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1ST SESSION

H. R. 1955

IN THE SENATE OF THE UNITED STATES

OCTOBER 24, 2007

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To prevent homegrown terrorism, and for other purposes.

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 “Violent Radicalization
3 and Homegrown Terrorism Prevention Act of 2007”.

4 **SEC. 2. PREVENTION OF VIOLENT RADICALIZATION AND**
5 **HOMEGROWN TERRORISM.**

6 (a) IN GENERAL.—Title VIII of the Homeland Secu-
7 rity Act of 2002 (6 U.S.C. 361 et seq.) is amended by
8 adding at the end the following new subtitle:

9 **“Subtitle J—Prevention of Violent**
10 **Radicalization and Homegrown**
11 **Terrorism**

12 **“SEC. 899A. DEFINITIONS.**

13 “For purposes of this subtitle:

14 “(1) COMMISSION.—The term ‘Commission’
15 means the National Commission on the Prevention
16 of Violent Radicalization and Homegrown Terrorism
17 established under section 899C.

18 “(2) VIOLENT RADICALIZATION.—The term
19 ‘violent radicalization’ means the process of adopting
20 or promoting an extremist belief system for the pur-
21 pose of facilitating ideologically based violence to ad-
22 vance political, religious, or social change.

23 “(3) HOMEGROWN TERRORISM.—The term
24 ‘homegrown terrorism’ means the use, planned use,
25 or threatened use, of force or violence by a group or
26 individual born, raised, or based and operating pri-

1 marily within the United States or any possession of
2 the United States to intimidate or coerce the United
3 States government, the civilian population of the
4 United States, or any segment thereof, in further-
5 ance of political or social objectives.

6 “(4) IDEOLOGICALLY BASED VIOLENCE.—The
7 term ‘ideologically based violence’ means the use,
8 planned use, or threatened use of force or violence
9 by a group or individual to promote the group or in-
10 dividual’s political, religious, or social beliefs.

11 **“SEC. 899B. FINDINGS.**

12 “The Congress finds the following:

13 “(1) The development and implementation of
14 methods and processes that can be utilized to pre-
15 vent violent radicalization, homegrown terrorism,
16 and ideologically based violence in the United States
17 is critical to combating domestic terrorism.

18 “(2) The promotion of violent radicalization,
19 homegrown terrorism, and ideologically based vio-
20 lence exists in the United States and poses a threat
21 to homeland security.

22 “(3) The Internet has aided in facilitating vio-
23 lent radicalization, ideologically based violence, and
24 the homegrown terrorism process in the United
25 States by providing access to broad and constant

1 streams of terrorist-related propaganda to United
2 States citizens.

3 “(4) While the United States must continue its
4 vigilant efforts to combat international terrorism, it
5 must also strengthen efforts to combat the threat
6 posed by homegrown terrorists based and operating
7 within the United States.

8 “(5) Understanding the motivational factors
9 that lead to violent radicalization, homegrown ter-
10 rorism, and ideologically based violence is a vital
11 step toward eradicating these threats in the United
12 States.

13 “(6) Preventing the potential rise of self
14 radicalized, unaffiliated terrorists domestically can-
15 not be easily accomplished solely through traditional
16 Federal intelligence or law enforcement efforts, and
17 can benefit from the incorporation of State and local
18 efforts.

19 “(7) Individuals prone to violent radicalization,
20 homegrown terrorism, and ideologically based vio-
21 lence span all races, ethnicities, and religious beliefs,
22 and individuals should not be targeted based solely
23 on race, ethnicity, or religion.

24 “(8) Any measure taken to prevent violent
25 radicalization, homegrown terrorism, and ideologi-

1 cally based violence and homegrown terrorism in the
2 United States should not violate the constitutional
3 rights, civil rights, or civil liberties of United States
4 citizens or lawful permanent residents.

5 “(9) Certain governments, including the United
6 Kingdom, Canada, and Australia have significant ex-
7 perience with homegrown terrorism and the United
8 States can benefit from lessons learned by those na-
9 tions.

