



How Congress Can Counter Violent White Supremacy Today

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Introduction and summary

Authors' note: *The Center for American Progress is taking part in a long-term project to generate a bipartisan policy blueprint to address violent white supremacy which we plan to release in the spring of 2021. In the process of formulating recommendations for the future, we examined the work that has been undertaken in the 116th Congress. This report provides a starting point for short-term legislative efforts that can be completed this year and a legislative agenda for the 117th Congress to capitalize on the work that the 116th has already done.*

From the Ku Klux Klan's campaign of terror against African Americans following the Civil War to the anti-government bombing in Oklahoma City, terrorism and political violence have been a part of American history for generations. Since 2001, America has focused intently on countering a different form of terrorism—specifically, a form of terrorism practiced most prominently by al-Qaida and later the Islamic State (IS) group. After the September 11 attacks, there was a consensus that this form of terrorism presented the clearest threat to the U.S. homeland—and the U.S. government was willing to take unprecedented measures to counter the threat. Some actions, such as the Global Coalition to Counter ISIL, were proportionate and successful; others deeply undermined U.S. values while increasing anti-American sentiment.¹ The country continues to live with these shameful legacies such as the ongoing operation of the Guantanamo Bay prison.

Today, however, America faces a different threat environment. The increasingly polarized state of American politics, combined with the proliferation of social media networks, has allowed previously isolated hate groups to connect and coordinate. As a result, a new consensus is growing among counterterrorism watchers that the most significant terrorist threat to the United States is now the threat from violent white supremacists. Most recently, the U.S. Department of Homeland Security (DHS) found that white supremacist violence is the most lethal overall threat facing the United States.² Early this past summer, a report from the Center for Strategic and International Studies (CSIS) corroborated these findings:

... far-right terrorism has significantly outpaced terrorism from other types of perpetrators, including from far-left networks and individuals inspired by the Islamic State and al-Qaeda. Right-wing attacks and plots account for the majority of all terrorist incidents in the United States since 1994, and the total number of right-wing attacks

and plots has grown significantly during the past six years. Right-wing extremists perpetrated two thirds of the attacks and plots in the United States in 2019 and over 90 percent between January 1 and May 8, 2020.³

This follows similar trends from the 2017 U.S. Government Accountability Office (GAO) report, “Countering Violent Extremism,” which revealed that 73 percent of lethal extremist attacks within the United States since 9/11 were perpetrated by far-right extremists.⁴ Organizations from the Brennan Center for Justice⁵ to the McCain Institute⁶ as well as state governments,⁷ FBI Director Christopher Wray,⁸ DHS,⁹ the National Counterterrorism Center,¹⁰ and multiple senior National Security Council officials across party lines¹¹ have confirmed the increased threat of domestic terrorism, especially from violent white supremacists. Even the Heritage Foundation, a conservative think tank, recently discussed white supremacist attacks as part of the global terrorism landscape.¹² The shift in the primary terrorist threat to the homeland today is no longer a debate.

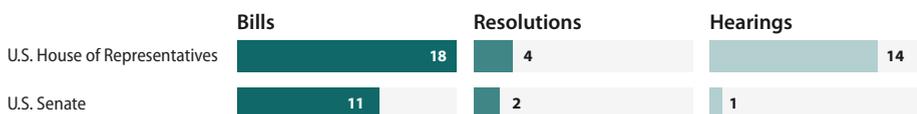
The good news is that Congress can take meaningful action against the threat—and it can act quickly. The 116th Congress has seen an increase in activity seeking to better understand and address violent white supremacy. Over the past two years, legislators introduced multiple bills to improve data collection and prevention of domestic terrorism. (see Table 1) Nine hearings on aspects of domestic terrorism, four on white supremacist extremism, and two on hate crimes helped bring to light disturbing evidence of the spread of white supremacist violence.¹³ Most recently, the U.S. House of Representatives overwhelmingly approved Rep. Tom Malinowski’s (D-NJ) resolution condemning the far-right conspiracy movement QAnon based on the group’s encouragement of political violence and domestic terrorism.¹⁴

Unfortunately, these efforts have not led to the necessary changes in federal policy. Only one bill—the Securing American Nonprofit Organizations Against Terrorism Act—made it through the congressional process to become law. (see Table 2) While the law provides necessary funding to nonprofit and religious organizations at risk of domestic terrorist attack, it fails to address the fundamental lack of data and resources dedicated to the threat at the federal level. The National Defense Authorization Act for Fiscal Year 2020 includes more robust provisions to improve data collection and analysis of domestic terrorism, but there is no evidence yet that the intelligence community has taken the required actions.¹⁵

FIGURE 1

The U.S. House of Representatives has taken substantive action against domestic terrorism, while the Senate has lagged behind

Number of House and Senate initiatives to combat domestic terrorism in the 116th Congress



Source: Author's analysis of Congress.gov, "Current Legislative Activities," available at <https://www.congress.gov/> (last accessed July 2020).

