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116TH CONGRESS
2^D SESSION

H. R. 5602

[Report No. 116–526, Part I]

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

JANUARY 14, 2020

Mr. SCHNEIDER (for himself, Mr. NADLER, Ms. BASS, Ms. KELLY of Illinois, Mr. GONZALEZ of Texas, Mr. CORREA, Mr. CISNEROS, Mr. COOPER, Mr. PANETTA, Ms. NORTON, Ms. KUSTER of New Hampshire, Mr. CASE, Ms. MENG, Ms. KENDRA S. HORN of Oklahoma, Mr. MALINOWSKI, and Miss RICE of New York) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, and Armed Services, 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

SEPTEMBER 21, 2020

Additional sponsors: Mr. SHERMAN, Ms. FRANKEL, Mr. LYNCH, Ms. STEVENS, Mr. BRINDISI, Mr. DEUTCH, Ms. SHALALA, Mr. CASTEN of Illinois, Ms. ESCOBAR, Ms. WILD, Ms. SCANLON, Mr. SWALWELL of California, Ms. JACKSON LEE, Mr. SMITH of Washington, Mr. HUFFMAN, Mr. QUIGLEY, Mr. KILMER, Ms. CRAIG, Mr. ROUDA, Ms. LOFGREN, Mr. THOMPSON of California, Mr. CICILLINE, Ms. TORRES SMALL of New Mexico, Mr. FOSTER, Mr. TRONE, Ms. SLOTKIN, Mr. RASKIN, Ms. MUCARSEL-POWELL, Ms. DEAN, Mr. MCGOVERN, Mr. COHEN, Mr. HECK, Mr. TED LIEU of California, Mr. CROW, Mr. NEGUSE, Mrs. LURIA, Mr. POCAN, Mr. RICHMOND, Mr. LAMB, Mr. STANTON, Ms. GARCIA of Texas, Mr. RUPPERSBERGER, Mr. JEFFRIES, Mr. PAYNE, Mrs. BUSTOS, Mr. HIMES, Mr. SOTO, Mr. PETERS, Ms. JAYAPAL, Ms. JUDY CHU of California, Mr. HASTINGS, Mr. MORELLE, Mr. PERLMUTTER, Mrs. MCBATH, Mr. BISHOP of Georgia, Mrs. LAWRENCE, Mrs. MURPHY of Florida, Mrs. WATSON COLEMAN, Mr. CLYBURN, Mr. SCHRADER, Mr. PRICE of North Carolina, Mr. RUSH, Ms. LEE of California, Mr. ESPAILLAT, Mr. CARBAJAL, Ms. SPEIER, Mr. VARGAS, Mr. GALLEG0, Mr. VELA, Mr. O'HALLERAN, Mrs. DAVIS of California, Mr. CASTRO of Texas, Ms. WASSERMAN SCHULTZ, Ms. VELÁZQUEZ, Mr. KHANNA, Mr. SUOZZI, Ms. HAALAND, Mrs. DEMINGS, Mr. GARAMENDI, Mr. CÁRDENAS, Mr. GOLDEN, Ms. SCHRIER, Mr. JOHNSON of Georgia, Ms. WEXTON, Mr. RUIZ, Mr. DANNY K. DAVIS of Illinois, Mr. KRISHNAMOORTHY, Mr. HORSFORD, Mr. PASCRELL, Mrs. HAYES, Ms. CLARKE of New York, Mr. LEVIN of Michigan, Mr. KIM, Mr. BLUMENAUER, Mr. COX of California, Ms. CLARK of Massachusetts, Mrs. CAROLYN B. MALONEY of New York, Mr. HIGGINS of New York, Mr. KENNEDY, Mr. DOGGETT, Mr. PHILLIPS, Ms. MCCOLLUM, Mr. CRIST, Mrs. AXNE, Ms. SEWELL of Alabama, Mr. GREEN of Texas, Ms. BARRAGÁN, Mr. ROSE of New York, Mr. DEFazio, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. TONKO, Mr. LUJÁN, Mr. KIND, Mr. RYAN, Mr. PALLONE, Mr. LARSON of Connecticut, Ms. DELBENE, Mr. TAKANO, Ms. DEGETTE, Ms. HOULAHAN, Mr. BERA, Mr. WELCH, Mr. DAVID SCOTT of Georgia, Ms. TITUS, Ms. MOORE, Mr. PAPPAS, Mr. GOTTHEIMER, Mr. MCADAMS, Ms. SÁNCHEZ, Mr. MCEACHIN, Ms. CASTOR of Florida, Mrs. BEATTY, Mr. CONNOLLY, Mrs. FLETCHER, Mr. LIPINSKI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. KILDEE, Mr. NORCROSS, Ms. BROWNLEY of California, Mr. ALLRED, Mr. GOMEZ, Mr. LANGEVIN, Mr. COURTNEY, Mr. KEATING, Ms. BLUNT ROCHESTER, Mrs. TRAHAN, Ms. UNDERWOOD, Mr. MCNERNEY, Mr. LOWENTHAL, Mr. SIRES, Ms. PORTER, Mr. CUELLAR, Mr. LAWSON of Florida, Mr. LEVIN of California, Mr. SERRANO, Mr. SARBANES, Mr. VISCLOSKEY, Ms. ROYBAL-ALLARD, Mrs. TORRES of California, Mr. SCHIFF, Ms. SCHAKOWSKY, Ms. DAVIDS of Kansas, Mrs. NAPOLITANO, and Ms. ESHOO

