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

Present: Representatives Nadler, Lofgren, Jackson Lee, Cohen, Johnson of Georgia, Deutch, Bass, Richmond, Jeffries, Cicilline, Swalwell, Lieu, Raskin, Jayapal, Demings, Correa,
Staff present: Amy Rutkin, Chief of Staff; David Greengrass, Senior Counsel; John Doty, Senior Advisor; Madeline Strasser, Chief Clerk; Moh Sharma, Member Services and Outreach Advisor; Jordan Dashow, Professional Staff Member; Anthony Valdez, Staff Assistant; John Williams, Parliamentarian; Keenan Keller, Senior Counsel, Constitution, Civil Rights, and Civil Liberties Subcommittee; Rosalind Jackson, Professional Staff Member, Courts, Intellectual Property, and the Internet Subcommittee; Ben Hernandez, Counsel, Crime, Terrorism, and Homeland Security Subcommittee; Joe Graupensperger, Chief Counsel, Crime, Terrorism, and Homeland Security Subcommittee; Milagros Cisneros, Detailee, Crime, Terrorism, and Homeland Security Subcommittee; Monalisa Dugue, Deputy Chief Counsel, Crime, Terrorism, and Homeland Security Subcommittee; Ebise Bayisa, Counsel, Crime, Terrorism, and Homeland Security Subcommittee; Betsy Lawrence, Counsel, Immigration and Citizenship Subcommittee; Rachel Calanni, Professional Staff Member, Immigration and Citizenship Subcommittee; Ami Shah, Counsel, Immigration and Citizenship Subcommittee; Robert Parmiter, Minority Chief of Staff; Jon Ferro, Minority
Parliamentarian; Erica Baker, Minority Deputy
Parliamentarian; Andrea Woodard, Minority Professional Staff
Member; Ryan Breitenbach, Minority Counsel; Jason Cervenak,
Minority Counsel; and Andrea Loving, Minority Counsel.
Chairman Nadler. The Judiciary Committee will please come to order, a quorum being present.

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

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

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

The clerk will report the bill.

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

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

[The bill follows:]
Chairman Nadler. I will begin by recognizing myself for an opening statement.

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

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

In April of last year, the committee held a hearing titled, "Hate Crimes and the Rise of White Nationalism." During the hearing, we heard from a diverse panel of witnesses who described both the rise of white nationalism and the shortcomings in the current enforcement regime. What was clear then and it is clear now is that our current
approach is not working. The core elements of the bill each seek to address fundamental deficiencies highlighted in the April hearing in the way our Nation has addressed the threat of white supremacy.

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

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

Sadly, no faith group has been spared. In 2012, a white supremacist entered a Sikh temple in Milwaukee and murdered six people. Three years later, nine worshipers were murdered by a white supremacist at the Emanuel African Methodist
Episcopal Church in Charleston. And in 2018, 11 congregants in Pittsburgh's Tree of Life synagogue were gunned down in the middle of Shabbat services. This shooting was emblematic of the disturbing uptick in antisemitism and violence against Jews in recent years. According to the Anti-Defamation League, since the deadly rampage at the Tree of Life synagogue, at least 16 white supremacists have been arrested for their alleged role in terrorist plots and attacks and threats against the Jewish community.

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

Every part of the country deserves responsive, well-
trained law enforcement officers to protect all Americans
from white supremacist violence. The bill, therefore,
requires Department of Justice and DHS to review the training
each department provides to State and local law enforcement
to ensure that their programs include training and resources
to assist law enforcement agencies in understanding,
detecting, deterring, and investigating acts of domestic
terrorism and violent white supremacy. This legislation
would take an important step toward curbing hateful and
dangerous incidents of violence by focusing law enforcement
resources to address the greatest threats.

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

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

[The information follows:]
Chairman Nadler. I now recognize the chair of the Subcommittee on Crime, Terrorism, and Homeland Security, Ms. Bass, for her opening statement. That statement, too, will be put in the record.

[The information follows:]
Chairman Nadler. I now recognize the ranking member of the Crime Subcommittee, the gentleman from Texas, for his opening statement, which will be placed into the record, too.

[The information follows:]
Chairman Nadler. I now recognize the chair of the Subcommittee on Crime, Terrorism, and Homeland Security, Ms. Bass, for her opening statement.

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

The incidents in El Paso, and Poway, and the Tree of Life synagogue, and the Emanuel AME Church, and so many more incidents are sad testaments to the real dangers of white supremacy. Indeed, generations of African Americans have remained all too familiar with racial terror. Since the FBI began publishing data on hate crimes in 1995, anti-black hate crimes have consistently been a plurality in the statistics.

Yet at the very same time the FBI should be pooling together all of its resources to combat this, the Agency has adopted a somewhat misguided approach, focusing some of its precious resources on phantom groups, such as the so-called "black identity extremists."

The FBI's 2017 Intelligence Assessment from the Counterterrorism Division characterized black activists and
groups seeking to hold police accountable for unconstitutional policing practices as black identity extremists, and suggested these individuals and groups might resort to violence. At this critical moment, the FBI must redirect all its available resources from the speculative threats to actual threats that are killing Americans. And we just had the director here a few weeks ago, and it is still not clear to me whether the FBI has abandoned this category and has abandoned the surveillance of these groups.

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

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

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

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

There remains little doubt that the Federal Government's approach needs to change. This bill directs the executive branch to engage in rigorous analysis and redirect its
resources to fight the greatest threat, a threat that even
the FBI has identified as white supremacy. I thank the
chairman for taking up this matter. I am proud to support
it, and I yield back the balance of my time.

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

Mr. Gohmert. Objection.

Chairman Nadler. The gentleman will state his
objection.

Mr. Gohmert. Yes. We have had these opening statements
from Republicans proposed to be entered for the record, but
no one has given an opening statement verbally. It just
seems to be as terribly unbalanced as the bill is. There was
a time when my friends across the aisle would support efforts
to stop violence against anyone instead of just choosing only
to be against violence of right extremists against left.

Those of us on this side just oppose violence, and so --
Chairman Nadler. The gentleman is not talking about --
Mr. Gohmert. Opening statement. Yes, I am. That is
it.

Chairman Nadler. The gentleman was recognized for the
purpose of making an opening statement. The gentleman is
incorrect in any event. The ranking members were called
upon. That they weren't here is not my concern.
[The information follows:]

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

The clerk will report the amendment.

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

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

[The amendment in the nature of a substitute of Mr. Nadler follows:]

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

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

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

The ranking member is not here.

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

Mr. Buck. Mr. Chairman?

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

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

Chairman Nadler. The clerk will report the amendment.

Ms. Strasser. Amendment in the nature of a substitute to the H.R. 5602, offered by Mr. Buck of Colorado. On page 1 at the end of line 6, insert the following: "Antifa and far left-wing extremists together with." On page 1, line 8, insert "one" between "are" and "the." On page 6, between
lines 15 and 16, insert the following and re-designate all that follows accordingly: "Two, The anarchist socialist progressive political left in the United States, particularly since President Trump won the 2016 presidential election, has engaged in a series of criminal acts used to intimidate and terrorize peaceful, law-abiding citizens, law enforcement personnel, members of the United States military, and elected officials, regularly resulting" --

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

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

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

Mr. Biggs. I want it read.

Chairman Nadler. The clerk will proceed.

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

Chairman Nadler. The clerk will proceed.

