threat of white supremacy are a very clear dereliction of its duty to protect our communities. With such a threat, the government should be increasing its attention to countering extremism. Instead, there is insufficient coordination, accountability, and transparency within government institutions and little reporting on the government's view of the threat or specific activities to counter it. In short, there has not been an effort to scale resources to counter the threat of domestic extremism on par with what I saw during the rise of ISIS. Instead, the opposite has proven to be the case.

Recently, the *Daily Beast* reported that the unit in the Department of Homeland Security's Office of Intelligence and Analysis (I&A) focused on domestic terrorism was disbanded, and its analysts would be folded into other units.<sup>17</sup> Further, efforts to prevent extremism have been curtailed. When I served in government, I oversaw what was then the Office for Community Partnerships (OCP) at DHS, with the mission of empowering local communities to prevent extremism; we had \$10 million in grant funding to provide to local civil society organizations, public health practitioners, and local law enforcement to recognize radicalization and prevent community members from going down a violent path. OCP had 16 full time employees and 25 contractors, and the total budget was approximately \$21 million. Now on its second renaming exercise, the Office of Targeted Violence and Terrorism Prevention currently consists of eight staff (with four other positions left unfilled) and a budget of \$2.6 million. Whereas the office once reported to the Secretary, at least four layers of bureaucracy now lie between it and the Secretary. The grant program is ending this year with no action from Congress or the Administration to renew it.

Further, while members of the FBI recently testified that there are 850 cases being investigated to counter domestic terrorism,<sup>18</sup> we have little information on the nature of the threat or what exactly the government is doing. Further, this is a significant amount less than the 1,000 cases FBI officials testified were underway in 2017,<sup>19</sup> despite an escalation of the threat. When asked why Islamist extremism cases have gotten such greater attention, FBI officials testified that they lack the legal tools to counter the threat as effectively. Even more alarming, this seemed to surprise Members of Congress who seemed unaware of certain legal loopholes. Our communities are counting on the government to reverse this trend, to begin to take the threat of white supremacy and the terrorism that results from it far more seriously and take significant action.

# **Moving Forward on Policies to Counter the Threat**

ADL urges swift and comprehensive action to counter the threat of white supremacy. We would urge Members of Congress, as well as the Administration, to use the power of the bully pulpit, urgently consider legislative proposals designed to improve government coordination on these issues, invest in prevention, require data and reporting, and work with the

<sup>&</sup>lt;sup>17</sup> Woodruff, Betsy. "Homeland Security Disbands Domestic Terror Intelligence Unit." *Daily Beast.* 2 April 2019. <u>https://www.thedailybeast.com/homeland-security-disbands-domestic-terror-intelligence-unit</u>

<sup>&</sup>lt;sup>18</sup> See, e.g., Myre, Greg. "FBI Is Investigating 850 Cases Of Potential Domestic Terrorism." NPR. 8 May 2019. <u>https://www.npr.org/2019/05/08/721552539/fbi-is-investigating-850-cases-of-potential-domestic-terrorism</u>

<sup>&</sup>lt;sup>19</sup> Barrett, Devlin. "FBI investigating 1,000 white supremacist, domestic terrorism cases." Washington Post. 27 September 2017. <u>https://www.washingtonpost.com/world/national-security/fbi-investigating-1000-white-supremacist-domestic-terrorism-cases/2017/09/27/95abff24-a38b-11e7-ade1-76d061d56efa story.html?utm term=.c681ea42dde4</u>

technology sector for commonsense reforms to keep our communities safe online and in real life.

The President, cabinet officials, and Members of Congress must call out bigotry *at every opportunity*. The right to free speech is a core value, but the promotion of hate should be vehemently rejected. America can be no place for hate – it must be said, and it cannot be said enough.

While Congress should ensure that the FBI and the Justice Department enforce domestic terrorism and civil rights laws to investigate and prosecute domestic terrorism and hate crimes, there are a number of legislative options to close gaps in countering white supremacy. The Domestic Terrorism Prevention Act was recently reintroduced by Senator Durbin (D-IL) and Representative Schneider (D-IL) to address the growing threat of white supremacist groups and other violent domestic extremists. It would enhance the federal government's efforts to prevent domestic terrorism by requiring federal law enforcement to regularly assess threats; direct resources based on the threats they assess; and provide training and resources to assist state, local, and tribal law enforcement in addressing threats.