SEPTEMBER 21, 2020

Reported from the Committee on the Judiciary with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

SEPTEMBER 21, 2020

Committees on Homeland Security and Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on January 14, 2020]

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,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Domestic Terrorism Pre-*
5 *vention Act of 2020”.*

6 **SEC. 2. FINDINGS.**

7 *Congress finds the following:*

8 *(1) Recent reports have demonstrated that White*
9 *supremacists and other far-right-wing extremists are*
10 *the most significant domestic terrorism threat facing*
11 *the United States, including—*

12 *(A) a February 22, 2019, New York Times*
13 *op-ed, by a Trump Administration United*
14 *States Department of Justice official, who wrote*
15 *that “white supremacy and far-right extremism*
16 *are among the greatest domestic-security threats*
17 *facing the United States. Regrettably, over the*
18 *past 25 years, law enforcement, at both the Fed-*
19 *eral and State levels, has been slow to respond.*
20 *. . . Killings committed by individuals and*
21 *groups associated with far-right extremist groups*
22 *have risen significantly.”;*

23 *(B) an April 2017 Government Account-*
24 *ability Office report on the significant, lethal*

1 *threat posed by domestic violent extremists,*
2 *which—*

3 *(i) explained that “[s]ince September*
4 *12, 2001, the number of fatalities caused by*
5 *domestic violent extremists has ranged from*
6 *1 to 49 in a given year.”; and*

7 *(ii) noted that “[F]atalities resulting*
8 *from attacks by far right wing violent ex-*
9 *tremists have exceeded those caused by rad-*
10 *ical Islamist violent extremists in 10 of the*
11 *15 years, and were the same in 3 of the*
12 *years since September 12, 2001. Of the 85*
13 *violent extremist incidents that resulted in*
14 *death since September 12, 2001, far right*
15 *wing violent extremist groups were respon-*
16 *sible for 62 (73 percent) while radical*
17 *Islamist violent extremists were responsible*
18 *for 23 (27 percent).”; and*

19 *(C) an unclassified May 2017 joint intel-*
20 *ligence bulletin from the Federal Bureau of In-*
21 *vestigation and the Department of Homeland Se-*
22 *curity, which found that “white supremacist ex-*
23 *tremism poses [a] persistent threat of lethal vio-*
24 *lence,” and that White supremacists “were re-*
25 *sponsible for 49 homicides in 26 attacks from*

1 *2000 to 2016 . . . more than any other domestic*
2 *extremist movement”.*

3 *(2) Recent domestic terrorist attacks include—*

4 *(A) the August 5, 2012, mass shooting at a*
5 *Sikh gurdwara in Oak Creek, Wisconsin, in*
6 *which a White supremacist shot and killed 6*
7 *members of the gurdwara;*

8 *(B) the April 13, 2014, mass shooting at a*
9 *Jewish community center and a Jewish assisted*
10 *living facility in Overland Park, Kansas, in*
11 *which a neo-Nazi shot and killed 3 civilians, in-*
12 *cluding a 14-year-old teenager;*

13 *(C) the June 8, 2014, ambush in Las Vegas,*
14 *Nevada, in which 2 supporters of the far-right-*
15 *wing “patriot” movement shot and killed 2 po-*
16 *lice officers and a civilian;*

17 *(D) the June 17, 2015, mass shooting at the*
18 *Emanuel AME Church in Charleston, South*
19 *Carolina, in which a White supremacist shot*
20 *and killed 9 members of the church;*

21 *(E) the November 27, 2015, mass shooting*
22 *at a Planned Parenthood clinic in Colorado*
23 *Springs, Colorado, in which an anti-abortion ex-*
24 *tremist shot and killed a police officer and 2 ci-*
25 *vilians;*

1 (F) the March 20, 2017, murder of an Afri-
2 can-American man in New York City, allegedly
3 committed by a White supremacist who report-
4 edly traveled to New York “for the purpose of
5 killing black men”;

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

12 (H) the August 12, 2017, attacks in Char-
13 lottesville, Virginia, in which—

14 (i) a White supremacist killed one and
15 injured nineteen after driving his car
16 through a crowd of individuals protesting a
17 neo-Nazi rally, and of which former Attor-
18 ney General Jeff Sessions said, “It does
19 meet the definition of domestic terrorism in
20 our statute.”; and