Ms. Strasser. -- "and violent assaults, vandalism, and, death threats, including in each of the following incidents: A, on March 4th, 2010, a registered Democrat with anti-government views shot and wounded two Pentagon police officers; B, on September 1st, 2010, an individual who was a left-wing eco-terrorist who viewed humans as global parasites and whose anti-population manifesto was heavily influenced by
Democratic Vice President Al Gore's *An Inconvenient Truth*,
took three people hostage inside a Discoveries headquarters
in Silver Spring, Maryland;
C, on August 15th, 2012, Floyd Corkins, II, entered the
Washington, D.C. office of the Family Research Council,
shooting an unarmed security guard, and later confessed
during a post-arrest police interrogation that he chose his
target based on information found on the website of a far
left hate group, the Southern Poverty Law Center,
demonstrating this was a politically motivated attack; D, on
August 15, 2013, an envelope containing ricin addressed to a
Republican United States senator was intercepted by the
United States Capitol Police, and it was later determined had
been mailed by James Dutschke, who unsuccessfully ran for
election for commissioner of Lee County, Mississippi, as a
Democrat;
E, in June 2016 in San Jose, California, a group of
Trump campaign supporters were viciously attacked by a
leftist mob, and a subsequent lawsuit alleges that San Jose
police directed the Trump supporters towards the mob and away
from safety where the police then abandoned the Trump
supporters, putting them directly and intentionally in harm's
way; F, on July 7th, 2016, an individual shot and killed five
Dallas police officers and wounded nine others, along with
two civilians, and, according to the Dallas Police
Department, stated he wanted to kill white people, especially white officers;

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

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

M, on January 30th, 2017, a mob of left-wing Trump
protesters attacked a man at the Portland International Airport, striking him in the head 3 times with a metal object and rendering him unconscious, and then cheering as some in the crowd stomped on the man; N, in February 2017, left-wing protesters attacked a 71-year-old congressional staffer in California, striking her unconscious; O, in March 2017, the youngest son of Virginia United States Senator Tim Kaine, the vice presidential running mate of Hillary Clinton in 2016, was part of a leftist group that threw a smoke bomb to disrupt a pro-Trump event, and eventually pled guilty to criminal conduct; P, in April 2017, three conservative political events, two in California and one in Oregon, had to be canceled as a result of terrorist threats of violence directed at the event speakers; Q, in May 2017, the Federal Bureau of Investigation arrested an individual who had made repeated threats that he was going to shoot a Republican congresswoman from Arizona because of her support for President Trump; R, on May 11, 2017, Weakly County sheriff's officers in Tennessee arrested a 33-year-old woman for an incident that occurred on May 8, 2017. The woman followed the car of a Republican lawmaker, running it off the road, and then pounded her fist on the car and attempted to reach into it. She was later charged with felony reckless endangerment; S, on May 11, 2017, police were forced to escort an
angry man from a town hall of then Representative Kevin Cramer after the man became physically physical with Cramer on the day prior. The Huffington Post called on the resistance of the political left to harass Republican elected officials in public and in their homes; T, on June 14th, 2017, James Hodgkinson, a volunteer Bernie Sanders' 2016 presidential campaign, who raged against Republicans and who used social media and websites to post anti-Trump sentiment, shot Republican Whip Steve Scalise, a Republican congressional staff member, and a U.S. Capitol Police officer, Crystal Griner, at a practice session for the congressional baseball game; U, on June 15th, 2017, the FBI investigated a suspicious package containing a white powdery substance and threatening note that was sent to Karen Handel, a Republican candidate for Congress from Georgia, and several similar packages sent to her neighborhood; T, on August 2017, the media reported that the home of the Secretary of Housing and Urban Development had been vandalized by left-wing advocates who damaged the property with hateful rhetoric about President Trump; W, on August 17, 2017, a Democratic Missouri State senator, Maria Chapelle-Nadal, used social media to post, "I hope Trump is assassinated." When called on to resign for her hateful rhetoric, Chappelle-Nadal stated, "There is no way in hell I am resigning." X, at an August 2017
conservative gathering in Laguna Beach, Virginia, African-American conservative activist, R.C. Maxwell, was assaulted for his political view by a 20-year-old, who was part of an aggressive group of protesters. The perpetrator of attack later used Twitter to boost about his attack on Maxwell; Y, in December 2017, the Lincoln office of United States senator from Nebraska, Deb Fischer, was vandalized; Z, on December 25th, 2017, the family of Representative Jeff Fortenberry found a series of threatening and derogatory signs in their yard;

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

DD, on May 3rd, 2018, the media reported that Bexar County, Texas Democratic Commissioner Tommy Calvert disclosed a conversation he had with the Democratic United States Senator, Robert Menendez of New Jersey, in which Menendez
suggested that if the 2020 Republican National Convention was held in San Antonio, that food served to Republican delegates would be poisoned; EE, on May 20th, 2018, a conservative media personality associated with Fox News was verbally and physically assaulted at a restaurant in Minneapolis, Minnesota because of her political views;

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

HH, on June 25th, 2018, a flash mob of Democratic socialists went to the home of then Secretary of Department of Homeland Security, Kirstjen Nielsen, with the intention of intruding on her privacy; II, in June 2018, a man from Norwalk, California sent a series of emails to Federal Communications Commissioner Chairman Ajit Pai, in which he threatened Pai's family. One of the emails contained a list of preschools near Pai's home and messages that said, "I will find your children. I will kill them." The man was
motivated because of the FCC's actions related to net
neutrality; JJ, in June 2018, left-wing activists harassed
Florida Attorney General Pam Bondi at a movie theater,
spitting on her, assaulting her, and preventing her from
leaving the theater;

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

NN, on July 4th, 2018, San Antonio's police arrested a
30-year-old man after he had assaulted a teenage boy wearing
a Make America Great Again hat at a Whataburger restaurant.
The suspect verbally abused the boy, threw a drink in his
face, and stole the MAGA hat before walking away with it. In
response to the incident, the teenager, showing maturity
beyond his years, stated, "I just think conversation about politics is more productive than taking my hat and yelling;"

OO, in July 2018, media reports indicated a New York man threatened to kill supporters of President Trump outside the campaign office of a sitting Republican member of Congress;

PP, on July 6th, 2018, a self-described Black Lives Matter supporter called for the assassination of Supreme Court justice via Twitter; QQ, in July 2018, Abolish ICE protesters vandalized the Department of Homeland Security office in New York; RR, on July 16th, 2018, a senior Democrat in the House Committee of Judiciary sent a reckless tweet that seem to suggest the military should engage in a military coup to unseat President Trump;

SS, in July 2018, a Seattle teenager was physically assaulted and spat upon while wearing a Make America Great Again hat; TT, on August 3rd, 2018, several far-left individuals, including a registered Democrat, were arrested for making terrorist threats against United States Representatives Steve Scalise and Chris Smith; UU, on August 5th, 2018, Antifa protesters in Berkeley, California used hammers to smash the windows of a Marine Corps recruiting post; VV, in early August 2018, near Sacramento, California, Antifa racists attacked a religious Sikh, who was putting up yard signs for a Republican congressman. The Antifa group hurled anti-immigrant insults at the man while beating him.
WW, in August 2018, a Republican office in Mexicali, Arizona was vandalized by a political leftist when a rock was thrown through a glass door; XX, on September 6th, 2018, a Republican office in Laramie, Wyoming, that is used by the Albany County Republican Party and Wyoming College Republicans, was firebombed; YY, on September 11th, 2018, Almeida County, California law enforcement arrested a man after he pulled a switch blade and attempted to stab a Republican candidate for Congress. The attacker's comments made clear that the attack was politically motivated; ZZ, on September 25th, 2018, Antifa Washington, D.C. sent a threatening tweet about Republicans, including suggesting that a sitting United States Republican senator was not safe; AA, on October 2nd, 2018, vandals attacked a Republican office in Illinois, spray painting it in graffiti; BBB, on October 2nd, 2018, two people working in a campaign office and a Republican United States senator were hospitalized after being exposed to a white powdery substance to terrorize the office; CCC, on October 2nd, 2018, protesters were arrested in Longworth House Office Building after they assaulted a Republican member of Congress; DDD, on October 3rd, 2018, President Trump was the target of a politically-motivated ricin mail attack. On the same day, Defense Secretary James Mattis, the FBI Director Chris Wray were targets of similar attacks; EEE, on October
4th, 2018, media reports that a staff member in the personal office of a Democratic member of the House Committee on the Judiciary were arrested for doxxing several Republican senators who had supported the nomination of Brett Kavanaugh. The staff members also threatened to release private information, such as health records for Republican senators' children, in retaliation for their vote; FFF, on October 11th, 2018, the Metropolitan Republican Club in Manhattan was vandalized. Windows were broken with rocks, doors defaced, and Antifa graffiti was left behind. A note from the attackers made clear the attack was politically motivated; GGG, on October 16th, 2018, someone claimed to have sent a letter containing ricin to home of Republican state senator, who voted in support of the Kavanaugh nomination on the Supreme Court United States; HHH, on October 16th, 2018, the female campaign manager for the Republican candidate for governor in Nevada was physically assaulted by a Democratic operative, who was associated with a group funded by liberal billionaire, George Soros. The attacker was arrested, had also been arrested earlier in the year for assaulting a female press aide and Interior Secretary Ryan Zinke; III, on October 23rd, 2018, a rock was thrown into district office of a Republican member of Congress from California, and the perpetrators also stole office equipment; JJJ, on October 25th, 2018, a Republican office in Iowa
City, Iowa was vandalized; KKK, on October 29th, 2018, four gunshots were fired into the Volusia County, Florida Republican headquarters; LLL, on November 8th, 2018, violent progressives linked with Antifa attempted to break into Fox News host, Tucker Carlson's, house while his family was home. The violent leftist mob left threatening messages and vandalized the Carlson home, driveway, and car. Police would characterize the attack as politically motivated hate crime; MMM, immediately before the November 2018 elections, while engaging in campaign activities and wearing a Make America Great Again hat, a man was attacked while walking in downtown Tucson, Arizona. The attacker jumped the victim from behind and stomped on his ankle, breaking it in four places. The victim was repeatedly hit while the attacker shouted that Republicans were Nazis; NNN, on November 17th, 2018, an Antifa member was arrested after punching and spitting on conservative activists in Portland, Oregon; OOO, on January 5th and January 6th, 2019, supporters of United States Congresswoman Alexandria Ocasio-Cortez. The social media suggested Republican House Whip Steve Scalise should become the victim of deadly gun violence. At the time, the media reported that Ocasio-Cortez had not denounced calls of violence by her supporters who had threatened to assassinate Scalise; PPP, on January 10th, 2019, a leader of Antifa from
Washington, D.C. was arrested and charged with multiple felonies in Philadelphia, Pennsylvania, stemming from a mob attack on two United States marines in November 2018; QQQ, on January 29th, 2019, actor Jussie Smollett filed a police report in Chicago falsely claiming supporters of President Trump attacked him and tied a noose around his neck.