10 **“SEC. 899C. NATIONAL COMMISSION ON THE PREVENTION**
11 **OF VIOLENT RADICALIZATION AND IDEO-**
12 **LOGICALLY BASED VIOLENCE.**

13 “(a) ESTABLISHMENT.—There is established within
14 the legislative branch of the Government the National
15 Commission on the Prevention of Violent Radicalization
16 and Homegrown Terrorism.

17 “(b) PURPOSE.—The purposes of the Commission are
18 the following:

19 “(1) Examine and report upon the facts and
20 causes of violent radicalization, homegrown ter-
21 rorism, and ideologically based violence in the
22 United States, including United States connections
23 to non-United States persons and networks, violent
24 radicalization, homegrown terrorism, and ideologi-
25 cally based violence in prison, individual or ‘lone

1 wolf’ violent radicalization, homegrown terrorism,
2 and ideologically based violence, and other faces of
3 the phenomena of violent radicalization, homegrown
4 terrorism, and ideologically based violence that the
5 Commission considers important.

6 “(2) Build upon and bring together the work of
7 other entities and avoid unnecessary duplication, by
8 reviewing the findings, conclusions, and rec-
9 ommendations of—

10 “(A) the Center of Excellence established
11 or designated under section 899D, and other
12 academic work, as appropriate;

13 “(B) Federal, State, local, or tribal studies
14 of, reviews of, and experiences with violent
15 radicalization, homegrown terrorism, and ideo-
16 logically based violence; and

17 “(C) foreign government studies of, re-
18 views of, and experiences with violent
19 radicalization, homegrown terrorism, and ideo-
20 logically based violence.

21 “(c) COMPOSITION OF COMMISSION.—The Commis-
22 sion shall be composed of 10 members appointed for the
23 life of the Commission, of whom—

24 “(1) one member shall be appointed by the
25 President from among officers or employees of the

1 executive branch and private citizens of the United
2 States;

3 “(2) one member shall be appointed by the Sec-
4 retary;

5 “(3) one member shall be appointed by the ma-
6 jority leader of the Senate;

7 “(4) one member shall be appointed by the mi-
8 nority leader of the Senate;

9 “(5) one member shall be appointed by the
10 Speaker of the House of Representatives;

11 “(6) one member shall be appointed by the mi-
12 nority leader of the House of Representatives;

13 “(7) one member shall be appointed by the
14 Chairman of the Committee on Homeland Security
15 of the House of Representatives;

16 “(8) one member shall be appointed by the
17 ranking minority member of the Committee on
18 Homeland Security of the House of Representatives;

19 “(9) one member shall be appointed by the
20 Chairman of the Committee on Homeland Security
21 and Governmental Affairs of the Senate; and

22 “(10) one member shall be appointed by the
23 ranking minority member of the Committee on
24 Homeland Security and Governmental Affairs of the
25 Senate.

1 “(d) CHAIR AND VICE CHAIR.—The Commission
2 shall elect a Chair and a Vice Chair from among its mem-
3 bers.

4 “(e) QUALIFICATIONS.—Individuals shall be selected
5 for appointment to the Commission solely on the basis of
6 their professional qualifications, achievements, public stat-
7 ure, experience, and expertise in relevant fields, including,
8 but not limited to, behavioral science, constitutional law,
9 corrections, counterterrorism, cultural anthropology, edu-
10 cation, information technology, intelligence, juvenile jus-
11 tice, local law enforcement, organized crime, Islam and
12 other world religions, sociology, or terrorism.

13 “(f) DEADLINE FOR APPOINTMENT.—All members of
14 the Commission shall be appointed no later than 60 days
15 after the date of enactment of this subtitle.

16 “(g) QUORUM AND MEETINGS.—The Commission
17 shall meet and begin the operations of the Commission
18 not later than 30 days after the date on which all members
19 have been appointed or, if such meeting cannot be mutu-
20 ally agreed upon, on a date designated by the Speaker of
21 the House of Representatives. Each subsequent meeting
22 shall occur upon the call of the Chair or a majority of
23 its members. A majority of the members of the Commis-
24 sion shall constitute a quorum, but a lesser number may
25 hold meetings.