Although the House has held more than 13 hearings to address domestic terrorism and white supremacist violence, the Senate has held only one hearing. (see Figure 1) This disparity reveals a partisan divide in Congress on a threat that experts across the political spectrum have defined as clear, present, and under-addressed. Some legislators have raised proposals to distract from the primary threat by targeting decentralized antifascist activists or establishing broad legal statutes that could be abused to harm the racial, ethnic, and religious communities that suffer most from violent white supremacy. (see Table 2) Rep. Mark Green (R-TN) introduced a resolution to condemn so-called antifa without mentioning the proportionally greater threat from white supremacist violence.¹⁶ Similarly, Rep. Ken Buck (R-CO) proposed an amendment to include equal reference to left-wing extremists in the Domestic Terrorism Prevention Act of 2020, stating, "There is at least an equal level of hate, violence, and terror coming from the political left directed at conservatives."¹⁷ Although political violence exists on both sides of America's political divide, the fact remains that right-wing terrorists have perpetrated the majority of all domestic terrorist attacks and plots since 1994, whereas left-wing terrorists have perpetrated less than a quarter.¹⁸ The gap has widened in recent years, making it clear that the frequency and intensity of violent activity coming from the political left is not, as Rep. Buck claims, equal to the lethal violence coming from the extreme political right. This unwillingness to accept that violent white supremacy is the foremost terrorist threat to the United States has prevented Congress from enacting adequate measures to counter this clear and present danger.

However, action is all the more necessary today. There is growing concern that the 2020 election could catalyze a surge in white nationalist violence, regardless of who wins. White-supremacist and militia groups have taken as encouragement President Donald Trump's words, "stand back and stand by."¹⁹ Conservative commentators have also perpetuated the false narrative that political violence comes predominately from left-wing activists.²⁰ This rhetoric only encourages groups

such as the six anti-government extremists who were recently indicted for a plot to kidnap Michigan Gov. Gretchen Whitmer (D).²¹ As the executive branch continues to consolidate power over national security issues, it is time for Congress to reassume its legislative authority. This report summarizes legislation introduced to date and outlines a set of immediate actions Congress can take between now and the end of this session on January 5, 2021, to implement existing proposals to counter violent white supremacy.

Recommended legislative actions

The protests in the wake of George Floyd’s murder reveal both the public desire and fundamental need to address issues of racial injustice. The recommendations outlined below identify potential windows for action to ensure that all Americans—especially the racial, ethnic, and religious communities most vulnerable to violent white supremacy—are protected.

More work must be done to combat hate crimes and fight institutional disparities. The scope of this report focuses only on congressional efforts to combat acts of terrorism motivated by white supremacy, which is primarily discussed in Congress within the framework of domestic terrorism.²² These opportunities for action would build the foundation for broader efforts that future Congresses and administrations can undertake to address the threat of violent white supremacy. Congress should advance legislation in the following four areas before January 2021.

Increase criminal penalties for lynching

For much of American history, white supremacists have used lynching as a tool to terrorize Black communities. Members of the 116th Congress in both chambers have explored ways to increase the penalties for such crimes by introducing anti-lynching legislation.

In the House, the Emmett Till Antilynching Act (H.R. 35) designates lynching as a punishable hate crime. This act recognizes the role of lynching in terrorizing Black communities—both historically and to this day—as evidenced by increases in race-based violence.²³ The act has strong bipartisan support and civil society endorsement from more than 200 organizations, including the NAACP, the American Civil Liberties Union, and the Anti-Defamation League.²⁴ The Emmett Till Antilynching Act passed the House in February 2020.²⁵

A nearly identical bill, the Justice for Victims of Lynching Act of 2018 (S. 488) passed the Senate in March 2019.²⁶ This bill was then reintroduced in the House as the aforementioned Emmett Till Antilynching Act.²⁷ The name change seeks to recognize Till’s murder and legacy. Both chambers have now passed similar antilynching bills under different names, but neither bill has successfully passed both chambers.

The Senate is unable to pass the Emmett Till Antilynching Act by unanimous consent because of a sole objection from Sen. Rand Paul (R-KY), who supported the previous Justice for Victims of Lynching Act but now argues that the identical Emmett Till Antilynching Act could lead to excessive sentencing for minor infractions.²⁸ As evidenced by the 2019 passage of the Justice for Victims of Lynching Act, there is enough consensus for the Senate to overcome Sen. Paul’s objection before December.