Smollett was later charged with the grand jury on six counts pertaining to filing false police reports; RRR, in February 2019, a liberal man in Kentucky pulled a gun on another man who was wearing a Make America Great Again hat, pointed the gun in the victim's face and said, "It is a good day for you to die;"

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

VVV, in February 2019, an 81-year-old man was attacked at a supermarket in Somerset County, New Jersey because he was wearing a Make America Great Again hat; WWW, on March
5th, 2019, a Martin County, Florida public school official assaulted a 14-year-old for wearing a Make America Great Again hat; XXX, on March 21st, 2019, an 85-year-old pro-life activist was brutally attacked while he was praying outside of a Planned Parenthood facility in San Francisco, California. The attacker knocked the elderly gentleman down and then repeatedly kicked him; YYY, on April 11th, 2019, a conservative speaker was assaulted by a protester while speaking at the University of Missouri on the subject of the differences between men and women; ZZZ, on April 13th, 2019, in Maryland, two men attacked and robbed an immigrant who was wearing a Make America Great Again hat; 

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

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

Chairman Nadler. The gentleman is not recognized. The clerk is reading the bill.
Ms. Strasser. In late September 2019 --

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

Mr. Sensenbrenner. -- not entitled to --

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

Chairman Nadler. The clerk will continue reading.

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

FFFF, on November 5th, 2019, Antifa attacked two people
who were filming Antifa's activities on public property;

GGGG, on December 13th, 2019, five students in Hamilton
County, Florida assaulted a 14-year-old on a school bus
because he had previously worn a Make America Great Again
hat; HHHH, on February 8th, 2020, in what has been labeled as
a politically-motivated attack, Gregory Timm intentionally
drove his van into a pro-Trump Republican voter registration
drive tent that was pitched outside of a Walmart in
Jacksonville, Florida;

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

On page 12, line 22, insert the following after "by:"

"Antifa, anarchists, fascists, socialists, antisemites, black supremacists." On page 12, line 23, insert the following after "including" and before "white:"

"Antifa, anarchists, fascists, socialists, antisemites, black supremacists." On page 13, line 7, insert the following after "related" and before "incidents:"

"Antifa-related, anarchist-related, fascist-related, socialist-related, antisemitic-related, and black supremist-related."

On page 13, line 13, insert the following after "related" and before "incidents:"

"Antifa-related, anarchist-related, fascist-related, socialist-related, antisemitic-related, and black supremist-related." On page 13, line 25, insert the following after "supremacy" and before the semicolon: "any other hateful ideology, including
antisemitism, acts of terrorism, motivated by anti-government sentiment and other acts of terrorism which, because of their nature, are designated to intimidate and silence the political speech of, or the exercise of any constitutionally-protected rights by others."

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

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

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

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

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

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

Chairman Nadler. That is irrelevant to the amendment.

Mr. Buck. My amendment has to do with the long list of acts by left-wing extremists against law-abiding Americans,
and should have been listened to by everyone because it is so relevant to the bill that we have.

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

Hateful ideologies seek to deny the truth of the American promise. Someone who is, for example, a white nationalist denies not only equal dignity and worth of their fellow citizen, but also the essential promise of America based on something that should be superficial, like the other person's race or national origins. That is not what our country is about. Terror is a tool of hate. Its effect is to cause others to fear for their safety. As Americans,
though, we each have so much to hope for: life, liberty, opportunity, a better life for our children. Robbing someone of hope by fear is un-American.

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

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

At its core, the perpetrators of these acts are using
the same tactics as white supremacists. They dehumanize others, viewing their victims as not worthy of dignity and respect. They use violence to intimidate. Their acts can terrorize an entire community. These acts have the potential to drive people of good will from the public square, to silence their voice and participation in the political process.

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

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

Mr. Sensenbrenner. Will the gentleman yield?

Chairman Nadler. The gentleman already yielded back.

Voice. Mr. Chairman?
Chairman Nadler. The gentleman already yielded back. I now --

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

Chairman Nadler. I now recognize myself for the purpose of opposing the amendment. I oppose this amendment. The reason I oppose this amendment is that despite its claim to oppose violence and white supremacy, it, in fact, does not.

The reason I oppose the addition of another group or groups to white supremacy for the FBI to analyze for the purpose of resource allocation is that we already have information that the white supremacist threat has not been appropriately addressed by Federal law enforcements.

In his recent testimony before this committee, Director Wray noted that white supremacists constitute the largest share of domestic terrorists and that white supremacists represent a serious persistent threat to this country.

According to the FBI assistant director for counterterrorism, Michael McGarrity, in Fiscal Year 2019, the FBI arrested 107 individuals in connection with domestic terrorism investigations, which was close to the same number on the international terrorism front. He further said that at any given time, the FBI has about 900 open domestic terrorism investigations, a huge chunk of which involve racially-motivated violent extremists. Of these, the most lethal over the last few years have involved white supremacists.
According to the DOJ Strategic Plan for Fiscal Years 2018 and 2022, the Department's principle strategic goal is to enhance national security and counter the threat of terrorism. We agree that we must prevent and fight terrorism and that it is appropriate to focus attention of DOJ on white supremacy, the great domestic terrorism threat faced by Americans. The legislation does just that. The amendment, by opposing this, would not, in fact, focus attention or opposition or resources to the greatest threat that we face, namely white supremacy. For that reason, I oppose this pernicious amendment and urge my colleagues to do the same.

Mr. Sensenbrenner. Mr. Chairman?

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

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

Chairman Nadler. The gentleman is recognized.

Mr. Sensenbrenner. Mr. Chairman, we are coming into a presidential election. It will be a presidential election that will be based on rather different viewpoints between the two major candidates for President on the future of this country and where they want to take this country in the next 4 years. There is an awful lot of emotion involved in this. Some of this emotion has turned into violence. Ask Steve Scalise. He almost died because of a politically-motivated assassination attempt, and the 88 instances that the
gentleman from Colorado has pointed out is that the Scalise assassination attempt was not an isolated instance of violence against people who support the President, Republicans, Republican candidates, Republican officeholders.

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

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

Chairman Nadler. Does anyone else seek recognition?

For what purpose does the gentlelady from Pennsylvania seek
recognition?

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

Chairman Nadler. The gentlelady is recognized.