1 “(h) AUTHORITY OF INDIVIDUALS TO ACT FOR COM-
2 MISSION.—Any member of the Commission may, if au-
3 thorized by the Commission, take any action that the
4 Commission is authorized to take under this Act.

5 “(i) POWERS OF COMMISSION.—The powers of the
6 Commission shall be as follows:

7 “(1) IN GENERAL.—

8 “(A) HEARINGS AND EVIDENCE.—The
9 Commission or, on the authority of the Com-
10 mission, any subcommittee or member thereof,
11 may, for the purpose of carrying out this sec-
12 tion, hold hearings and sit and act at such
13 times and places, take such testimony, receive
14 such evidence, and administer such oaths as the
15 Commission considers advisable to carry out its
16 duties.

17 “(B) CONTRACTING.—The Commission
18 may, to such extent and in such amounts as are
19 provided in appropriation Acts, enter into con-
20 tracts to enable the Commission to discharge its
21 duties under this section.

22 “(2) INFORMATION FROM FEDERAL AGEN-
23 CIES.—

24 “(A) IN GENERAL.—The Commission may
25 request directly from any executive department,

1 bureau, agency, board, commission, office, inde-
2 pendent establishment, or instrumentality of the
3 Government, information, suggestions, esti-
4 mates, and statistics for the purposes of this
5 section. The head of each such department, bu-
6 reau, agency, board, commission, office, inde-
7 pendent establishment, or instrumentality shall,
8 to the extent practicable and authorized by law,
9 furnish such information, suggestions, esti-
10 mates, and statistics directly to the Commis-
11 sion, upon request made by the Chair of the
12 Commission, by the chair of any subcommittee
13 created by a majority of the Commission, or by
14 any member designated by a majority of the
15 Commission.

16 “(B) RECEIPT, HANDLING, STORAGE, AND
17 DISSEMINATION.—The Committee and its staff
18 shall receive, handle, store, and disseminate in-
19 formation in a manner consistent with the oper-
20 ative statutes, regulations, and Executive orders
21 that govern the handling, storage, and dissemi-
22 nation of such information at the department,
23 bureau, agency, board, commission, office, inde-
24 pendent establishment, or instrumentality that
25 responds to the request.

1 “(j) ASSISTANCE FROM FEDERAL AGENCIES.—

2 “(1) GENERAL SERVICES ADMINISTRATION.—

3 The Administrator of General Services shall provide
4 to the Commission on a reimbursable basis adminis-
5 trative support and other services for the perform-
6 ance of the Commission’s functions.

7 “(2) OTHER DEPARTMENTS AND AGENCIES.—

8 In addition to the assistance required under para-
9 graph (1), departments and agencies of the United
10 States may provide to the Commission such services,
11 funds, facilities, and staff as they may determine ad-
12 visable and as may be authorized by law.

13 “(k) POSTAL SERVICES.—The Commission may use
14 the United States mails in the same manner and under
15 the same conditions as departments and agencies of the
16 United States.

17 “(l) NONAPPLICABILITY OF FEDERAL ADVISORY

18 COMMITTEE ACT.—The Federal Advisory Committee Act
19 (5 U.S.C. App.) shall not apply to the Commission.

20 “(m) PUBLIC MEETINGS.—

21 “(1) IN GENERAL.—The Commission shall hold
22 public hearings and meetings to the extent appro-
23 priate.

24 “(2) PROTECTION OF INFORMATION.—Any pub-
25 lic hearings of the Commission shall be conducted in

1 a manner consistent with the protection of informa-
2 tion provided to or developed for or by the Commis-
3 sion as required by any applicable statute, regula-
4 tion, or Executive order including subsection
5 (i)(2)(B).