Recommended action:

- Congress should pass a combined House and Senate antilynching bill.

Strengthen mechanisms to counter violent white supremacy abroad

In a recent House hearing, experts confirmed the global surge in white supremacist violence, which is characterized by the same technological exploitation that IS used to spread its ideology.²⁹ White supremacist terror attacks in another country can directly or indirectly inspire domestic attacks such as the mass shooting in El Paso, Texas, in which the gunman claimed inspiration from the attack in Christchurch, New Zealand, which had occurred just months earlier.³⁰ To effectively combat the threat of violent white supremacist terrorism at home, Congress must address the full scope of the threat abroad.

Violent white supremacy has always been a transnational ideology, drawing on the writings and theories of far-right activists from France to Russia.³¹ Especially in recent years, the ease of communication on online platforms and political mainstreaming of ideas promoted by the white supremacist movement has accelerated the internationalization of the threat.³² However, the majority of legislation introduced in the 116th Congress addresses violent white supremacy only as a subset of domestic terrorism.

In June, Reps. Ted Deutch (D-FL) and Max Rose (D-NY) and Sen. Bob Menendez (D-NJ) introduced the bicameral Countering Global White Supremacist Terrorism Act.³³ This act tasks the U.S. Department of State with developing a strategy to counter “white identity terrorism globally,” assess the threat, and implement counterterrorism programming. By incorporating the State Department into efforts to combat the white supremacist threat, the act takes an important step in acknowledging that white supremacist violence is an international issue that requires the same tools used to combat international terrorism. Rep. Deutch has also attached a version of the bill to the House National Defense Authorization Act (NDAA) for Fiscal Year 2021, which passed the House in July. More recently, Rep. Adam Schiff (D-CA) introduced the House Intelligence Authorization Act (IAA) for Fiscal Year 2021 with a detailed requirement for intelligence assessments and reports to examine threats from foreign white supremacist extremist organizations.³⁴ The reports include a thorough analysis of the use of federal laws, regulations, and policies to counter these threats. The Countering Global White Supremacist Terrorism Act and the House IAA represent the first significant attempts to confront the transnational dimension of white supremacist terror.

Recommended actions:

- Congress should move the Countering Global White Supremacist Terrorism Act forward, either through the NDAA or as a stand-alone bill.
- Congress should ensure that the provision combating threats from foreign white supremacist extremist organizations remains in the final IAA for Fiscal Year 2021.

Root out violent white supremacy in military and law enforcement institutions

White supremacist activity among U.S. military and law enforcement personnel has long been a systemic problem. In July, 40 lawmakers signed a bipartisan letter urging the U.S. Department of Defense (DOD) to clarify active-duty personnel policy on white supremacist ideology and activity after extremist incidents raised concerns.³⁵ A previous House hearing on “Alarming Incidents of White Supremacy in the Military” confirmed that this problem has presented itself not just in recent years but throughout U.S. history.³⁶ On the state and local level, three police officers in Wilmington, North Carolina, were fired in June after expressing violent racist sentiments on video.³⁷ U.S. Immigration and Customs Enforcement officials,³⁸ U.S. Border Patrol agents,³⁹ and National Guard members,⁴⁰ among others, have been linked to white supremacist beliefs and organizations in recent years.

Just this past September, under the leadership of Rep. Jamie Raskin (D-MD), chairman of the House Subcommittee on Civil Rights and Civil Liberties, the House held another hearing directly addressing white supremacist infiltration of local police departments.⁴¹ While the witnesses and multiple representatives emphasized the threat to both minority groups and other police officers, Ranking Member Chip Roy (R-TX) claimed that the hearing perpetuated a false narrative of systemic racism in law enforcement. The dismissal of the threat extends to the intelligence community, exemplified by an unredacted FBI assessment from 2006 that Chairman Raskin recently released after the FBI failed to appear at the hearing.⁴² The assessment highlights concerns with white supremacist infiltration of law enforcement. The report confirms that infiltration is not simply a politicized narrative but rather a severe threat that has been hidden from public view.

To ensure that those responsible for the safety of the country are not engaging in or supporting activity that puts U.S. citizens at risk, more and better information is needed as well as concrete strategies to combat white supremacist extremism within these institutions. As an addition to the House NDAA, Rep. Pete Aguilar (D-CA) introduced an amendment to require documentation and reporting to Congress of all white supremacist activity in the DOD.⁴³ Rep. Brad Schneider (D-IL) also proposed a comprehensive amendment requiring intelligence reports on white supremacist and neo-Nazi infiltration of the uniformed services and federal law enforcement agencies; however, this amendment was removed.⁴⁴

Recommended actions:

- Congress can demonstrate that it recognizes the severity of the white supremacist threat by passing the final NDAA with Rep. Aguilar’s amendment.
- Congress should reconsider the substance of Rep. Schneider’s amendment along with other measures to confront increased white supremacist activity in federal, state, and local law enforcement institutions.