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

From a church in South Carolina, Emanuel AME, to a
synagogue in my home State of Pittsburgh, Tree of Life,
communities across the country continuously face the threat
of domestic terrorism. That threat is known, and it is
clearly defined. According to a May 2017 intelligence
bulletin by the FBI and DHS, white supremacists were
responsible for 49 homicides and 26 attacks from 2000 until
2016. Our national security apparatus recognizes white
supremacy as the most, and I want to repeat that, the most
significant domestic extremist movement. It is time Congress takes action to combat the fatal threat posed by violent far-right white supremacist extremists.

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

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

Mr. Chabot. Mr. Chairman?

Chairman Nadler. The gentlelady yields back. Who else
seeks recognition? For what purpose does the gentleman from Ohio seek recognition?

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

Chairman Nadler. The gentleman is recognized.

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

And it is tough to read that. I had some sympathy for the person who was reading it, and there were mistakes as anybody would make, and nobody really said anything. But one of them was pretty critical, I think, and that is the fact that one of those incidences was, it was stated it was police violence when it actually stated it was "political violence."

The gentleman just tried to correct that, and the chairman jumped it, shut it down, and it is kind of ridiculous. In this committee, we can argue, we can debate in here, but some
common sense ought to reign, and I think that is what is lacking here, and unfortunately, I think that is what the chairman, unfortunately, is lacking in what see in this hearing.

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

But the bottom line is here, this amendment would include violence and threatening behavior from both sides. When the Klan does this type of thing, when white supremacists do this type of thing, they ought to be prosecuted. I support that completely. But when groups that are mentioned in this amendment, like Antifa, anarchists, antisemites, when they commit threatening acts and violence, that ought to be included in here because that is just as outrageous when the left does as when it is done by those on the right. So I strongly urge my colleagues on both sides of
the aisle to support this very reasonable amendment, and I
would now like to yield my remaining time to the gentleman
from Colorado.

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

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

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

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

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

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

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

Chairman Nadler. The gentlelady is recognized.

Ms. Jackson Lee. I rise to support H.R. 5602 as one of the original co-sponsors, and to support the underlying amendment offered by Mr. Nadler. Mr. Buck, I am prepared to work with you on this extensive recounting of particular acts that may be attributable to issues that have some relation to political views and may have resulted in injury. Again, this is a document that has not been vetted. I don't in any way diminish your intent or the intent to be authentic. But, again, a lot of this is a question of whether it is a political expose of issues, but I think it is worthy of our consideration.
I don't think it can be considered at this point, and that is why I rise with a degree of sensitivity to oppose the amendment because when I think of what we have gone through with white terrorism, if you will, domestic terrorism that is based upon the acts of white nationalists, I think of the two African Americans shot dead in the grocery store in the Midwest. I think of the nine worshippers at Mother Emanuel in Charleston, South Carolina. I think of the innocent shoppers at Walmart in El Paso, Texas, and the list goes on and on.

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

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

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

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

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

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

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

Chairman Nadler. The gentlelady yields back. Who else
seeks recognition? For what purpose does the gentleman from Texas seek recognition?

Mr. Gohmert. I strike the last word.

Chairman Nadler. The gentleman is recognized.

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

We ought to be working judiciously on the Judiciary Committee to help bring America together. But one of the things that helps divide America is when Congress takes such incredibly one-sided approaches and ignores and diminishes and demeans the injuries to another major part of America. It further divides America, and I know this committee has spent a lot of time in the last year-plus talking about Russia and the Russian efforts.

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

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

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

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

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

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

Provoking words or provoking hats are not a defense to physical violence. We should be shouting from the rooftops. We should be using this committee to denounce violence against anyone and not demean those who are victims of
violence from those on the left, just not ignore that we are
doing in this bill.

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

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

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

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

I yield back.

Chairman Nadler. The gentleman yields back.

For what purposes does the gentlelady from Texas seek
recognition?

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

Chairman Nadler. The gentlelady is recognized.

Ms. Escobar. I would like to thank Mr. Buck, Mr.
Chairman, for his sincerity and his support of taking action against domestic terrorism and white nationalism, and Mr. Buck, I want you to know it means a lot to me because my community, El Paso, Texas, was the community targeted last year.

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

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

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

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

In that long litany of examples of threats being made to people because of their political leanings you could have added my name.
There was a fake article or an article that completely lied about me and the work that I do on the border that was published, and as a result, I and my family and my staff received really horrible death threats.

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

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

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

That means holding each other accountable. But the reason why I can't support this is because I feel like it does blur the lines between the targeted attacks the likes of which my community has seen, and saying violence is violence
it diminishes the suffering that generations of Americans have lived through.

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

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

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

I yield back.

Chairman Nadler. The gentlelady yields back.

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

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

Chairman Nadler. The gentleman is recognized.

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

Mr. Buck. I thank the gentleman for yielding, and I
just want to respond to my colleague from Texas, if I may. 

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

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

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

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

And my amendment is flawed. I don't for a minute
suggest that anyone on the -- on your side of the aisle is going to vote for it. But let us call a time out. Let us work together.

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

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

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

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

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

And so I thank the gentlelady and I yield back to my
friend from Pennsylvania.

Mr. Reschenthaler. Thank you, and I yield the balance of my time.

[Audio malfunction in hearing room.]

Ms. Strasser. Mr. Nadler?

Chairman Nadler. No.

Ms. Strasser. Mr. Nadler votes no.

Ms. Lofgren?

Ms. Lofgren. No.

Ms. Strasser. Ms. Lofgren votes no.

Ms. Jackson Lee?

Ms. Jackson Lee?

Mr. Cohen?

Mr. Cohen. No.

Ms. Strasser. Mr. Cohen votes no.

Mr. Johnson of Georgia?

Mr. Deutch?

Ms. Bass?

Mr. Richmond?

Mr. Jeffries?

Mr. Jeffries. No.

Ms. Strasser. Mr. Jeffries votes no.

Mr. Cicilline?

Mr. Cicilline. No.

Ms. Strasser. Mr. Cicilline votes no.
Mr. Swalwell?  
Mr. Swalwell. No.  
Ms. Strasser. Mr. Swalwell votes no.  
Mr. Lieu?  
Mr. Lieu. No.  
Ms. Strasser. Mr. Lieu votes no.  
Mr. Raskin?  
Mr. Raskin. No.  
Ms. Strasser. Mr. Raskin votes no.  
Ms. Jayapal?  
Mrs. Demings?  
Mr. Correa?  
Ms. Scanlon?  
Ms. Scanlon. No.  
Ms. Strasser. Ms. Scanlon votes no.  
Ms. Garcia?  
Ms. Garcia. No.  
Ms. Strasser. Ms. Garcia votes no.  
Mr. Neguse?  
Mr. Neguse. No.  
Ms. Strasser. Mr. Neguse votes no.  
Mrs. McBath?  
Mr. Stanton?  
Mr. Stanton. No.  
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?
Mr. Biggs?  
Mr. Biggs.  Aye.  
Ms. Strasser.  Mr. Biggs votes aye.  
Mr. McClintock?  
Mrs. Lesko?  
Mrs. Lesko.  Aye.  
Ms. Strasser.  Mrs. Lesko votes aye.  
Mr. Reschenthaler?  
Mr. Reschenthaler.  Aye.  
Ms. Strasser.  Mr. Reschenthaler votes aye.  
Mr. Cline?  
Mr. Cline.  Aye.  
Ms. Strasser.  Mr. Cline votes aye.  
Mr. Armstrong?  
Mr. Armstrong.  Yes.  
Ms. Strasser.  Mr. Armstrong votes yes.  
Mr. Steube?  
Mr. Steube.  Yes.  
Ms. Strasser.  Mr. Steube votes yes.  
Chairman Nadler.  Are there any members who haven't voted who wish to vote?  
Mr. Deutch?  
Mr. Deutch.  No.  
Ms. Strasser.  Mr. Deutch votes no.  
Chairman Nadler.  Ms. Bass?

Ms. Strasser. Ms. Bass votes no.

Chairman Nadler. Ms. Jackson Lee?

Ms. Jackson Lee. No.

Ms. Strasser. Ms. Jackson Lee votes no.

Chairman Nadler. Mr. Correa?

Mr. Correa. No.

