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H. R. 4918

To authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2018

Mr. SCHNEIDER (for himself, Mr. THOMPSON of Mississippi, Ms. KELLY of Illinois, Mr. CORREA, and Mr. GONZALEZ of Texas) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Domestic Terrorism
3 Prevention Act of 2018”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) White supremacists and other right-wing
7 extremists are the most significant domestic ter-
8 rorism threat facing the United States.

9 (2) An unclassified May 2017 joint intelligence
10 bulletin from the Federal Bureau of Investigation
11 and the Department of Homeland Security found
12 that “white supremacist extremism poses [a] per-
13 sistent threat of lethal violence,” and that White su-
14 premacists “were responsible for 49 homicides in 26
15 attacks from 2000 to 2016 . . . more than any
16 other domestic extremist movement”.

17 (3) According to the New America Foundation,
18 since September 11, 2001, 77 Americans have died
19 in terrorist attacks by domestic extremists in the
20 United States. Eighty-nine percent were killed by
21 far-right-wing extremists.

22 (4) The fatal attacks described in paragraph
23 (3) include—

24 (A) the August 5, 2012, mass shooting at
25 a Sikh gurdwara in Oak Creek, Wisconsin, in

1 which a White supremacist shot and killed 6
2 members of the gurdwara;

3 (B) the April 13, 2014, mass shooting at
4 a Jewish community center and a Jewish as-
5 sisted living facility in Overland Park, Kansas,
6 in which a neo-Nazi shot and killed 3 civilians,
7 including a 14-year-old teenager;

8 (C) the June 8, 2014, ambush in Las
9 Vegas, Nevada, in which 2 supporters of the far
10 right-wing “patriot” movement shot and killed
11 2 police officers and a civilian;

12 (D) the June 17, 2015, mass shooting at
13 the Emanuel AME Church in Charleston, South
14 Carolina, in which a White supremacist shot
15 and killed 9 members of the church;

16 (E) the November 27, 2015, mass shooting
17 at a Planned Parenthood clinic in Colorado
18 Springs, Colorado, in which an anti-abortion ex-
19 tremist shot and killed a police officer and 2 ci-
20 vilians;

21 (F) the March 20, 2017, murder of an Af-
22 rican-American man in New York City, alleg-
23 edly committed by a White supremacist who re-
24 portedly traveled to New York “for the purpose
25 of killing black men”;

1 (G) the May 26, 2017, attack in Portland,
2 Oregon, in which a White supremacist allegedly
3 murdered 2 men and injured a third after the
4 men defended 2 young women whom the indi-
5 vidual had targeted with anti-Muslim hate
6 speech; and

7 (H) the August 12, 2017, attack in Char-
8 lottesville, Virginia, in which a White suprema-
9 cist allegedly killed one and injured nineteen
10 after driving his car through a crowd of individ-
11 uals protesting a neo-Nazi rally, and of which
12 Attorney General Jeff Sessions said, “It does
13 meet the definition of domestic terrorism in our
14 statute.”.

15 (5) The Anti-Defamation League’s Center on
16 Extremism found that right-wing extremists were re-
17 sponsible for 150 terrorist acts, attempted acts, and
18 plots and conspiracies that took place in the United
19 States between 1993 and 2017. These attacks re-
20 sulted in the deaths of 255 people and injured more
21 than 600.

22 (6) According to the Southern Poverty Law
23 Center, in 2015, for the first time in 5 years, the
24 number of hate groups in the United States rose by
25 14 percent. The increase included a more than two-

1 fold rise in the number of Ku Klux Klan chapters.
2 The number of anti-government militias and “pa-
3 triot” groups also grew by 14 percent in 2015.

4 (7) In November 2017, the Federal Bureau of
5 Investigation released its annual hate crime incident
6 report, which found that in 2016, hate crimes in-
7 creased by almost 5 percent, including a 19-percent
8 rise in hate crimes against American Muslims. Simi-
9 larly, the previous year’s report found that in 2015,
10 hate crimes increased by 6 percent. Much of that in-
11 crease came from a 66-percent rise in attacks on
12 American Muslims. In both reports, race-based
13 crimes were most numerous; more than 50 percent
14 of those hate crimes targeted African Americans.

15 (8) In January 2017, a right-wing extremist
16 who had expressed anti-Muslim views was charged
17 with murder for allegedly killing 6 people and injur-
18 ing nineteen in a shooting rampage at a mosque in
19 Quebec City, Canada. It was the first-ever mass
20 shooting at a mosque in North America, and Prime
21 Minister Trudeau labeled it a terrorist attack.

22 (9) Between January and July 2017, news re-
23 ports found 63 incidents in which American mosques
24 were targeted by threats, vandalism, or arson.