6 “(n) STAFF OF COMMISSION.—

7 “(1) APPOINTMENT AND COMPENSATION.—The
8 Chair of the Commission, in consultation with the
9 Vice Chair and in accordance with rules adopted by
10 the Commission, may appoint and fix the compensa-
11 tion of a staff director and such other personnel as
12 may be necessary to enable the Commission to carry
13 out its functions, without regard to the provisions of
14 title 5, United States Code, governing appointments
15 in the competitive service, and without regard to the
16 provisions of chapter 51 and subchapter III of chap-
17 ter 53 of such title relating to classification and
18 General Schedule pay rates, except that no rate of
19 pay fixed under this subsection may exceed the max-
20 imum rate of pay for GS–15 under the General
21 Schedule.

22 “(2) STAFF EXPERTISE.—Individuals shall be
23 selected for appointment as staff of the Commission
24 on the basis of their expertise in one or more of the
25 fields referred to in subsection (e).

1 “(3) PERSONNEL AS FEDERAL EMPLOYEES.—

2 “(A) IN GENERAL.—The executive director
3 and any employees of the Commission shall be
4 employees under section 2105 of title 5, United
5 States Code, for purposes of chapters 63, 81,
6 83, 84, 85, 87, 89, and 90 of that title.

7 “(B) MEMBERS OF COMMISSION.—Sub-
8 paragraph (A) shall not be construed to apply
9 to members of the Commission.

10 “(4) DETAILEES.—Any Federal Government
11 employee may be detailed to the Commission without
12 reimbursement from the Commission, and during
13 such detail shall retain the rights, status, and privi-
14 leges of his or her regular employment without inter-
15 ruption.

16 “(5) CONSULTANT SERVICES.—The Commis-
17 sion may procure the services of experts and consult-
18 ants in accordance with section 3109 of title 5,
19 United States Code, but at rates not to exceed the
20 daily rate paid a person occupying a position at level
21 IV of the Executive Schedule under section 5315 of
22 title 5, United States Code.

23 “(6) EMPHASIS ON SECURITY CLEARANCES.—
24 The Commission shall make it a priority to hire as
25 employees and retain as contractors and detailees in-

1 individuals otherwise authorized by this section who
2 have active security clearances.

3 “(o) COMMISSION PERSONNEL MATTERS.—

4 “(1) COMPENSATION OF MEMBERS.—Each
5 member of the Commission who is not an employee
6 of the government shall be compensated at a rate
7 not to exceed the daily equivalent of the annual rate
8 of basic pay in effect for a position at level IV of
9 the Executive Schedule under section 5315 of title
10 5, United States Code, for each day during which
11 that member is engaged in the actual performance
12 of the duties of the Commission.

13 “(2) TRAVEL EXPENSES.—While away from
14 their homes or regular places of business in the per-
15 formance of services for the Commission, members
16 of the Commission shall be allowed travel expenses,
17 including per diem in lieu of subsistence, at rates
18 authorized for employees of agencies under sub-
19 chapter I of chapter 57 of title 5, United States
20 Code, while away from their homes or regular places
21 of business in the performance of services for the
22 Commission.

23 “(3) TRAVEL ON ARMED FORCES CONVEY-
24 ANCES.—Members and personnel of the Commission
25 may travel on aircraft, vehicles, or other conveyances

1 of the Armed Forces of the United States when such
2 travel is necessary in the performance of a duty of
3 the Commission, unless the cost of commercial
4 transportation is less expensive.

5 “(4) TREATMENT OF SERVICE FOR PURPOSES
6 OF RETIREMENT BENEFITS.—A member of the
7 Commission who is an annuitant otherwise covered
8 by section 8344 or 8468 of title 5, United States
9 Code, by reason of membership on the Commission
10 shall not be subject to the provisions of such section
11 with respect to membership on the Commission.

12 “(5) VACANCIES.—A vacancy on the Commis-
13 sion shall not affect its powers and shall be filled in
14 the manner in which the original appointment was
15 made. The appointment of the replacement member
16 shall be made not later than 60 days after the date
17 on which the vacancy occurs.