Ms. Strasser. Mr. Correa votes no.

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

The clerk will report.

[Pause.]

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

Chairman Nadler. The amendment is not agreed to.

Are there any other amendments?

For what purpose does the gentleman from Pennsylvania seek recognition?

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

Chairman Nadler. Clerk will report.

Ms. Strasser. Amendment to the amendment in the nature of a substitute to H.R. 5602, offered by Mr. Reschenthaler.

Page 12 beginning on line 22, strike "white supremacist and neo-Nazis" including "white supremacists' and neo-Nazis'
infiltration of" and insert "white supremacists, neo-Nazis, Antifa, and other violent hate organizations including hate-related" -- Chairman Nadler. The gentlelady, the clerk will -- the amendment will be considered as read.

[The amendment of Mr. Reschenthaler follows:]
Chairman Nadler. The gentlelady requests a point --
Ms. Lofgren. I reserve a point of order.
Chairman Nadler. Reserves a point of order. The
gentleman will -- the gentleman is recognized for the purpose
of explaining his amendment.
Mr. Reschenthaler. Thank you, Mr. Chairman. I
appreciate it.
And, Mr. Chairman and to my colleagues, let me just
state that I offer this amendment to strengthen the bill.
We can all agree that terrorism is bad and my amendment
ensures that we expand this bill to all forms of terrorism.
So let me be clear. We must address all domestic threats to
our freedom and the American way of life.
Neo-Nazis and white supremacists are, obviously,
loathsome and have no place in our nation. There are also
other groups that spread hate and fear in our communities.
Domestic terrorism has many forms.
Take the shooter who killed 11 people and wounded
several others at the Tree of Life Synagogue in Pittsburgh or
take the attack on a kosher market in New Jersey that left
three Americans and one police officer dead.
These despicable individuals who perpetrated these
heinous acts were motivated by anti-Semitic views. Let us
also not forget about the crazed left-wing zealot who shot
and nearly killed my good friend, Republican Whip Steve
Scalise. He was a Bernie Bro and repeatedly used social media to share his anti-Trump views.

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

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

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

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

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

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

Let us expand this bill. Let us make our nation safer.
I would ask for support of my amendment to help the DOJ stop white supremacy, Antifa, anti-Semitism, and all other forms of hatred.

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

Ms. Lofgren. I withdraw the point of order.

Chairman Nadler. The gentleman yields back.

Ms. Lofgren. I withdraw my point of order.

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

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

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

The purpose of the bill is to correct that and to make sure that the department enforces the law equally against all groups, against all haters, against all domestic terrorists, and then seeks to do so by specifically naming those groups
or those classifications of terrorism like anti-Semitism and so forth that the department has not adequately been enforcing. The -- and the kinds of terrorism that many, including the administration, seem to disagree exists.

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

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

Does anyone else seek recognition on the amendment?

Mrs. Lesko. Mr. Chairman?

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

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

Chairman Nadler. The gentlelady is recognized.

Mrs. Lesko. Thank you, Mr. Chairman.

You know, I just can't disagree with you more that our law enforcement isn't prosecuting against white supremacists. I mean, all of the briefings that I have had including classified briefings, our law enforcement and our top
officials have said clearly that white supremacists are a
domestic threat and that they prosecute them.
And so with that, I am going to yield my friend, Mr.
Reschenthaler, time.
Mr. Reschenthaler. I thank my -- I thank my colleague
from Arizona and, again, say that, again, this is not an
unreasonable amendment.
Your statements actually just supported my amendment,
which it says the DOJ will look at white supremacy, Antifa,
anti-Semitism, and all other forms of hatred in our
community. It is a very straightforward amendment that would
strengthen the underlying bill.
So I would -- again, I would urge support, again. Just
as the DOJ needs to take a look at white supremacy, Antifa,
anti-Semitism, and all other forms of hatred, I don't -- I
don't know how we couldn't get behind this amendment.
With that, I yield the remainder of my time to my good
friend and colleague from Texas.
Mr. Gohmert. Thank you for yielding.
For anyone to say that this amendment would promote
white supremacists is -- white supremacy is just delusional.
That is ridiculous. The effort here with this amendment is
to try to address all violence against any people.
If there are terrorists acts it doesn't matter. Left,
right, who is the victim, left, right. It ought to be
punished. It ought to be aggressively pursued and as my friend indicates, law enforcement is pursuing white supremacists.

That is why we have heard testimony that that is an important matter to the FBI that they are pursuing. But we should not ignore violent attacks against others, and Nidal Hasan killing 13 at Fort Hood, he was a radical Islamist. Unfortunately, those that should have spotted him had been conditioned not to address radical Islam. It was ignored and it gave rise to that attack and people died. It is the same down in Orlando. Guy says he is doing it for ISIS, left a recorded statement, and he killed many innocent victims in a nightclub.

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

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

So you have got radical Islamists. You have got some left wing activists promoting violence against Americans.

The military -- having served in the military in a very unpleasant time for being in the military where we weren't liked. We were spit at, demeaned.

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

This is a good amendment and I encourage support.

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

Oh. I couldn't hear you.

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

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

Chairman Nadler. The gentleman yields back.

For what purpose does the gentlelady from Pennsylvania seek recognition?

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

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

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

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

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

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

And with that, I yield back.

Chairman Nadler. The gentlelady yields back.

Who else seeks recognition?
For what purpose does the gentleman seek recognition?

Mr. Armstrong. Move to strike the last word.

Chairman Nadler. The gentleman is recognized.

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

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

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

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

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

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

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

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

And with that, I yield back.

Chairman Nadler. The gentleman yields back.

The question occurs on the amendment.

All in favor of the amendment, will say aye.

Opposed, no.

The amendment is not agreed to.

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

Chairman Nadler. A recorded vote is requested.

The clerk will -- the clerk will call the roll.
Ms. Strasser. Mr. Nadler?

Chairman Nadler. No.

Ms. Strasser. Mr. Nadler votes no.

Ms. Lofgren?

Ms. Jackson Lee?

Ms. Jackson Lee. No.

Ms. Strasser. Ms. Jackson Lee votes no.

Mr. Cohen?

Mr. Johnson of Georgia?

Mr. Deutch?

Mr. Deutch. No.

Ms. Strasser. Mr. Deutch votes no.

Ms. Bass?

Mr. Richmond?

Mr. Jeffries?

Mr. Cicilline?

Mr. Cicilline. No.

Ms. Strasser. Mr. Cicilline votes no.

Mr. Swalwell?

Mr. Swalwell. No.

Ms. Strasser. Mr. Swalwell votes no.

Mr. Lieu?

Mr. Lieu. No.

Ms. Strasser. Mr. Lieu votes no.

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?
Ms. Escobar. No.

Ms. Strasser. Ms. Escobar votes no.

Mr. Collins?

Mr. Sensenbrenner?

Mr. Sensenbrenner. Aye.

Ms. Strasser. Mr. Sensenbrenner votes aye.

Mr. Chabot?

Mr. Gohmert?

Mr. Gohmert. Aye.

Ms. Strasser. Mr. Gohmert votes aye.

Mr. Jordan?

Mr. Jordan. Yes.

Ms. Strasser. Mr. Jordan votes yes.

Mr. Buck?

Mr. Buck. Aye.

Ms. Strasser. Mr. Buck votes aye.

Mr. Ratcliffe?

Mrs. Roby?

Mr. Gaetz?

Mr. Johnson of Louisiana?

Mr. Biggs?

Mr. Biggs. Aye.

Ms. Strasser. Mr. Biggs votes aye.

Mr. McClintock?

Mrs. Lesko?
Mrs. Lesko. Aye.
Ms. Strasser. Mrs. Lesko votes aye.
Mr. Reschenthaler?
Mr. Reschenthaler. Aye.
Ms. Strasser. Mr. Reschenthaler votes aye.
Mr. Cline?
Mr. Cline. Aye.
Ms. Strasser. Mr. Cline votes aye.
Mr. Armstrong?
Mr. Armstrong. Yes.
Ms. Strasser. Mr. Armstrong votes yes.
Mr. Steube?
Mr. Steube. Yes.
Ms. Strasser. Mr. Steube votes yes.
Chairman Nadler. Does anyone -- does anyone wish to vote who hasn't voted?
Mr. Stanton?
Mr. Stanton. No.
Ms. Strasser. Mr. Stanton votes no.
Chairman Nadler. Mr. Neguse?
Mr. Neguse. No.
Ms. Strasser. Mr. Neguse votes no.
Chairman Nadler. Are there any other members who wish to vote who haven't voted?
The clerk will report.
[Pause.]