Improve data collection and analysis of the domestic terror threat

White supremacist terrorist activity is an underexplored area of study.⁴⁵ A joint Anti-Defamation League and George Washington University Program on Extremism report this spring called out the lack of accurate and reliable government data on domestic terrorism as a whole.⁴⁶ The lack of comprehensive data available at the federal level prevents lawmakers and the public from fully understanding the scope of the threat, the connections between different domestic organizations, and their ties to international actors.

The NDAA for Fiscal Year 2020 (S. 1790) begins to remedy this lack of data by requiring DHS, the FBI, and the director of National Intelligence to submit reports to Congress with detailed data on domestic terrorism incidents and a strategic intelligence assessment of the threat.⁴⁷ The NDAA for FY 2020 also mandates reports on the standardization of terminology and procedures relating to domestic terrorism and establishes congressional review for policies that govern how the intelligence community addresses domestic terrorism, which is essential to congressional oversight. The former report was due to Congress on March 19, and the latter was due on June 17; however, there is no indication that the intelligence community has completed either report. According to the NDAA, the unclassified sections of these reports must be released to the public within 30 days of submission. Both deadlines for the reports to be released have now passed.

Given the lengthy history and current rise of white supremacist violence in the United States, it is also concerning that the NDAA only mandates reports for five years. The currently pending Domestic and International Terrorism DATA Act (H.R. 3106) or the bipartisan Terrorism Reporting and Classifying (TRAC) Act (S. 3118) would ensure that Americans remain informed about the domestic terrorist threat regardless of future political changes.

The DATA Act is similar to the NDAA provisions but includes a DHS report on international terrorism with a nexus to domestic terrorism trends to ensure that emerging patterns such as the globalization of white supremacist violence are properly examined.⁴⁸ The DATA Act gained unanimous support from the House Committee on Homeland Security and passed the House in October 2019.⁴⁹ However, the act lacks a counterpart in the Senate or a major legislative vehicle to ensure passage, which may explain why the Senate has failed to take it up. Sens. Ron Johnson (R-WI) and Gary Peters (D-MI) came together to sponsor the TRAC Act, which goes a step further to establish an interagency domestic terrorism data working group and unified federal database to help the public track and evaluate the threat.⁵⁰ Both the DATA and TRAC Acts display clear potential for bipartisan collaboration.⁵¹

Recommended actions:

- Congress should take steps to enforce compliance with the provisions in the NDAA for FY 2020 to ensure that both lawmakers and the public can access the information that has been guaranteed by law.
- Congress should consider moving forward with legislation to cement domestic terrorism as a security threat that requires sustained examination in future years.

Recommended congressional hearings

The 116th Congress has heard expert opinions on aspects of domestic terrorism and white supremacist violence, but certain gaps remain. In an early 2019 House hearing on “Examining the Global Terrorism Landscape,” Moonshot CVE Founder Vidhya Ramalingam and counterterrorism expert Ali Soufan identified the growing threat from white nationalist terrorism.⁵² Multiple House hearings since have highlighted the increase in both domestic terrorism as a whole and specifically violent white supremacy. The House also examined the rise in anti-Semitic domestic terrorism and the financing of domestic terrorism. (see Table 1)

The Senate similarly heard from experts who confirmed the need to reevaluate methods to better address the rise in domestic terrorism in a hearing on “Countering Domestic Terrorism: Examining the Evolving Threat.”⁵³ However, the Senate held two additional hearings on “Resources Needed to Protect and Secure the Homeland”⁵⁴ and “Worldwide Threat Assessment of the U.S. Intelligence Community,”⁵⁵ in which administration witnesses failed to even mention white supremacist violence, far-right violence, or domestic terrorism.

Building on the information gathered so far, Congress should further explore the role of technology in white supremacist violence, the roots of this violence, the connections between hate crimes and domestic terrorism, and the aforementioned transnational linkages between violent far-right groups. To fill these gaps before the year’s end, Congress should consider the following hearings.

Terrorist tools: Technology and online platforms

Domestic terrorists—especially white supremacist groups—use online platforms to communicate, recruit, and build ideological momentum. These tactics mirror those employed by the IS to expand across the world,⁵⁶ but the House has held only one hearing marginally related to technology and domestic terrorism.⁵⁷ In January 2020, during a hearing on “Hate Crimes and the Rise of White

Nationalism,” Google and Facebook representatives expressed a willingness to reexamine company policy to combat these ideologies.⁵⁸ Rep. Bennie Thompson (D-MS) also initiated efforts to examine the links between online platforms and acts of violence by proposing a National Commission on Online Platforms and Homeland Security.⁵⁹ A House or Senate Homeland Security Committee hearing focused on the role of technology could boost public understanding and generate more policy ideas to limit the spread of domestic terrorist ideologies online.