18 “(p) SECURITY CLEARANCES.—The heads of appro-
19 priate departments and agencies of the executive branch
20 shall cooperate with the Commission to expeditiously pro-
21 vide Commission members and staff with appropriate se-
22 curity clearances to the extent possible under applicable
23 procedures and requirements.

24 “(q) REPORTS.—

1 “(1) FINAL REPORT.—Not later than 18
2 months after the date on which the Commission first
3 meets, the Commission shall submit to the President
4 and Congress a final report of its findings and con-
5 clusions, legislative recommendations for immediate
6 and long-term countermeasures to violent
7 radicalization, homegrown terrorism, and ideologi-
8 cally based violence, and measures that can be taken
9 to prevent violent radicalization, homegrown ter-
10 rorism, and ideologically based violence from devel-
11 oping and spreading within the United States, and
12 any final recommendations for any additional grant
13 programs to support these purposes. The report may
14 also be accompanied by a classified annex.

15 “(2) INTERIM REPORTS.—The Commission
16 shall submit to the President and Congress—

17 “(A) by not later than 6 months after the
18 date on which the Commission first meets, a
19 first interim report on—

20 “(i) its findings and conclusions and
21 legislative recommendations for the pur-
22 poses described in paragraph (1); and

23 “(ii) its recommendations on the fea-
24 sibility of a grant program established and
25 administered by the Secretary for the pur-

1 pose of preventing, disrupting, and miti-
2 gating the effects of violent radicalization,
3 homegrown terrorism, and ideologically
4 based violence and, if such a program is
5 feasible, recommendations on how grant
6 funds should be used and administered;
7 and

8 “(B) by not later than 6 months after the
9 date on which the Commission submits the in-
10 terim report under subparagraph (A), a second
11 interim report on such matters.

12 “(3) INDIVIDUAL OR DISSENTING VIEWS.—
13 Each member of the Commission may include in
14 each report under this subsection the individual ad-
15 ditional or dissenting views of the member.

16 “(4) PUBLIC AVAILABILITY.—The Commission
17 shall release a public version of each report required
18 under this subsection.

19 “(r) AVAILABILITY OF FUNDING.—Amounts made
20 available to the Commission to carry out this section shall
21 remain available until the earlier of the expenditure of the
22 amounts or the termination of the Commission.

23 “(s) TERMINATION OF COMMISSION.—The Commis-
24 sion shall terminate 30 days after the date on which the
25 Commission submits its final report.

1 **“SEC. 899D. CENTER OF EXCELLENCE FOR THE STUDY OF**
2 **VIOLENT RADICALIZATION AND HOME-**
3 **GROWN TERRORISM IN THE UNITED STATES.**

4 “(a) ESTABLISHMENT.—The Secretary of Homeland
5 Security shall establish or designate a university-based
6 Center of Excellence for the Study of Violent
7 Radicalization and Homegrown Terrorism in the United
8 States (hereinafter referred to as ‘Center’) following the
9 merit-review processes and procedures and other limita-
10 tions that have been previously established for selecting
11 and supporting University Programs Centers of Excel-
12 lence. The Center shall assist Federal, State, local and
13 tribal homeland security officials through training, edu-
14 cation, and research in preventing violent radicalization
15 and homegrown terrorism in the United States. In car-
16 rying out this section, the Secretary may choose to either
17 create a new Center designed exclusively for the purpose
18 stated herein or identify and expand an existing Depart-
19 ment of Homeland Security Center of Excellence so that
20 a working group is exclusively designated within the exist-
21 ing Center of Excellence to achieve the purpose set forth
22 in subsection (b).

23 “(b) PURPOSE.—It shall be the purpose of the Center
24 to study the social, criminal, political, psychological, and
25 economic roots of violent radicalization and homegrown
26 terrorism in the United States and methods that can be

1 utilized by Federal, State, local, and tribal homeland secu-
2 rity officials to mitigate violent radicalization and home-
3 grown terrorism.