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

Chairman Nadler. The amendment is not agreed to.

Are there any other amendments to the amendment made to the -- for what purpose does the gentleman from Florida seek recognition?

Mr. Steube. Thank you, Mr. Chairman. I have an amendment at the desk.

Chairman Nadler. The clerk will report the amendment.

Ms. Strasser. Amendment to the amendment in the nature of a substitute to H.R. 5601, offered by Mr. Steube of Florida. Page 8, insert after line 21 the following.

Chairman Nadler. Without objection, the amendment is considered as read.

[The amendment of Mr. Steube follows:]
Chairman Nadler. Without objection, the gentleman is recognized to explain his amendment.

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

Chairman Nadler. Your point of order is reserved.

Mr. Steube. Thank you, Mr. Chairman.

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

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

While I agree we need more information on white supremacy groups in order to effectively prevent domestic terror in the future, I believe it is shortsighted to not
also address other domestic terrorist groups that also pose a
threat to our national security.

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

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

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

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

The Black Hebrew Israelite Movement -- the Southern
Poverty Law Center lists 144 Black Hebrew Israelite
organizations as black separatist hate groups because of
their anti-Semitic and anti-white beliefs.

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

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

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

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

According to reports he specifically set out to kill as
many white officers as he could. In January of this year,
cop-hating radicals wreaked havoc on New York City subways,
vandalizing turnstiles, station walls, and busses to protest
a police crackdown on turnstile jumping. Their tactics pose
a significant risk to riders and employees.
These groups pose a significant threat to the safety of our nation and I hope this committee will use this opportunity to address these groups and ensure we are prepared to address their threats in the future.

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

Foxnews.com --

Chairman Nadler. Without objection.

Mr. Steube. Foxnews.com and --

Chairman Nadler. Without objection.

Mr. Steube. Can I read them?

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

Chairman Nadler. Without objection.

[The information follows:]
Mr. Steube. I yield back.

Chairman Nadler. The gentleman yields back.

I recognize myself on --

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

Chairman Nadler. The gentlelady withdraws her point of order.

I recognize myself on the amendment.

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

I yield back.

Question occurs on the amendment.

All in favor say aye.

Oppose?

The amendment is approved.

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

[No response.]

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

All in favor say aye.

Opposed?

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

The amendment in the nature of a substitute is agreed
to. As amended is agreed to.

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

Those in favor respond by saying aye.

Opposed, no.

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

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

Chairman Nadler. A roll call vote is requested.

The clerk will call the roll.

Ms. Strasser. Mr. Nadler?

Chairman Nadler. Aye.

Ms. Strasser. Mr. Nadler votes aye.

Ms. Lofgren?

Ms. Jackson Lee?


Ms. Strasser. Ms. Jackson Lee votes aye.

Mr. Cohen?

Mr. Johnson of Georgia?

Mr. Deutch?

Mr. Deutch. Aye.

Ms. Strasser. Mr. Deutch votes aye.

Ms. Bass?

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

Mrs. Roby?

Mr. Gaetz?

Mr. Johnson of Louisiana?

Mr. Biggs?

Mr. Biggs. No.

Ms. Strasser. Mr. Biggs votes no.

Mr. McClintock?

Mr. McClintock. Aye.

Ms. Strasser. Mr. McClintock votes aye.

Mrs. Lesko?

Mrs. Lesko. Aye.

Ms. Strasser. Mrs. Lesko votes aye.

Mr. Reschenthaler?

Mr. Reschenthaler. Aye.

Ms. Strasser. Mr. Reschenthaler votes aye.

Mr. Cline?

Mr. Cline. Aye.

Ms. Strasser. Mr. Cline votes aye.

Mr. Armstrong?

Mr. Armstrong. No.

Ms. Strasser. Mr. Armstrong votes no.

Mr. Steube?

Mr. Steube. Yes.

Ms. Strasser. Mr. Steube votes yes.
Mrs. McBath, you are not recorded.
Mrs. McBath. Aye.
Ms. Strasser. Mrs. McBath votes aye.
Ms. Jackson Lee. How am I recorded?
Ms. Strasser. Ms. Jackson Lee, you are recorded as aye.

[Pause.]
Chairman Nadler. The gentlelady from Florida?
Mrs. Demings. Yes.
Ms. Strasser. Mrs. Demings votes yes.
Chairman Nadler. Has everyone voted who wishes to vote?
[No response.]
Chairman Nadler. The clerk will report.

[Pause.]
Ms. Strasser. Mr. Chairman, there are 24 ayes and two noes.
Chairman Nadler. The ayes have it. The bill is amended, is reported favorably -- is ordered reported favorably to the House. Members will have two days to submit views.
Without objection, the bill will be reported as a single amendment in the nature of a substitute incorporating all adopted amendments and staff is authorized to make technical and conforming changes.
Pursuant to notice, I now call up H.R. 6100, the Strengthening the Opposition to Female Genital Mutilation
Act, or the STOP FGM Act, for purposes of markup. I move that the committee report the bill favorably to the House. The clerk will report the bill. Ms. Strasser. H.R. 6100, to amend Title 18 United States Code to clarify the criminalization of female genital mutilation and for other purposes. Chairman Nadler. Without objection, the bill is considered as read and open for amendment at any point. [The bill follows:]
Chairman Nadler. I will begin by recognizing myself in an opening statement.

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

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

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

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

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

This legislation would overturn this misguided decision by explicitly stating the constitutional basis for banning FGM, primarily the commerce clause of the U.S. Constitution.
The bill would also more clearly define the underlying crimes by adopting a definition of FGM that mirrors the definition adopted by the World Health Organization.

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

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

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

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

It is clear that FGM has a substantial effect on
interstate commerce because, although illegal, there is an, unfortunately, an established interstate and international market for the practice.

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

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

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

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

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

I now recognize the ranking minority -- the ranking member of the committee, whose statement will go into the record.
I now recognize the chair of the subcommittee. I now recognize Ms. Jackson Lee as a substitute for the chair of the Subcommittee on Crime. Ms. Jackson Lee. Mr. Chairman, I am pleased to introduce H.R. 6100 -- to have introduced H.R. 6100, the Strengthening the Opposition to Female Genital Mutilation Act of 2020, and I would like to emphasize that this is a bipartisan bill.

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

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

The World Health Organization asserts that there are no health benefits of the practice and the procedure can have severe long-term impacts on the physical, psychological, sexual, and reproductive health of girls and women. Plainly, it is a brutal act and it is to diminish and demean women, and to make them less of a whole and full human
being, depriving them of their own emotions and feelings. It is, in fact, a disgraceful act.

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

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

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

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

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

The doctor challenged the law and the district court agreed and found that the statute was unconstitutional and
that FGM is a purely local crime.

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

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

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

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

Increases the statutory maximum for a violation of the
statute from five years to 10 years. It is not a mandatory minimum. It is an increase of the time to be served.

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

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

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

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

I support this legislation because I know I want no more doctors like the doctor in Michigan to brutalize our children
anywhere around the world but, certainly, not in the United States.

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

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

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

For what purpose does the gentleman from Texas?

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

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

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

[The amendment of Mr. Gohmert follows:]
Chairman Nadler. The gentleman is recognized for the purpose of explaining his amendment.

Mr. Gohmert. Thank you, Mr. Chairman.

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

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

Additionally, the U.S. Sixth Circuit Court of Appeals denied the motion that congressional leaders tried to get them to consider, but that defended the constitutionality of the FGM ban. I have grave concerns, though I totally share the concerns of my friend from Texas, Ms. Jackson Lee. We need this law, and we need it in such a form that it will be upheld as constitutional, and we also need it in such a form that it will hopefully get bipartisan support in the House and would also pass the Senate and get signed into law. So my effort here with this amendment is in total accord with
the effort of my friend from Texas in the underlying bill, but it does not include language that would keep it from being completely bipartisan and getting through both Houses, in my opinion.