It is my understanding that the Task Force I once led – the Task Force for Countering Violent Extremism – is largely dormant. Not only should the Administration revive efforts to coordinate prevention activities, but also seek to streamline coordination to counter domestic terrorism and to counter and prevent hate crimes. This is not only the purview of security agencies such as the Department of Justice, but should be whole-of-government with whole-of-society partners.

In addition to our recommendations about the urgent need for better coordination among existing federal agencies, Congress should consider whether it would be useful create an interdepartmental task force or to designate a lead on Federal efforts to prevent all forms of violent extremism. In 2000, Congress tackled another seemingly intractable but severe problem in human trafficking. In its bold legislation, the Trafficking Victims Protection Act, it was Congress that mandated the creation of an office to counter all forms of trafficking in persons, to coordinate all Federal agencies in this effort, and to remain accountable to Congressional oversight. I hope Congress will use these hearings to begin consideration of the most efficacious way to address violent extremism and hate crimes and to properly resource and hold those responsible for this work-accountable.

As described above, the Trump administration's decision to cut funding for efforts to prevent all forms of domestic extremism, and its continued use of harsh and discriminatory policies, illustrate that we cannot rely solely on the federal government's leadership. Congress must authorize and appropriate funds to build partnerships for a comprehensive and holistic approach to prevention. Civil society, academic institutions, state and local actors, the technology sector and others have a role to play in preventing hate from manifesting, and to prevent it from becoming extreme and violent. Non-government partners cannot truly invest in their own prevention efforts without financial and collaborative support from the federal government. Current efforts are drastically under-funded and profoundly overly focused on the Islamist threat and law enforcement support. Congress must empower civil society and others to prevent white supremacy in their home communities.

The FBI's annual collection and reporting of hate crime statistics is crucial. But the system must be streamlined and made timelier, and we must do more to better understand why state and local law enforcement do or do not participate in the FBI's voluntary system. The Department of Justice should incentivize state and local law enforcement to more comprehensively collect and report hate crimes data to the FBI, with special attention devoted to large underreporting law enforcement agencies that either have not participated in the FBI Hate Crime Statistics Act program at all or have affirmatively and not credibly reported zero hate crimes.<sup>20</sup> If marginalized or targeted community members – including immigrants, people with disabilities, LGBTQ community members, Muslims, Arabs, Middle Easterners, South Asians and people with limited language proficiency – cannot report, or do not feel safe reporting hate crimes, law enforcement cannot effectively address these crimes, thereby jeopardizing the safety of all. Such efforts could be supported through the promotion of model policies and best practices<sup>21</sup> and the passage of legislation designed to improve hate crime data collection and reporting legislation, such as the NO HATE Act.<sup>22</sup>

Social media and other technology platforms have helped spread tactical information and propaganda for white supremacists, and as such, those platforms must be part of the solution. Section 230 of the Communications Decency Act protects tech platforms from being liable for content posted by users. This law is the fundamental bedrock for much of what has been transformative for good in the development of an open internet promoting free speech, community, access to knowledge, education and creativity. Legislating content moderation would have unintended consequences, including removing extremist and unlawful content to places where it cannot easily be found and preempted or prosecuted by law enforcement. As such, we believe most liability protections should stay intact. However, that does not mean tech platforms should be *completely* free from policing their platforms – particularly in light of the latitude to do so afforded to them by Section 230 – and as such, Congress should explore some way of bridging this gap. More immediately, the government should pursue partnerships with tech platforms to help them understand the challenges, as well as for tech companies to better understand the gravity of their role in society. The ADL has formed a Problem Solving Lab with certain companies such as Twitter, Facebook, and others in the hopes of having constructive exchanges of information to help them understand how white supremacists abuse their platforms and how they might better stop that abuse. The government should consider its own problem-solving partnerships in this regard.

Thank you for the opportunity to testify and for calling a hearing on this topic. The scourge of white supremacy is vile, dangerous, and an imminent threat to our communities and those of our partners abroad. We must act swiftly, decisively and comprehensively to counter

<sup>20</sup> https://www.adl.org/media/12148/download

<sup>21</sup> We were very pleased that the International Association of Chiefs of Police recently made their excellent Hate Crime Model Policy available online: https://www.theiacp.org/resources/policy-center-resource/hate-crimes

<sup>22</sup> This bill has not yet been introduced in the 116th Congress. It was introduced in the last Congress as H.R. 1566/ S. 662 (https://www.congress.gov/115/bills/hr1566/BILLS-115hr1566ih.pdf)

this threat and prevent it from metastasizing. On behalf of the ADL, we look forward to working with you as you continue to devote your urgent attention to the issue.