1 **SEC. 3. DEFINITIONS.**

2 In this Act—

3 (1) the term “Director” means the Director of
4 the Federal Bureau of Investigation;

5 (2) the term “domestic terrorism” has the
6 meaning given the term in section 2331 of title 18,
7 United States Code;

8 (3) the term “Domestic Terrorism Executive
9 Committee” means the committee within the De-
10 partment of Justice tasked with assessing and shar-
11 ing information about ongoing domestic terrorism
12 threats; and

13 (4) the term “Secretary” means the Secretary
14 of Homeland Security.

15 **SEC. 4. OFFICES TO COMBAT DOMESTIC TERRORISM.**

16 (a) AUTHORIZATION OF OFFICES TO MONITOR, ANA-
17 LYZE, INVESTIGATE, AND PROSECUTE DOMESTIC TER-
18 RORISM.—

19 (1) DOMESTIC TERRORISM UNIT.—There is au-
20 thorized a Domestic Terrorism Unit in the Office of
21 Intelligence and Analysis of the Department of
22 Homeland Security, which shall be responsible for
23 monitoring and analyzing domestic terrorism activ-
24 ity.

25 (2) DOMESTIC TERRORISM OFFICE.—There is
26 authorized a Domestic Terrorism Office in the

1 Counterterrorism Section of the National Security
2 Division of the Department of Justice—

3 (A) which shall be responsible for inves-
4 tigating and prosecuting incidents of domestic
5 terrorism; and

6 (B) which shall be headed by the Domestic
7 Terrorism Counsel.

8 (3) DOMESTIC TERRORISM SECTION OF THE
9 FBI.—There is authorized a Domestic Terrorism
10 Section within the Counterterrorism Division of the
11 Federal Bureau of Investigation, which shall be re-
12 sponsible for investigating domestic terrorism activ-
13 ity.

14 (b) JOINT REPORT ON DOMESTIC TERRORISM.—

15 (1) ANNUAL REPORT REQUIRED.—Not later
16 than 180 days after the date of enactment of this
17 Act, and each year thereafter, the Secretary of
18 Homeland Security, the Attorney General, and the
19 Director of the Federal Bureau of Investigation shall
20 submit a joint report authored by the domestic ter-
21 rorism offices authorized under paragraphs (1), (2),
22 and (3) of subsection (a) to—

23 (A) the Committee on the Judiciary, the
24 Committee on Homeland Security and Govern-

1 mental Affairs, and the Select Committee on
2 Intelligence of the Senate; and

3 (B) the Committee on the Judiciary, the
4 Committee on Homeland Security, and the Per-
5 manent Select Committee on Intelligence of the
6 House of Representatives.

7 (2) CONTENTS.—Each report submitted under
8 paragraph (1) shall include—

9 (A) an assessment of the domestic ter-
10 rorism threat posed by White supremacists, in-
11 cluding White supremacist infiltration and re-
12 cruitment of law enforcement officers and mem-
13 bers of the Armed Forces;

14 (B)(i) in the first report, an analysis of in-
15 cidents or attempted incidents of domestic ter-
16 rorism that have occurred in the United States
17 since April 19, 1995; and

18 (ii) in each subsequent report, an analysis
19 of incidents or attempted incidents of domestic
20 terrorism that occurred in the United States
21 during the preceding year; and

22 (C) a quantitative analysis of domestic ter-
23 rorism for the preceding year, including the
24 number of—

1 (i) domestic terrorism related assess-
2 ments initiated by the Federal Bureau of
3 Investigation, including the number of as-
4 sessments from each classification and sub-
5 category;

6 (ii) domestic terrorism related prelimi-
7 nary investigations initiated by the Federal
8 Bureau of Investigation, including the
9 number of preliminary investigations from
10 each classification and subcategory, and
11 how many preliminary investigations re-
12 sulted from assessments;

13 (iii) domestic terrorism related full in-
14 vestigations initiated by the Federal Bu-
15 reau of Investigation, including the number
16 of full investigations from each classifica-
17 tion and subcategory, and how many full
18 investigations resulted from preliminary in-
19 vestigations and assessments;

20 (iv) domestic terrorism related inci-
21 dents, including the number of incidents
22 from each classification and subcategory,
23 the number of deaths and injuries result-
24 ing from each incident, and a detailed ex-
25 planation of each incident;

1 (v) Federal domestic terrorism related
2 arrests, including the number of arrests
3 from each classification and subcategory,
4 and a detailed explanation of each arrest;

5 (vi) Federal domestic terrorism re-
6 lated indictments, including the number of
7 indictments from each classification and
8 subcategory, and a detailed explanation of
9 each indictment;

10 (vii) Federal domestic terrorism re-
11 lated prosecutions, including the number of
12 incidents from each classification and sub-
13 category, and a detailed explanation of
14 each prosecution;

15 (viii) Federal domestic terrorism re-
16 lated convictions, including the number of
17 convictions from each classification and
18 subcategory, and a detailed explanation of
19 each conviction; and

20 (ix) Federal domestic terrorism re-
21 lated weapons recoveries, including the
22 number of each type of weapon and the
23 number of weapons from each classifica-
24 tion and subcategory.