The roots of white supremacist extremism

Only one previous House hearing has discussed white supremacy as an ideology.⁶⁰ Years of counterterrorism operations have shown that understanding and addressing the underlying conditions that give rise to violent extremism is essential, but it is equally essential to protect the rights and freedoms of citizens in the process.⁶¹ The extensive history of white supremacy in the United States demands a full examination by the House or Senate Judiciary Committees. Understanding the roots of the white supremacist movement will help inform prevention and deradicalization strategies that do not leave room for abuse.

The hate crime and domestic terrorism nexus

Over the past several years, there has been a marked increase in reported hate crimes across the country.⁶² Despite a slight decline in total reported hate crimes in 2018, violent hate crimes continued to rise.⁶³ Such crimes often overlap with violent white supremacy and domestic terrorism investigations. Important legislation has progressed through Congress, including the Disarm Hate Act, which passed out of the House Committee on the Judiciary in September. This act prevents those who have committed hate crimes from obtaining firearms, which is increasingly important in light of recent situations involving armed extremists. Similarly, the Jabara-Heyer NO HATE Act in the Senate and partner act in the House have stalled since 2019.⁶⁴ A hearing could restart this crucial conversation. The House Subcommittee on the Constitution, Civil Rights, and Civil Liberties should conduct a hearing to illuminate the overlap between hate crimes and domestic terrorism and its implications for domestic terrorism data collection.

The transnational dimension of hate

America is not the only country struggling with the scourge of violent white supremacy and neo-Nazi organizations. While it is known that certain connections exist between both nongovernmental groups and state actors in different countries, the extent of these ties is not fully understood.⁶⁵ This is especially important given recent findings that state actors may be encouraging violent activity and even providing financial support to white supremacist groups.⁶⁶

International white supremacist networks could heighten the domestic terror threat from white supremacist violence in the future, increasing the need for a hearing in the House Foreign Affairs or Senate Foreign Relations Committees to explore the use of tools such as foreign terrorist organization (FTO) designations against global violent white supremacist groups. To meet the statutory requirements for designation, an FTO must be a foreign organization engaging in terrorist activity that threatens U.S. nationals or U.S. national security.⁶⁷ A hearing could help Congress determine which foreign white supremacist groups might qualify for designation and consider the First Amendment risks of designation that civil rights organizations have raised regarding freedom of speech, freedom of expression, civil liberties, and civil rights concerns.⁶⁸

Conclusion

The 116th Congress has taken steps to learn about the violent white supremacist threat facing the United States, but being informed is not nearly enough. Lawmakers have the responsibility to act on this information to ensure that 2021 does not become another year of increased hate crimes, domestic terror incidents, and white supremacist activity.

By taking advantage of the outlined opportunities to combat lynching, counter transnational extremism, root out extremism in U.S. institutions, and improve data collection and analysis, Congress can better prepare America to confront the threat of violent white supremacy.

The ongoing movement against police brutality illustrates just how much work is yet to be done to end structural racism and discrimination across policy areas. Countering acts of domestic terror that seek to intimidate racial, ethnic, and religious communities is central to eradicating violence driven by white supremacy, Islamophobia, anti-Semitism, xenophobia, and other ideologies that contradict fundamental American values. CAP's research has revealed the potential for immediate congressional action in multiple policy areas. While this should be just the beginning of a broader policy agenda, the 116th Congress can and should act on the potential to combat the most significant terrorist threat to the United States today.

