

119TH CONGRESS
2D SESSION

H. R. 6953

To provide for an enhanced penalty for an act of violent insurrection.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2026

Mrs. TORRES of California (for herself, Ms. KELLY of Illinois, Mrs. FLETCHER, and Ms. FRIEDMAN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for an enhanced penalty for an act of violent
insurrection.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Violent Insurrection
5 Recidivist Enhancement Act of 2026”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) There is a compelling governmental interest
9 in protecting democratic institutions, governmental
10 functions, and public safety.

1 (2) Attacks have occurred against the constitu-
2 tional order that undermine democratic institutions,
3 seek to stop governmental functions, and endanger
4 public safety.

5 (3) One such violent attack, the January 6,
6 2021 attack on the United States Capitol, con-
7 stituted an unprecedented assault on democratic in-
8 stitutions.

9 (4) Recidivist enhancements for those guilty of
10 actual or attempted insurrection, and associated con-
11 duct, are necessary to reflect the seriousness of the
12 offense, deter future attacks on constitutional gov-
13 ernance, and incapacitate the defendants from com-
14 mitting future such acts.

15 **SEC. 3. DEFINITIONS.**

16 For purposes of this Act:

17 (1) VIOLENT INSURRECTION.—The term “Vio-
18 lent Insurrection” means any person who—

19 (A) unlawfully entered the United States
20 Capitol, White House, or Supreme Court build-
21 ing or grounds in violation of sections 1361 and
22 1752 of title 18, United States Code, or section
23 5104 of title 40, United States Code, the sym-
24 bols of our highest government institutions—

1 (i) engaged in violence or threatened
2 violence against any person on these
3 grounds in response to actual or perceived
4 election results or activities and in viola-
5 tion of sections 111 and 372 of title 18,
6 United States Code, or section 5104 of
7 title 40, United States Code;

8 (ii) obstructed, influenced, or impeded
9 any official proceeding related to the cer-
10 tification of electoral votes or related to an
11 election in violation of section 1512(c) and
12 (k) of title 18, United States Code, or sec-
13 tion 5104 of title 40, United States Code;
14 or

15 (iii) damaged or destroyed property
16 on the United States Capitol, White
17 House, or Supreme Court building or
18 grounds in violation of section 1361 of title
19 18, United States Code, or section 5104 of
20 title 40, United States Code, and in re-
21 sponse to actual or perceived election re-
22 sults or activities;

23 (B) attempted to commit any of the fore-
24 going acts; or

1 (C) conspired to commit any of the fore-
2 going acts.

3 (2) ACT OF PRIOR VIOLENT INSURRECTION.—

4 The term “Act of Prior Violent Insurrection” means
5 a prior conviction for conduct constituting a violent
6 insurrection as defined in subsection (a) without re-
7 gard to—

8 (A) whether the conviction was subse-
9 quently pardoned; or

10 (B) whether the conviction was set aside.

11 **SEC. 4. RECIDIVIST ENHANCEMENT REQUIREMENT.**

12 (a) ENHANCED PENALTY REQUIREMENT.—A de-
13 fendant may receive an enhanced sentence under this Act
14 if—

15 (1) the defendant is convicted of an act of vio-
16 lent insurrection as defined in section 3;

17 (2) the defendant has engaged in prior act of
18 violent insurrection as defined in section 3; and

19 (3) the instant Federal crime was committed
20 after the effective date of this Act.

21 (b) RECIDIVIST ENHANCEMENT TERMS.—

22 (1) GENERAL ENHANCEMENT.—Except as pro-
23 vided in paragraphs (2) and (3), the person may re-
24 ceive an additional term of imprisonment of no more
25 than 4 years.

1 (2) SERIOUS FELONY ENHANCEMENT.—If the
2 underlying Federal crime is punishable by imprison-
3 ment of 10 years or more, the person may receive
4 an additional term of imprisonment of 5 years.

5 (3) VIOLENCE AGAINST GOVERNMENT EN-
6 HANCEMENT.—If the underlying Federal crime in-
7 volves—

8 (A) violence or threatened violence against
9 any Federal official or employee in violation of
10 sections 111 and 372 of title 18, United States
11 Code, or section 5104 of title 40, United States
12 Code;

13 (B) damage to Federal property in viola-
14 tion of section 1361 of title 18, United States
15 Code, or section 5104 of title 40, United States
16 Code;

17 (C) obstruction of any official Federal pro-
18 ceeding in violation of section 1512(c) and (k)
19 of title 18, United States Code, or section 5104
20 of title 40, United States Code; or

21 (D) any crime occurring on Federal prop-
22 erty in violation of section 1361 of title 18,
23 United States Code, or section 5104 of title 40,
24 United States Code;

1 the person may receive an additional term of impris-
2 onment of 10 years.

3 (c) LIFE ENHANCEMENT.—Any person convicted of
4 a Federal crime enumerated in this subsection who has
5 engaged in a pattern of anti-democratic conduct may be
6 sentenced to life imprisonment with a minimum term of
7 15 years if convicted of—

8 (1) treason (18 U.S.C. 2381);

9 (2) seditious conspiracy (18 U.S.C. 2384);

10 (3) advocating overthrow of government (18
11 U.S.C. 2385);

12 (4) murder of a Federal official (18 U.S.C.
13 1114);

14 (5) rebellion or insurrection (18 U.S.C. 2383);

15 or

16 (6) assassination or assault upon the President
17 or successors (18 U.S.C. 1751).

18 **SEC. 5. LIMITATIONS AND SAFEGUARDS.**

19 (a) CONSTITUTIONAL RIGHTS.—Nothing in this Act
20 shall be construed to deny or limit the constitutional rights
21 of any individual.

22 (b) APPEAL RIGHTS.—Any person sentenced under
23 this Act shall have the right to appeal both the underlying
24 conviction and the enhanced penalty.

1 **SEC. 6. TREATMENT OF PARDONED OR SET-ASIDE CONVIC-**
2 **TIONS.**

3 For purposes of section 4, a Presidential pardon for
4 conduct constituting a pattern of anti-democratic conduct
5 under this Act that is not based on the innocence of the
6 individual or a reversible legal error that fundamentally
7 changed the outcome of justice shall not preclude the ap-
8 plication of enhanced recidivist penalties under this Act
9 for future Federal crimes.

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