



One Hundred Sixteenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

June 2, 2020

The Honorable Chad Wolf
Acting Secretary
Department of Homeland Security
Washington, DC 20520

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
Washington, DC 20535

Dear Acting Secretary Wolf and Director Wray:

As you know, in the wake of the recent killing of George Floyd in Minneapolis, Americans across the country have exercised their right under the First Amendment to express their opposition to the patterns of injustice and state violence against African Americans. Recent media reports¹ and statements by Minnesota state officials² have suggested that extremists, including far-right extremists and white supremacist extremists, have attempted to sow chaos and fuel unrest during these protests. Federal officials, including the Attorney General and President, have suggested that far-left extremists are involved.³ On May 31, after repeatedly blaming violence in the ongoing protests on far-left extremists, President Trump tweeted: “The United States of America will be designating ANTIFA as a Terrorist Organization.”⁴ The same day, the National Security Adviser, Robert O’Brien, called on the Federal Bureau of Investigation (FBI) to conduct surveillance of Antifa and prosecute its members.⁵

We have serious concerns about the Constitutional implications of several of these statements. We also seek to understand the truth and evidence behind reports of extremist involvement in protests and how the Department of Homeland Security (DHS) and the FBI are responding to these issues while ensuring that Americans’ civil rights and civil liberties are protected.

¹ Tess Owen, *Far-right extremists are hoping to turn the George Floyd protests into a new civil war*, VICE NEWS, May 29, 2020, https://www.vice.com/en_us/article/pkyb9b/far-right-extremists-are-hoping-to-turn-the-george-floyd-protests-into-a-new-civil-war.

² See, e.g., Jon Collins and Elizabeth Shockman, *Outsiders, extremists are among those fomenting violence in Twin Cities*, MPR NEWS, May 30, 2020, <https://www.mprnews.org/story/2020/05/30/outside-extremists-are-among-those-fomenting-violence-in-twin-cities>.

³ See, e.g., Shane Harris, *Officials blame outsiders for violence in Minnesota but contradict one another on who is responsible*, WASHINGTON POST, May 30, 2020, https://www.washingtonpost.com/national-security/officials-blame-outsiders-for-violence-in-minnesota-but-contradict-each-other-on-who-is-responsible/2020/05/30/d722e9d6-a2b1-11ea-b5c9-570a91917d8d_story.html.

⁴ <https://twitter.com/realDonaldTrump/status/1267129644228247552>.

⁵ Allan Smith, *Trump says he will designate Antifa a terrorist organization as GOP points fingers at extremists*, NBC NEWS, May 31, 2020, <https://www.nbcnews.com/politics/politics-news/trump-says-he-will-designate-antifa-terrorist-organization-gop-points-n1220321>.

The stakes—including the protection of Americans’ physical safety and their Constitutional rights—are enormous. As such, we request the following documents dating from January 1, 2020 through the present:

- all DHS and FBI intelligence products related to the ongoing protests, including all products disseminated to law enforcement partners on this topic;
- all documents referring or relating to the designation of groups or organizations as domestic terrorist organizations, including any analyses of the application of relevant federal statutes and the Constitution to such a designation;
- all documents referring or related to the deployment of DHS employees and assets, including Customs and Border Protection employees and assets, to respond to protests, including the underlying request(s) for assistance from DHS from federal, state, or local law enforcement partners, the scope and purpose of deployment, and any analyses of the application of relevant federal statutes;
- all documents related to the surveillance of protestors, including any requests made by Administration officials, such as the National Security Adviser, for the FBI to conduct surveillance of particular groups of protestors.

Please produce documents to the Committee no later than June 19, 2020. In addition, we look forward to being briefed by DHS and FBI on these topics no later than June 12, 2020.

Thank you for your attention to this important matter.

Sincerely,



Rep. Bennie G. Thompson, Chairman

Rep. Sheila Jackson Lee

Rep. James Langevin

Rep. Cedric Richmond

Rep. Donald Payne, Jr.

Rep. Kathleen Rice

Rep. J. Luis Correa

Rep. Max Rose

Rep. Lauren Underwood

Rep. Elissa Slotkin

Rep. Emanuel Cleaver

Rep. Al Green

Rep. Yvette Clarke

Rep. Dina Titus

Rep. Bonnie Watson Coleman

Rep. Nanette Diaz Barragán

Rep. Val Demings