1 (3) CLASSIFICATION AND PUBLIC RELEASE.—

2 Each report submitted under paragraph (1) shall
3 be—

4 (A) unclassified, to the greatest extent pos-
5 sible, with a classified annex only if necessary;
6 and

7 (B) in the case of the unclassified portion
8 of the report, posted on the public websites of
9 the Department of Homeland Security, the De-
10 partment of Justice, and the Federal Bureau of
11 Investigation.

12 (c) DOMESTIC TERRORISM EXECUTIVE COM-
13 MITTEE.—There is authorized a Domestic Terrorism Ex-
14 ecutive Committee, which shall—

15 (1) meet on a regular basis, and not less regu-
16 larly than 4 times each year, to coordinate with
17 United States Attorneys and other key public safety
18 officials across the country to promote information
19 sharing and ensure an effective, responsive, and or-
20 ganized joint effort to combat domestic terrorism;
21 and

22 (2) be co-chaired by—

23 (A) the Domestic Terrorism Counsel au-
24 thorized under subsection (a)(2)(B);

1 (B) a United States Attorney or Assistant
2 United States Attorney;

3 (C) a member of the National Security Di-
4 vision of the Department of Justice; and

5 (D) a member of the Federal Bureau of
6 Investigation.

7 (d) FOCUS ON GREATEST THREATS.—The domestic
8 terrorism offices authorized under paragraphs (1), (2),
9 and (3) of subsection (a) shall focus their limited resources
10 on the most significant domestic terrorism threats, as de-
11 termined by the number of domestic terrorism related inci-
12 dents from each category and subclassification in the joint
13 report for the preceding year required under subsection
14 (b).

15 **SEC. 5. TRAINING TO COMBAT DOMESTIC TERRORISM.**

16 (a) REQUIRED TRAINING AND RESOURCES.—The
17 State and Local Anti-Terrorism Program, funded by the
18 Bureau of Justice Assistance of the Department of Jus-
19 tice, shall include training and resources to assist State,
20 local, and tribal law enforcement officers in under-
21 standing, detecting, deterring, and investigating acts of
22 domestic terrorism. The training shall focus on the most
23 significant domestic terrorism threats, as determined by
24 the quantitative analysis in the joint report required under
25 section 4(b).

1 (b) REQUIREMENT.—Any individual who provides do-
2 mestic terrorism training required under this section shall
3 have—

4 (1) expertise in domestic terrorism; and

5 (2) relevant academic, law enforcement, or
6 other experience in matters related to domestic ter-
7 rorism.

8 (c) REPORT.—

9 (1) IN GENERAL.—Not later than 1 year after
10 the date of enactment of this Act and once each year
11 thereafter, the Director of the Bureau of Justice As-
12 sistance shall submit an annual report to the com-
13 mittees of Congress described in section 4(b)(1) on
14 the domestic terrorism training implemented under
15 this section, which shall include copies of all training
16 materials used and the names and qualifications of
17 the individuals who provide the training.

18 (2) CLASSIFICATION.—Each report submitted
19 under paragraph (1) shall be unclassified, to the
20 greatest extent possible, with a classified annex only
21 if necessary.

1 **SEC. 6. COMBATTING DOMESTIC TERRORISM THROUGH**
2 **JOINT TERRORISM TASK FORCES AND FU-**
3 **SION CENTERS.**

4 (a) **IN GENERAL.**—The joint terrorism task forces of
5 the Federal Bureau of Investigation and State, local, and
6 regional fusion centers, as established under section 210A
7 of the Homeland Security Act of 2002 (6 U.S.C. 124h),
8 shall each, in coordination with the Domestic Terrorism
9 Executive Committee and the domestic terrorism offices
10 authorized under paragraphs (1), (2), and (3) of section
11 4(a) of this Act—

12 (1) share intelligence to address domestic ter-
13 rorism activities;

14 (2) conduct an annual, intelligence-based as-
15 sessment of domestic terrorism activities in their ju-
16 risdictions; and

17 (3) formulate and execute a plan to address and
18 combat domestic terrorism activities in their juris-
19 dictions.

20 (b) **REQUIREMENT.**—The activities required under
21 subsection (a) shall focus on the most significant domestic
22 terrorism threats, as determined by the number of domes-
23 tic terrorism related incidents from each category and sub-
24 classification in the joint report for the preceding year re-
25 quired under section 4(b).

1 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the De-
3 partment of Justice, the Federal Bureau of Investigation,
4 and the Department of Homeland Security such sums as
5 may be necessary to carry out this Act.

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