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

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

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

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

Are there any further amendments?

[No response.]

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

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

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

Chairman Nadler. Would the gentleman yield?

Mr. Gohmert. So that is why I would suggest that I changed --
Chairman Nadler. Would the gentleman yield?

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

Chairman Nadler. Would the gentleman yield?

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

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

Mr. Gohmert. Okay. Reclaiming my time.

Chairman Nadler. The gentleman is --

Mr. Gohmert. Obviously we disagree on that because by narrowing the definition, it does not allow potentially hundreds of thousands of exceptions so that more procedures can be done under the definition of the bill I am attempting to amend. Clearly we have a disagreement on that, so obviously when you disagree, you vote against. But I would submit to you if we really want to protect the people, the girls that are the potential victims of this abuse, we will
adopt my amendment so it will be both constitutional, and we won't leave hundreds of thousands of girls exposed under the definition in the current bill before this committee. And I yield back to my friend.

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

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

Mr. Chairman, let me submit to the record now several extensive writings of support from Equality Now dealing with a "Just World for Women and Girls;" Institute for Constitutional Advocacy and Protection; Georgetown University Law Center, the FGM U.S. Network; the letter and support by the AHA Foundation, and one by Global Women. I ask unanimous
Chairman Nadler. Without objection.

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

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

Ms. Jackson Lee. Thank you. Let me just conclude by this heinous number: 3 million girls at risk of undergoing
female genital mutilation every year, Members, and it is
estimated at more than 200 million girls and women alive
today have already undergone this procedure. I would say
that we can wait no longer. We must pass this legislation,
and the President United States must sign this legislation.
I yield back to the gentleman.

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

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

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

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

Chairman Nadler. The gentleman is recognized.

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

Mr. Gohmert. And I thank the gentleman for yielding.

You know, the chair seems infer or state outright my
misunderstanding of the underlying bill. I would suggest the
chair perhaps has not read United States v. Nagarwala and
doesn't know the facts adequately of that case, because if he
did, he would know that the doctor testified that he had
medical reasons for performing the procedure in that case.
Now, the case was not struck down based on a definition. It
was struck down because there was inadequate connection to
interstate commerce, which my amendment will fix in the underlying bill on which we agree for the intent. But the underlying bill does not adequately address the reason for which original law was struck down. And it is also important to note that I get the impression none on this committee were happy with the decision for 1996. This underlying bill actually condemns the District Court’s opinion, and I think that gets a little dangerous to have that actually in the law when the judge used the plain language of the Constitution to strike down the law because it was not involved. There wasn’t an adequate nexus. There was no adequate nexus to interstate commerce. So that is one problem that my amendment will fix. And the other would prevent the doctor’s own testimony from being a reason for him to be acquitted. That is why we are reverting to the original definition. If he says his testimony is medical reasons the way the underlying bill says, any procedure performed for non-medical reasons, well, he’s off the hook. So those are the two most important things about my amendment and why I would continue to urge the adoption of this amendment, and appreciate my friend from yielding. I yield back. Chairman Nadler. Would the gentleman yield? Mr. Reschenthaler. Thank you. Mr. Chairman, I yield back any remaining time.
Chairman Nadler. Would the gentleman yield?

Mr. Reschenthaler. Yes.

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

I yield back.

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

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

Mr. Raskin. I move to strike the last word, Mr.

Chairman.

Chairman Nadler. The gentleman is recognized.

Mr. Raskin. Thank you very much. I want to salute Ms. Jackson Lee for her great leadership in bringing forward this legislation. The bill addresses the Eastern District of Michigan decision from 2018, U.S. v. Nagarwala, which struck down the first prosecution under the anti-FGM legislation as being outside of Congress' powers under the commerce clause or under the Constitution. So that is obviously a serious
problem because female genital mutilation is a terrible
offense against bodily integrity and the human rights of
women and girls all over the world, and it should be
intolerable in our society and Federal law should be able to
address it.

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

So I think that the introducer or the sponsor of the
legislation has done a terrific job of specifying precisely
the Federal nexus that is called for by the Federal court
decision. I would be open to Mr. Gohmert's amendment, as I suppose the sponsor would be, if it added something here, but I am not sure that it does. And I would be interested to know if there is something in the amendment that is missing in the underlying legislation. Otherwise, I am persuaded by the chairman's point that it would have the effect of actually limiting the substantive criminal jurisdiction and prohibition that is built into the statute.

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

Chairman Nadler. The question occurs on the amendment.

All in favor of the amendment, say aye.

Opposed, no.
The noes have it.
The question occurs on the bill.
All in favor of the bill will say aye.
Opposed, no.
The ayes have it.

A reporting quorum being present, the bill is reported favorably to the House.

Members will have 2 days to submit their views.
Pursuant to notice, I now call up H.R. 1548, For the Relief of Maria Carmen Castro Ramirez and J. Refugio Carreno Rojas, for purposes of markup, and move that the committee report the bill favorably to the House.

The clerk will report the bill.
Ms. Strasser. H.R. 1548, For the Relief of Maria Carmen Castro Ramirez and J. Refugio Carreno Rojas.
Chairman Nadler. Without objection, the bill is considered as read and open for amendment at any point.
[The bill follows:]
Chairman Nadler. I will begin by recognizing myself for an opening statement.

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

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

Twelve-year-old Jose suffers from severe asthma, which requires regular treatment from a pulmonologist, prescription medication, and additional treatments, including, at times, emergency hospital care. He also receives psychological treatment to address suicidal thoughts and anxiety associated with the potential separation of his family and the effects
Jose has been recently evaluated by a therapist, who has concluded that if he were to be separated from his parents due to their forced relocation to Mexico, he would certainly face a significant crisis leading to a worsening of his condition. Jose also recently suffered a perforated eardrum, which has resulted in hearing loss and requires surgery to correct.

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

One year ago today, the Subcommittee on Immigration and Citizenship convened and passed the motion by bipartisan voice vote to ask the Department of Homeland Security to produce a departmental report on the beneficiaries of this bill. This report revealed no criminal history or other
derogatory information on the beneficiaries. As the victim of an assault and robbery, Ms. Castro Ramirez cooperated with the police and filed a request for U non-immigrant status. However, the petition is still pending, and even if it is approved, it will be many years before relief could be granted due to the significant backlog of U visa petitions. Enactment of a private bill is the only option for this family to receive the permanent relief and medical attention they require.

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

Does anyone seek recognition?

Mr. Buck. Opening statement.

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

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

The House passed a private relief bill for these individuals during the 112th Congress. As this bill falls under the subcommittee private bill precedent, specifically because the House passed this bill before, I do not oppose
the bill. I yield back the balance of my time.

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

[No response.]

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

Those in favor, say aye.

Opposed, no.

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

Members will have 2 days to submit views.

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

The clerk will report the bill.

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

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

[The bill follows:]
Chairman Nadler. I will begin by recognizing myself for
an opening statement.

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

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

This legislation provides best practices in conducting searches for missing persons on and off Native American land, standards on the collection, reporting, and analysis of data
and information on missing persons and unidentified human
remains, and culturally appropriate identification and
handling of human remains identified as Native American.
H.R. 2733 also provides guidance on which law enforcement
agency is responsible for inputting information into
databases, guidance on improving agency response rates and
follow up two cases of missing and murdered Native Americans,
and guidance on ensuring access to culturally-appropriate
victim Services.

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

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

Mr. Armstrong. Thank you, Mr. Chairman, and thank you
for bringing before us today H.R. 2733, Savanna's Act. H.R.
2733 is named in honor of Savanna LaFontaine-Greywind, a 22-
year-old pregnant member of the Spirit Lake Tribe, who was brutally murdered in my district in August of 2017. Her disappearance and murder devastated the Fargo community and the entire State of North Dakota. For 8 days, her family, friends, and the community searched for her hoping that she would be found alive. Thankfully, her baby was found alive after surviving the attack and being cut from the womb.

