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# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS  
WASHINGTON, DC 20510-6250

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May 8, 2019

The Honorable William Barr  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Attorney General Barr:

Federal resources to detect and prevent domestic terrorism must be allocated based on accurate information about the threats Americans face. We write to request information to better understand how the Department of Justice (DOJ) is fulfilling its statutory responsibilities and mission to enforce the law and ensure public safety against threats both foreign and domestic as threats to the homeland continue to evolve.

DOJ and the Federal Bureau of Investigation (FBI) are the lead federal law enforcement agencies responsible for investigating, prosecuting, and preventing all forms of domestic terrorism. To help protect Americans against these threats, they also coordinate with the Department of Homeland Security (DHS). Yet Thomas Cullen, the U.S. Attorney for the Western District of Virginia, which has jurisdiction over Charlottesville, recently acknowledged that over the past several decades, “law enforcement, at both the federal and state levels, has been slow to respond” to domestic security threats, including white supremacist violence.<sup>1</sup> Recent reporting also describes a breakdown in interagency coordination of intelligence, including with FBI and DOJ; departures and reassignments of critical personnel; and DHS’s rescission of awards for grant money to study ways to help white supremacists— significant

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<sup>1</sup> Department of Justice, U.S. Attorney’s Office, Western District of Virginia, *Opinion: The Grave Threats of White Supremacy and Far-Right Extremism*, New York Times (Feb. 22, 2019). <https://www.justice.gov/usao-wdva/pr/opinion-grave-threats-white-supremacy-and-far-right-extremism>. Additionally, FBI Director Christopher Wray recently testified before Congress that the FBI recognizes there is a “persistent, pervasive threat” posed by white supremacist violence and violent extremism in general. See *House Appropriations Committee, Subcommittee on Commerce, Justice, Science, and Related Agencies: Hearing on Federal Bureau of Investigations Budget Request for FY20*, 116<sup>th</sup> Cong. (April 4, 2019) (Director Wray Testimony at 57.25), available at <https://appropriations.house.gov/events/hearings/federal-bureau-of-investigation-budget-request-for-fy-2020>.

perpetrators of domestic terrorism<sup>2</sup>—de-radicalize.<sup>3</sup> Additionally, a 2018 report by the Brennan Center for Justice concluded that, because DOJ has failed to accurately track data on domestic terrorism and hate crimes over the past several years, there may be potentially inaccurate reporting by DOJ and DHS on terrorism-related convictions.<sup>4</sup>

To better understand how DOJ is carrying out its mission to protect Americans from all forms of domestic terrorism, we respectfully request that you provide the following documents and information as soon as possible but no later than May 22, 2019:

1. According to DOJ, the number of people killed and injured in the United States by domestic terrorist attacks for each year from 2009 until the present, broken out by group or type of perpetrator. Please include an index of all actors/groups/perpetrators that DOJ uses to categorize this data.
2. A description of the authorities and responsibilities relied upon by DOJ to carry out its mission to prevent domestic terrorism.
3. A list of all DOJ components, staff (by title and area of responsibility), and resources dedicated to domestic terrorism, broken out by group or type of perpetrator, from 2009 through the present.
4. All documents related to DOJ organization of personnel, offices, and resources, related to domestic terrorism, from 2009 through the present. Please include all documents related to the organization of the Executive Office for U.S. Attorneys; the National Security, Civil, Criminal, and Civil Rights Divisions; the Domestic Terrorism Executive Committee (and components); the Countering Violent Extremism Task Force; the Joint Terrorism Task Force; and related DOJ programs supporting efforts to combat domestic terrorism.

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<sup>2</sup> An unclassified 2017 Joint Intelligence Bulletin prepared by the FBI and DHS determined that white supremacist extremists were responsible for more homicides and attacks over the past sixteen years “than any other domestic extremist movement” and warned “the white supremacist extremist (WSE) movement likely will continue to pose a threat of lethal violence over the next year.” U.S. Federal Bureau of Investigation and Department of Homeland Security Joint Intelligence Bulletin, *White Supremacist Extremism Poses Persistent Threat of Lethal Violence* (May 10, 2017), available at <https://www.documentcloud.org/documents/3924852-White-Supremacist-Extremism-JIB.html>.

<sup>3</sup> Janet Reitman, *U.S. Law Enforcement Failed to See the Threat of White Nationalism. Now They Don't Know How to Stop It*, *The New York Times Magazine* (Nov. 3, 2018), <https://www.nytimes.com/2018/11/03/magazine/FBI-charlottesville-white-nationalism-far-right.html>; Ron Nixon and Eileen Sullivan, *Revocation of Grants to Help Fight Hate Under New Scrutiny After Charlottesville*, *The New York Times* (Aug. 15, 2017), <https://www.nytimes.com/2017/08/15/us/politics/right-wing-extremism-charlottesville.html>.

<sup>4</sup> Michael German and Sara Robinson, Brennan Center for Justice at New York University School of Law, *Wrong Priorities on Fighting Terrorism* (Oct. 31, 2018), [https://www.brennancenter.org/sites/default/files/publications/2018\\_10\\_DomesticTerrorism\\_V2%20%281%29.pdf](https://www.brennancenter.org/sites/default/files/publications/2018_10_DomesticTerrorism_V2%20%281%29.pdf); Executive Order 13789: Protecting the Nation From Foreign Terrorist Entry Into the United States, Initial Section 11 Report (Jan. 2018), available at <https://www.dhs.gov/sites/default/files/publications/Executive%20Order%2013780%20Section%2011%20Report%20-%20Final.pdf>.

5. All documents related to DOJ's use of social media and technology companies, directly or indirectly, to aid in accomplishing its domestic terrorism mission.
6. All information sharing or interagency agreements between the FBI, DOJ, DHS, and state and local law enforcement officials involving domestic terrorism.

**Please see attachment A to this letter for a description of the information covered by this request.**

The Committee on Homeland Security and Governmental Affairs is authorized by Rule XXV of the Standing Rules of the Senate to investigate "the efficiency, economy, and effectiveness of all agencies and departments of the Government."<sup>5</sup> Additionally, Senate Resolution 70 (116th Congress) authorizes the Committee to investigate "the efficiency and economy of operations of all branches of the Government."<sup>6</sup>

Thank you for your prompt attention to this request. If you have any questions about this request, please have your staff contact (202) 224-4751 for Chairman Johnson's staff and (202)-224-2627 for Ranking Member Peters' staff. Thank you for your attention to this matter.

Sincerely,



Ron Johnson  
Chairman



Gary C. Peters  
Ranking Member

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<sup>5</sup> S. Rule XXV(k)(2) (B); *see also* S. Res. 445, 108th Cong (2004).

<sup>6</sup> S. Res. 70, 116th Cong. §12(e)(1)(A) (2019) (enacted).