



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

September 25, 2020

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

Dear Director Wray:

We write to follow up on testimony you recently provided to the Committee regarding the threat of domestic terrorism to better understand the scope of the domestic terrorism threat and the federal government's actions in response. In particular, we seek to receive more specific information about the FBI's open investigations with a domestic terrorism nexus, particularly investigations involving white supremacist extremism and militia extremism. We recognize that the FBI does not designate domestic terrorist organizations¹ and that Americans are entitled to robust civil rights and civil liberties associated with constitutionally protected conduct, and, as such, any such investigations should have significant guardrails in place. The information provided to date by the FBI regarding domestic terrorism has not adequately detailed such investigations for the Committee to conduct necessary oversight of this issue.

In your oral testimony before the Committee on September 17, 2020, you stated the following in response to a question from Rep. Elissa Slotkin:

“As a general rule ... we have been having roughly 1,000 domestic terrorism investigations a year. It's higher than that this year. ... A good bit north of 1,000 this year. I know that we have had about 120 arrests for domestic terrorism this year.”²

You went on to describe how incidents linked to the FBI's category of “Racially/Ethnically Motivated Violent Extremism” (RMVE) make up a majority of the domestic terrorism “bucket,” with white supremacists making up a majority of the RMVE category.³ In your written testimony, you underscored the stakes as follows:

¹ In contrast, the State Department's criteria for designating Foreign Terrorist Organizations and Specially Designated Global Terrorists are well established, listing organizations with significant foreign links.

² Hon. Christopher A. Wray, Director, Federal Bureau of Investigation, *Testimony Before the House Committee on Homeland Security for a Hearing Entitled “Worldwide Threats to the Homeland,”* Sept. 17, 2020.

³ *Id.*

“2019 was the deadliest year for domestic extremist violence since the Oklahoma City Bombing in 1995. ... RMVEs were the primary source of ideologically-motivated lethal incidents and violence in 2018 and 2019 and have been considered the most lethal of all domestic extremists since 2001.”⁴

We seek a more detailed accounting of the FBI’s open investigations with a domestic terrorism nexus, particularly involving white supremacist extremism and militia extremism. In the recent past, the FBI has been forthcoming to this Committee about the terror threat posed by individuals associated with groups such as ISIS, providing granular information about the specific number of cases involving disrupted plots, weapons charges, and other crimes, sorted by location within the United States.⁵

Specifically, in light of your testimony that the FBI is engaged in “a good bit north of 1,000” domestic terrorism cases this year, we seek information regarding the number of current assessments, preliminary investigations, and full investigations with a domestic terrorism nexus; the geographic distribution of such investigations; aggregate information regarding the number of such assessments or investigations associated with specific ideological categories; aggregate information about instances in which five or more such assessments or investigations involve conduct demonstrably linked to specific organizations and/or ideological movements; and information regarding any coordination with state and local law enforcement to investigate and disrupt potential violence associated with white supremacist extremism or militia extremism.

We reiterate our clear and firm understanding that the FBI does not designate domestic terrorism organizations nor initiate investigations based on mere group affiliation or professed ideologies. However, in the course of this Committee’s oversight, we have become well aware that certain specific organizations, including white supremacist extremist groups and militia extremist groups, as well as unstructured leaderless movements such as Boogaloo, have been linked to domestic terrorist violence in recent years. We simply seek to understand the data and aggregate trends as the FBI perceives them in order to understand the contours of the threat and how the federal government is countering it.

It was Congress’ expectation that information would be provided regarding current FBI investigations with a nexus to terrorism, as required by the *Domestic and International Terrorism DATA Act* that was signed into law last year. That report is more than three months overdue. At a time when—per your own testimony—the domestic terrorism threat is large and growing, our constituents are understandably concerned about ideologically motivated violence. Moreover, we have grave concerns about the escalation of violence in the coming weeks, particularly as the President warns that he may not commit to a peaceful transition of power.⁶ As Members of Congress, we have a duty to ensure that the Federal government is vigilant against all potential violent threats.

⁴ Hon. Christopher A. Wray, Director, Federal Bureau of Investigation, *Written Submission to the House Committee on Homeland Security for a Hearing Entitled “Worldwide Threats to the Homeland,”* Sept. 17, 2020, available at <https://homeland.house.gov/imo/media/doc/Testimony%20-%20Wray.pdf>.

⁵ See, e.g., *Terror Threat Snapshot: The ISIS Terror Threat in America*, HOUSE HOMELAND SECURITY COMMITTEE, Dec. 2016, available at <https://www.hsdl.org/?view&did=797201>.

⁶ Kevin Liptak and Maegan Vazquez, *Trump refuses to commit to a peaceful transition of power after Election Day*, CNN, Sept. 23, 2020, <https://www.cnn.com/2020/09/23/politics/trump-election-day-peaceful-transition/index.html>.

While we would be willing to receive such information in a classified setting as necessary, we note that an FBI briefer was unable or unwilling to provide such information to us during a classified briefing to the Committee on September 24, 2020.

Thank you for your immediate attention to this request. This information is urgently sought given serious concerns about violence surrounding the November election.

Sincerely,



Bennie G. Thompson
Chairman
Committee on Homeland Security



Max Rose
Chairman
Subcommittee on Intelligence & Counterterrorism



Elissa Slotkin
Member of Congress