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

Tragically, Native American and Alaska Native women face a murder rate that is often times 10 times higher than the national average. A shocking 84 percent of women in these communities experience some form of violence in their lifetime. The rural nature of many Native American reservations and the increased levels of poverty and addiction are well-known and cause unique and special
circumstances. Unfortunately, there is no reliable way of knowing how many indigenous women go missing each year because of outdated databases and a lack of coordination between law enforcement agencies. Savanna's Act addresses the disturbing increase in missing and murdered Native American women by creating new guidelines for investigation of such cases and by incentivizing their implementation. And I would end that while this is named for Savanna Greywind, at the same time on the other side of my State, a woman named Olivia Lone Bear went missing as well. So this is more than aptly named, but it is definitely not unique, and I would urge my colleagues to support this legislation. I yield back.

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

[The information follows:]
Chairman Nadler. I now recognize myself for purposes of offering an amendment in the nature of a substitute.

The clerk will report the amendment.

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

Chairman Nadler. Without objection, the amendment in the nature of a substitute shall be considered as read and shall be considered as base text for purposes of amendment. [The amendment in the nature of a substitute of Mr. Nadler follows:]
Chairman Nadler. I will recognize myself to explain the amendment.

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

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

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

Chairman Nadler. The gentlelady, is recognized.

Ms. Jayapal. Thank you, Mr. Chairman, and I am so proud that we are taking up Savanna's Act today to take an important step to address the crisis of missing and murdered indigenous women and girls. In 2016, over 5,700 cases of missing and murdered indigenous women and girls were reported, and yet only 116 were added to the Department of
Justice’s National Missing and Unidentified Persons System.

In fact, the Centers for Disease Control and Prevention has found that murder is the third leading cause of death among Native American and Alaska Native women, a rate that is about 10 times the national average. And yet all of these estimates are considered to be undercounted.

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

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

Ms. Scanlon. [Presiding.] Without objection.

[The information follows:]
Ms. Jayapal. Violence against indigenous women and girls is not limited to rural areas and federally-defined tribal lands. Approximately 71 percent of Native American and Alaska Natives live in urban areas like my district. I am pleased to see the explicit inclusion of urban Indian organizations in this bill to ensure that we protect all Native people.

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

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

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

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

Thank you, Mr. Chairman. I yield back.
Ms. Scanlon. Does anyone else wish to speak to the amendment?

Ms. Jackson Lee. Excuse me.

Ms. Scanlon. Ms. Mucarsel-Powell?

Ms. Mucarsel-Powell. Yes, thank you, Madam Chair. I would like to just support the underlying bills, H.R. 2733 and H.R. 2438. My district is home to the Miccosukee Tribe of Florida, and it is time that we address the unique challenges faced by Native American tribes across the country. Indigenous peoples in the United States are facing a crisis of abduction, assault, and murder. The information is clear: Native American men and women experience violence at shockingly high rates compared to other groups, and the statistics are even worse for Native American women. Reports show that more than 4 in 5 Native American and Alaska Native women have experienced violence in their lifetime, and over 55 percent of them have experienced sexual violence. There is an epidemic of missing women, and on some reservations, women are 10 times as likely to be murdered than the national average. These communities and their people are not invisible, and it is Congress' responsibility to bring those crimes to the forefront of public conversation.

Over the years, many of these problems can be traced to challenges with law enforcement and the lack of an adequate...
Federal response. Tribal communities are often tasked with working through antiquated law enforcement policies, jurisdictional ambiguity, or ambivalence toward Native Americans. And as a result, homicides and missing persons cases remain unsolved, and hundreds more remain unreported. These high rates of missing and murdered Native Americans have been overlooked for far too long. I am so glad to see that we are finally acting to shed light on the crisis and we are working together to protect our indigenous and Native American citizens.

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

It is time we provide the resources to protect our tribal communities and ensure the safety of Native American men and women. I urge my colleagues to support both bills, and I yield back.
Arizona seek recognition?

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

Ms. Scanlon. So moved.

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

In August 2017, Savannah LaFontaine-Greywind, a 22-year-old member of the Spirit Lake Nation in North Dakota, was 8 months pregnant when she was kidnapped. And when her body was eventually found in the Red River, it was revealed that her baby had been cut from her womb. To honor her memory, former senator, Heidi Heitkamp, introduced Savanna's Act to address the disproportionality of the high rates of violence Native American women experience. The Senate passed Savanna's Act unanimously in December 2018, but it unfortunately did not move forward in the House of Representatives.
Lack of congressional action led 13 States, including my State of Arizona, to proactively pass their own laws to address this crisis. Now nearly 2 years later, I am encouraged to see this committee finally considering Savanna's Act, which directs the Department of Justice to create guidelines to collect accurate information on the number of missing Native women across all jurisdiction, not just on tribal lands.

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

What makes this crisis worse is the lack of available information that creates a misconception that Native women go missing or murdered only on tribal land. This is totally false. A 2017 study by the Urban Indian Health Institute found that a majority of Native Americans and Alaska Native people now live in urban communities. With permission from her family, I want to share Sarah's story. Her name has been changed to protect her identity. Her story shows crimes
against Native women do not necessarily stay within the borders of tribal lands.

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

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

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

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

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

This tragedy of Native American women being murdered and no determination of the criminal that kill them, or no findings of what happened, is a tragedy personally to their families, but it is a reflection and a mark on this great
Nation. We are a Nation of equality and justice, and it is not defined by your heritage, and I think it is crucial that these bills are passed.

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

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

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

Ms. Scanlon. For what purpose does the gentlewoman from Pennsylvania seek recognition?
Ms. Dean. I move to strike the last word.

Ms. Scanlon. So moved.

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

Today we are marking up two bills, Savanna's Act, which honors Savannah LaFontaine-Greywind, a 22-year-old pregnant member of the Spirit Lake Tribe, who was tragically murdered. Eighty-four percent of Native American women face some form of violence in their lifetime. It is a statistic that should horrify all of us. Native women face a murder rate at 10 times higher than the national average. Because of outdated databases and lack of coordination between law enforcement agencies, we do not have a reliable way of knowing how many Native women go missing each year. Savanna's Act improves tribal access to Federal crime information databases. It requires the Justice Department, the Department of Interior, the Department of Health and Human Services to work with tribes on improving safety for Native women. It requires the creation of standardized guidelines for responding to cases
of missing and murdered native Americans, and mandates an
annual report to Congress on updated statistics concerning
missing and murdered Native women. In short, this bill
requires the bare minimum of what we should already have been
doing to address violence.

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

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

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

All those in favor, by saying aye.

Those opposed, no.

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

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

Those in favor, respond by saying aye.

Those opposed, no.

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

Members will have 2 days to submit views.

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

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

The clerk will report the bill.

Ms. Strasser. H.R. 2438, to increase intergovernmental
coordination to identify and combat violent crime within Indian lands and of Indians.

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

[The bill follows:]
Ms. Scanlon. I will begin by recognizing myself for an opening statement. This will be the statement of the chair, Jerry Nadler.

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

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

The statistics on violence in Native American communities are staggering. More than 4 in 5 American Indian and Alaska Native women have experienced violence in their
lifetime, including 56.1 percent who have experienced sexual violence. American Indian and Alaska Native men also have high victimization rates, with 81.6 percent having experienced violence in their lifetime. This problem is in large part the result of decades of neglect by the Federal Government.

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

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

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

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

Mr. Armstrong. Thank you, Madam Chair, and thanks for bringing before us H.R. 2438, the Not Invisible Act of 2019 for markup. This act addresses the serious problem of violence afflicting Native American communities, which we just discussed during the consideration of Savanna's Act. The Not Invisible Act of 2019 provides an opportunity for the Federal Government to improve its efforts to combat the
growing crisis of murder, trafficking, and the disappearance
of indigenous men and women.

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

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

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

Chairman Nadler. [Presiding.] The gentleman yields back.
I now recognize myself for purposes of offering an amendment
in the nature of a substitute.

The clerk will report the amendment.

Ms. Strasser. Amendment in the nature of a substitute to H.R. 2438, offered by Mr. Nadler --

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

[The amendment in the nature of a substitute of Mr. Nadler follows:]


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

Does anyone seek recognition?

[No response.]

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

All those in favor, respond by saying aye.

Opposed, no.

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

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

Those in favor, respond by saying aye.

Those opposed, no.

And the ayes have it, and the bill, as amended, is ordered reported favorably.
Members will have 2 days to submit views.

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

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

Without objection, the markup is adjourned.

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