4 “(c) ACTIVITIES.—In carrying out this section, the
5 Center shall—

6 “(1) contribute to the establishment of training,
7 written materials, information, analytical assistance
8 and professional resources to aid in combating vio-
9 lent radicalization and homegrown terrorism;

10 “(2) utilize theories, methods and data from the
11 social and behavioral sciences to better understand
12 the origins, dynamics, and social and psychological
13 aspects of violent radicalization and homegrown ter-
14 rorism;

15 “(3) conduct research on the motivational fac-
16 tors that lead to violent radicalization and home-
17 grown terrorism; and

18 “(4) coordinate with other academic institutions
19 studying the effects of violent radicalization and
20 homegrown terrorism where appropriate.

21 **“SEC. 899E. PREVENTING VIOLENT RADICALIZATION AND**
22 **HOMEGROWN TERRORISM THROUGH INTER-**
23 **NATIONAL COOPERATIVE EFFORTS.**

24 “(a) INTERNATIONAL EFFORT.—The Secretary shall,
25 in cooperation with the Department of State, the Attorney

1 General, and other Federal Government entities, as appro-
2 priate, conduct a survey of methodologies implemented by
3 foreign nations to prevent violent radicalization and home-
4 grown terrorism in their respective nations.

5 “(b) IMPLEMENTATION.—To the extent that meth-
6 odologies are permissible under the Constitution, the Sec-
7 retary shall use the results of the survey as an aid in devel-
8 oping, in consultation with the Attorney General, a na-
9 tional policy in the United States on addressing
10 radicalization and homegrown terrorism.

11 “(c) REPORTS TO CONGRESS.—The Secretary shall
12 submit a report to Congress that provides—

13 “(1) a brief description of the foreign partners
14 participating in the survey; and

15 “(2) a description of lessons learned from the
16 results of the survey and recommendations imple-
17 mented through this international outreach.

18 **“SEC. 899F. PROTECTING CIVIL RIGHTS AND CIVIL LIB-**
19 **ERTIES WHILE PREVENTING IDEOLOGICALLY**
20 **BASED VIOLENCE AND HOMEGROWN TER-**
21 **RORISM.**

22 “(a) IN GENERAL.—The Department of Homeland
23 Security’s efforts to prevent ideologically based violence
24 and homegrown terrorism as described herein shall not
25 violate the constitutional rights, civil rights, or civil lib-

1 entities of United States citizens or lawful permanent resi-
2 dents.

3 “(b) COMMITMENT TO RACIAL NEUTRALITY.—The
4 Secretary shall ensure that the activities and operations
5 of the entities created by this subtitle are in compliance
6 with the Department of Homeland Security’s commitment
7 to racial neutrality.

8 “(c) AUDITING MECHANISM.—The Civil Rights and
9 Civil Liberties Officer of the Department of Homeland Se-
10 curity shall develop and implement an auditing mechanism
11 to ensure that compliance with this subtitle does not vio-
12 late the constitutional rights, civil rights, or civil liberties
13 of any racial, ethnic, or religious group, and shall include
14 the results of audits under such mechanism in its annual
15 report to Congress required under section 705.”

16 (b) CLERICAL AMENDMENT.—The table of contents
17 in section 1(b) of such Act is amended by inserting at the
18 end of the items relating to title VIII the following:

“Subtitle J—Prevention of Violent Radicalization and Homegrown Terrorism

“Sec. 899A. Definitions.

“Sec. 899B. Findings.

“Sec. 899C. National Commission on the Prevention of Violent Radicalization
and Ideologically Based Violence.

“Sec. 899D. Center of Excellence for the Study of Violent Radicalization and
Homegrown Terrorism in the United States.

“Sec. 899E. Preventing violent radicalization and homegrown terrorism
through international cooperative efforts.

“Sec. 899F. Protecting civil rights and civil liberties while preventing ideologically based violence and homegrown terrorism.”

Passed the House of Representatives October 23,
2007.

Attest:

LORRAINE C. MILLER,

Clerk.