TABLE 1

Legislative action on domestic terrorism in the 116th Congress

U.S. House of Representatives			
House bills	Sponsor	Purpose	Status
H.R. 35: Emmett Till Antilynching Act	Rep. Bobby Rush (D-IL)	Combats historical methods of white supremacist terrorism	Passed the House, received in the Senate; latest action on February 2, 2020
H.R. 3536: Justice for Victims of Lynching Act of 2019	Rep. Don Bacon (R-NE)	Combats historical methods of white supremacist terrorism	Referred to the House Crime, Terrorism, and Homeland Security Subcommittee; latest action on July 30, 2019
H.R. 1931: Domestic Terrorism Prevention Act of 2019	Rep. Brad Schneider (D-IL)	Improves monitoring, reporting, and law enforcement training to counter domestic terrorism	Referred to the House Crime, Terrorism, and Homeland Security Subcommittee; latest action on May 3, 2019
H.R. 5602: Domestic Terrorism Prevention Act of 2020	Rep. Brad Schneider (D-IL)	Improves monitoring, reporting, and law enforcement training to counter domestic terrorism	Passed the House, received in the Senate; latest action on September 22, 2020
H.R. 2476: Securing American Nonprofit Organizations Against Terrorism Act of 2019	Rep. Bennie Thompson (D-MS)	Provides funds to protect nonprofits from terrorist attacks	Became law; latest action on January 24, 2020
H.R. 2500: National Defense Authorization Act for Fiscal Year 2020	Rep. Adam Smith (D-WA)	Improves data collection and analysis of domestic terror threat	Placed on Senate Legislative Calendar; latest action on August 11, 2020
H.R. 2621: Homeland Security Assessment of Terrorists Use of Ghost Guns Act	Rep. Max Rose (D-NY)	Improves data collection and analysis of domestic terror threat	Supplemental report filed by the Committee on Homeland Security; latest action on June 10, 2019
H.R. 3494: Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020	Rep. Adam Schiff (D-CA)	Improves data collection and analysis of domestic terror threat	Passed the House, referred to the Senate Intelligence Committee; latest action on July 18, 2019
H.R. 7028: National Commission on U.S. Counterterrorism Policy Act of 2020	Rep. Eliot Engel (D-NY)	Improves data collection and analysis of domestic terror threat	Referred to the House Subcommittee on Intelligence and Counterterrorism; latest action on June 1, 2020
H.R. 3106: Domestic and International Terrorism DATA Act	Rep. Bennie Thompson (D-MS)	Improves data collection and analysis of domestic terror threat	Passed the House, referred to the Senate Homeland Security and Government Affairs Committee; latest action on October 15, 2019
H.R. 4190: Domestic Terrorism Information Act of 2019	Rep. Brendan Boyle (D-PA)	Improves data collection and analysis of domestic terror threat	Referred to the House Crime, Terrorism, and Homeland Security Subcommittee; latest action on September 25, 2019
H.R. 4815: Reporting Efficiently to Proper Officials in Response to Terrorism Act of 2019	Rep. Pete Aguilar (D-CA)	Improves data collection and analysis of domestic terror threat	Referred to the House Intelligence and Counterterrorism Subcommittee; latest action on November 6, 2019
H.R. 1414: FinCEN Improvement Act of 2019	Rep. Jennifer Wexton (D-VA)	Clamps down on domestic terrorism financing	Passed the House, referred to the Senate Banking, Housing, and Urban Affairs Committee; latest action on March 12, 2019
H.R. 5132: Gun Violence Prevention Through Financial Intelligence Act	Rep. Jennifer Wexton (D-VA)	Clamps down on domestic terrorism financing	Referred to the House Financial Services Committee; latest action on November 15, 2019

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Legislative action on domestic terrorism in the 116th Congress

U.S. House of Representatives			
House bills	Sponsor	Purpose	Status
H.R. 4782: National Commission on Online Platforms and Homeland Security Act	Rep. Bennie Thompson (D-MS)	Clamps down on domestic terrorist use of technology	Referred to the House Communications and Technology Subcommittee; latest action on October 23, 2019
H.R. 5736: Transnational White Supremacist Extremism Review Act	Rep. Max Rose (D-NY)	Confronts transnational violent white supremacy that feeds domestic terror threat	Passed the House, referred to the Senate Committee on Homeland Security and Governmental Affairs; latest action on October 1, 2020
H.R. 7345: Countering Global White Supremacist Terrorism Act	Rep. Max Rose (D-NY)	Confronts transnational violent white supremacy that feeds domestic terror threat	Introduced; latest action on June 25, 2020
H.R.7856: Intelligence Authorization Act for Fiscal Year 2021	Rep. Adam Schiff (D-CA)	Confronts transnational violent white supremacy that feeds domestic terror threat	Ordered to be reported; latest action on July 31, 2020
House resolutions	Sponsor	Purpose	Status
House Res. 299: Condemning White Supremacist Terrorism and the Anti-immigrant Rhetoric that Inspires It	Rep. Tom Malinowski (D-NJ)	Condemns the primary domestic terror threat today from white supremacist extremism	Referred to the House Immigration and Citizenship Subcommittee; latest action on May 3, 2019
House Res. 732: Condemning and recognizing transnational White supremacist extremism as a major global threat	Rep. Joaquin Castro (D-TX)	Condemns the primary domestic terror threat today from white supremacist extremism	Referred to the House Crime, Terrorism, and Homeland Security Subcommittee; latest action on December 18, 2019
House Res. 884: Recognizing the global threat transnational white supremacist extremism presents to America and its interests	Rep. Max Rose (D-NY)	Condemns the primary domestic terror threat today from white supremacist extremism	Referred to the House Crime, Terrorism, and Homeland Security Subcommittee; latest action on March 10, 2020
House Res.1154: Condemning QAnon and rejecting the conspiracy theories it promotes	Rep. Tom Malinowski (D-NJ)	Condemns the primary domestic terrorist threat today from white supremacist extremism	Agreed to in the House; latest action on October 2, 2020
House hearings	Committee	Purpose	Date
Local Efforts to Counter the Terror Threat in New York City: A Retrospective and a Roadmap	Homeland Security	Examines the domestic terror threat in New York City	May 6, 2019
Confronting the Rise of Domestic Terrorism in the Homeland	Homeland Security	Examines the growing threat of domestic terrorism	May 8, 2019
Global Terrorism: Threats to the Homeland, Part II	Homeland Security	Examines the growing threat of domestic terrorism	October 30, 2019
Confronting White Supremacy (Part I): The Consequences of Inaction	Oversight and Reform	Examines the growing threat of white supremacist terrorism	May 15, 2019
Confronting Violent White Supremacy (Part II): Adequacy of the Federal Response	Oversight and Reform	Examines the growing threat of white supremacist terrorism	June 4, 2019
Meeting the Challenge of White Nationalist Terrorism at Home and Abroad	Foreign Affairs	Examines the growing threat of white supremacist terrorism	September 18, 2019

