

Congress of the United States
Washington, DC 20515

January 12, 2021

Guy Harris
President
Electronic Transaction Association Board of Directors
1620 L Street NW, Suite 1020,
Washington, DC 20036

Jodie Kelley
Chief Executive Officer
Electronic Transaction Association
1620 L Street NW, Suite 1020,
Washington, DC 20036

Dear Mr. Harris and Ms. Kelley,

I write to call on your member institutions, in consultation with federal law enforcement, the Financial Crimes Enforcement Network (FinCEN), and civil rights organizations, to freeze all financial services for persons and organizations engaged in the violent terrorist attack against the United States Capitol on January 6, 2021. Further, your institutions should suspend services to any actor that sought to raise funds off the seditious events of January 6th. Far-right, white-nationalist, and associated domestic terror organizations pose an imminent threat to the national security of the United States and our financial system. Every effort should be made to identify all terror suspects involved in the attack, prevent the facilitation of further criminal activity, and to disrupt their illicit networks. It is important that a response to this request is provided by Friday, January 15, 2021, in advance of other high threat events.

Domestic terrorism is defined by statute as a life-endangering federal or state crime, committed within the United States, with the apparent intent to coerce or intimidate a civilian population or influence government policy or conduct. According to the FBI, the possible underlying drivers for domestic terrorism include perceptions of government or law enforcement overreach, socio-political conditions, racism, anti-Semitism, Islamophobia, and reactions to legislative actions. The American public saw a display of this form of terrorism on the January 6th attack on the U.S. Capitol complex. Domestic terrorists and violent extremists rely on the financial services provided by financial institutions and technology companies to progress their agenda. Some financial services providers have taken significant steps to address aspects of this problem by combatting domestic terrorism through application of relevant law and enforcement of terms of service agreements. While I applaud any steps taken in this direction, the attack of this past week necessitates more decisive action.

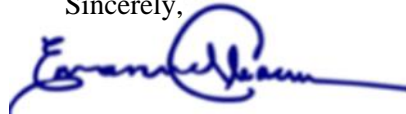
A significant number of domestic terrorist groups and their confederates have already been identified as being involved in the events of January 6th. They include the Proud Boys, the Rise Above Movement, Anticom, Booglao Bois, the last Sons of Liberty, and several other extremist groups. In addition to political views, many of these domestic terror groups also organize around viewpoints of blatant hate, discrimination, and marginalization based on characteristics such as race, religion, sex, and sexual orientation. Civil rights organizations like the Southern Poverty Law Center have worked diligently to identify these groups and track their criminal efforts. However, there is a range of actors involved in the attack on the U.S. Capitol, or who supported its seditious aims, that continue to leverage financial networks to facilitate their actions.

As some mainstream financial services providers have refused to provide products and services to domestic terrorists, these extremist groups have sought out relationships with intermediary organizations with questionable terms of service. These organizations often act as go-betweens for extremist groups and financial services providers. For example, if a financial services provider refuses to process payments on the website of an extremist group, these nefarious actors have historically looked to platforms that have payment relationships with mainstream financial services providers to help process transactions for them. Crowdfunding site GiveSendGo which is currently helping Proud Boy leader Enrique Tarrio raise hundreds of thousands of dollars for legal defense is but one example.

As Chairman of the Financial Services Subcommittee on National Security, I call on your institutions to permanently disrupt financial services for these dangerous actors and all persons connected to them. It is equally imperative that all those who sought to raise funds on this seditious terrorist plot be barred from financial platforms. Their actions advance an illicit plot which seeks to subvert the peaceful transition of power in our country. Your institutions should assess your formal and informal relationships with domestic terror organizations and work with federal law enforcement and FinCEN to help hold these criminals accountable. It is imperative that your institutions respond to this request by Friday, January 15, 2021, in advance of other high-threat events to occur this month.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Emanuel Cleaver, II", with a stylized flourish at the end.

Emanuel Cleaver, II
Member of Congress

CC: United States Department of Justice
Federal Bureau of Investigations
Southern Poverty Law Center
Brenan Center for Justice
Financial Crimes Enforcement Network