TABLE 1
Legislative action on domestic terrorism in the 116th Congress

U.S. House of Representatives			
House hearings	Sponsor	Purpose	Status
Confronting Violent White Supremacy (Part III): Addressing the Transnational Terrorist Threat	Oversight and Reform	Examines the growing threat of white supremacist terrorism	September 20, 2019
Confronting Violent White Supremacy (Part IV): White Supremacy in Blue—The Infiltration of Local Police Departments	Oversight and Reform	Examines the growing threat of white supremacist terrorism	September 29, 2020
Confronting the Rise in Anti-Semitic Domestic Terrorism	Homeland Security	Examines the growing threat of anti-Semitic domestic terrorism	January 15, 2020
Confronting the Rise in Anti-Semitic Domestic Terrorism, Part II	Homeland Security	Examines the growing threat of anti-Semitic domestic terrorism	February 26, 2020
Artificial Intelligence and Counterterrorism: Possibilities and Limitations	Homeland Security	Examines the role of technology in countering domestic terrorism	June 25, 2019
Oversight of the Trump Administration’s Border Policies and the Relationship Between Anti-Immigrant Rhetoric and Domestic Terrorism	Judiciary	Examines the role of anti-immigrant rhetoric in domestic terrorism	September 6, 2019
A Persistent and Evolving Threat: An Examination of the Financing of Domestic Terrorism and Extremism	Financial Services	Examines the financing of domestic terrorism	January 15, 2020
U.S. Senate			
Senate bills	Sponsor	Purpose	Status
S.B. 488: Justice for Victims of Lynching Act of 2019	Sen. Kamala Harris (D-CA)	Combats historical methods of white supremacist terrorism	Passed the Senate, referred to the House Crime, Terrorism, and Homeland Security Subcommittee; latest action on March 22, 2019
S.B. 894: Domestic Terrorism Prevention Act of 2019	Sen. Dick Durbin (D-IL)	Improves monitoring, reporting, and law enforcement training to counter domestic terrorism	Referred to the Senate Judiciary Committee; latest action on March 27, 2019
S.B. 3190: Domestic Terrorism Prevention Act of 2020	Sen. Dick Durbin (D-IL)	Improves monitoring, reporting, and law enforcement training to counter domestic terrorism	Referred to the Senate Judiciary Committee; latest action on January 14, 2020
S.B. 1539: Protecting Faith-Based and Nonprofit Organizations From Terrorism Act of 2019	Sen. Rob Portman (R-OH)	Provides funds to protect nonprofits from terrorist attacks	Placed on the Senate Legislative Calendar; latest action on September 10, 2019
S.B. 1790: National Defense Authorization Act for Fiscal Year 2020	Sen. Jim Inhofe (R-OK)	Improves data collection and analysis of domestic terror threat	Became law; latest action on December 20, 2019
S.B. 2513: Reporting Efficiently to Proper Officials in Response to Terrorism Act of 2019	Sen. Maggie Hassan (D-NH)	Improves data collection and analysis of domestic terror threat	Placed on the Senate Legislative Calendar; latest action on December 16, 2019
S.B. 3118: Terrorism Reporting and Classifying Act of 2019	Sen. Ron Johnson (R-WI)	Improves data collection and analysis of domestic terror threat	Referred to the Senate Homeland Security and Government Affairs Committee; latest action on December 19, 2019
S.B. 3142: Increasing Efficiency of All United States-Based Terrorism Information Sharing Act of 2019	Sen. Maggie Hassan (D-NH)	Improves data collection and analysis of domestic terror threat	Referred to the Senate Intelligence Committee; latest action on December 19, 2019

TABLE 1
Legislative action on domestic terrorism in the 116th Congress

U.S. Senate			
Senate bills	Sponsor	Purpose	Status
S.B. 582: FinCEN Improvement Act of 2019	Sen. Catherine Cortez Masto (D-NV)	Clamps down on domestic terrorism financing	Referred to the Senate Banking, Housing, and Urban Affairs Committee; latest action on February 27, 2019
S.B. 2563: ILLICIT CASH Act	Sen. Mark Warner (D-VA)	Clamps down on domestic terrorism financing	Hearings held in Senate Committee on Banking, Housing, and Urban Affairs; latest action on June 30, 2020
S.B. 4080: Countering Global White Supremacist Terrorism Act	Sen. Bob Menendez (D-NJ)	Confronts transnational violent white supremacy that feeds domestic terror threat	Introduced in the Senate; latest action on June 25, 2020
Senate resolutions	Sponsor	Purpose	Status
Senate Res. 124: A resolution condemning the March 15, 2019, terrorist attacks in Christchurch, New Zealand, offering sincere condolences to all of the victims and their families, and expressing and standing in solidarity with the people and Government of New Zealand	Sen. Bob Menendez (D-NJ)	Condemns the primary domestic terror threat today from white supremacist extremism	Agreed to in the Senate; latest action on March 28, 2019
Senate Res. 367: A resolution condemning the horrific attack in Dayton, Ohio, and expressing support and prayers for all those impacted by that tragedy	Sen. Rob Portman (R-OH)	Condemns domestic terrorism	Agreed to in the Senate; latest action on October 29, 2019
Senate hearings	Committee	Purpose	Date
Countering Domestic Terrorism: Examining the Evolving Threat	Homeland Security and Governmental Affairs	Examines the growing threat of domestic terrorism	September 25, 2019

Source: For a full list of sources, see the digital version of this report at <https://www.americanprogress.org/?p=492095>.

TABLE 2

Legislative distractions from addressing domestic terrorism in the 116th Congress

U.S. House of Representatives			
House bills	Sponsor	Purpose	Status
H.R. 4187: Domestic Terrorism Penalties Act of 2019	Rep. Randy Weber (R-TX)	Establishes broad domestic terrorism penalties that endanger civil liberties	Referred to the House Crime, Terrorism, and Homeland Security Subcommittee; latest action on September 25, 2019
H.R. 4192: Confronting the Threat of Domestic Terrorism Act	Rep. Adam Schiff (D-CA)	Establishes broad domestic terrorism offenses that endanger civil liberties	Referred to the House Judiciary Committee; latest action on August 16, 2019
House resolutions	Sponsor	Purpose	Status
House Res. 525: Calling for the designation of Antifa as a domestic terrorist organization	Rep. Brian Fitzpatrick (R-PA)	Distracts by equating antifa threat to threat from white supremacist terrorism	Referred to the House Crime, Terrorism, and Homeland Security Subcommittee; latest action on August 6, 2019
House Res. 536: Strongly condemning the violent actions of Antifa and recognizing that it engages in domestic terrorism	Rep. Mark Green (R-TN)	Distracts by equating antifa threat to threat from white supremacist terrorism	Referred to the House Crime, Terrorism, and Homeland Security Subcommittee; latest action on August 12, 2019
House hearings	Committee	Purpose	Date
Testimony of Candace Owens for House Hearing on Confronting Violent White Supremacy (Part III): Addressing the Transnational Terrorist Threat	Oversight and Reform	Distracts by denying the proven threat from white supremacist terrorism	9/20/19
U.S. Senate			
Senate bills	Sponsor	Purpose	Status
S.B. 2690: Restoring, Enhancing, Securing, and Promoting Our Nation's Safety Efforts Act of 2019	Sen. John Cornyn (R-TX)	Establishes broad domestic terrorism penalties that endanger civil liberties	Referred to the Senate Judiciary Committee; latest action on October 23, 2019
Senate resolutions	Sponsor	Purpose	Status
Senate Res. 279: A resolution calling for the designation of Antifa as a domestic terrorist organization	Sen. Bill Cassidy (R-LA)	Distracts by equating antifa threat to threat from white supremacist terrorism	Referred to the Senate Judiciary Committee; latest action on July 18, 2019

Source: For a full list of sources, see the digital version of this report at <https://www.americanprogress.org/?p=492095>.

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