21 (ii) a group of 6 men linked to militia
22 or White supremacist groups assaulted an
23 African-American man who had been pro-
24 testing the neo-Nazi rally in a downtown
25 parking garage;

1 (I) the July 2018 murder of an African-
2 American woman from Kansas City, Missouri,
3 allegedly committed by a White supremacist who
4 reportedly bragged about being a member of the
5 Ku Klux Klan;

6 (J) the October 24, 2018, shooting in
7 Jeffersontown, Kentucky, in which a White man
8 allegedly murdered 2 African Americans at a
9 grocery store after first attempting to enter a
10 church with a predominantly African-American
11 congregation during a service;

12 (K) the October 27, 2018, mass shooting at
13 the Tree of Life Synagogue in Pittsburgh, Penn-
14 sylvania, in which a White nationalist allegedly
15 shot and killed 11 members of the congregation;

16 (L) the April 27, 2019, shooting at the
17 Chabad of Poway synagogue in California, in
18 which a man yelling anti-Semitic slurs allegedly
19 killed a member of the congregation and wound-
20 ed 3 others;

21 (M) the August 3, 2019, mass shooting at a
22 Walmart in El Paso, Texas, in which a White
23 supremacist with anti-immigrant views killed 22
24 people and injured 26 others;

1 (N) the December 10, 2019, shooting at a
2 Kosher supermarket in Jersey City, New Jersey,
3 in which 2 men with anti-Semitic views killed 3
4 people in the store and a law enforcement officer
5 in an earlier encounter; and

6 (O) the December 28, 2019, machete attack
7 at a Hanukkah celebration in Monsey, New
8 York, in which a man who had expressed anti-
9 Semitic views stabbed 5 individuals.

10 (3) In November 2019, the Federal Bureau of In-
11 vestigation released its annual hate crime incident re-
12 port, which found that in 2018, violent hate crimes
13 reached a 16-year high. Though the overall number of
14 hate crimes decreased slightly after three consecutive
15 years of increases, the report found a 4-percent in-
16 crease in aggravated assaults, a 15-percent increase
17 in simple assaults, and a 13-percent increase in in-
18 timidation. There was also a nearly 6-percent in-
19 crease in hate crimes directed at LGBTQ individuals
20 and a 14-percent increase in hate crimes directed at
21 Hispanic and Latino individuals. Nearly 60 percent
22 of the religion-based hate crimes reported targeted
23 American Jews and Jewish institutions. The previous
24 year's report found that in 2017, hate crimes in-
25 creased by approximately 17 percent, including a 23-

1 *percent increase in religion-based hate crimes, an 18-*
2 *percent increase in race-based crimes, and a 5-percent*
3 *increase in crimes directed against LGBTQ individ-*
4 *uals. The report analyzing 2016 data found that hate*
5 *crimes increased by almost 5 percent that year, in-*
6 *cluding a 19-percent rise in hate crimes against*
7 *American Muslims. Similarly, the report analyzing*
8 *2015 data found that hate crimes increased by 6 per-*
9 *cent that year. Much of the 2015 increase came from*
10 *a 66-percent rise in attacks on American Muslims*
11 *and a 9-percent rise in attacks on American Jews. In*
12 *all 4 reports, race-based crimes were most numerous,*
13 *and those crimes most often targeted African Ameri-*
14 *cans.*

15 *(4) On March 15, 2019, a White nationalist was*
16 *arrested and charged with murder after allegedly kill-*
17 *ing 50 Muslim worshippers and injuring more than*
18 *40 in a massacre at the Al Noor Mosque and Linwood*
19 *Mosque in Christchurch, New Zealand. The alleged*
20 *shooter posted a hate-filled, xenophobic manifesto that*
21 *detailed his White nationalist ideology before the mas-*
22 *sacre. Prime Minister Jacinda Ardern labeled the*
23 *massacre a terrorist attack.*

24 *(5) In January 2017, a right-wing extremist*
25 *who had expressed anti-Muslim views was charged*

1 *with murder for allegedly killing 6 people and injur-*
2 *ing 19 in a shooting rampage at a mosque in Quebec*
3 *City, Canada. It was the first-ever mass shooting at*
4 *a mosque in North America, and Prime Minister*
5 *Trudeau labeled it a terrorist attack.*

6 *(6) On February 15, 2019, Federal authorities*
7 *arrested U.S. Coast Guard Lieutenant Christopher*
8 *Paul Hasson, who was allegedly planning to kill a*
9 *number of prominent journalists, professors, judges,*
10 *and “leftists in general”. In court filings, prosecutors*
11 *described Lieutenant Hasson as a “domestic terrorist”*
12 *who in an email “identified himself as a White Na-*
13 *tionalist for over 30 years and advocated for ‘focused*
14 *violence’ in order to establish a white homeland.”.*

15 *(7) On November 3rd, 2019 a 24 year old man*
16 *who authorities say was among masked Antifa sup-*
17 *porters attacking conservatives at a June Demonstra-*
18 *tion in Portland, Oregon, was sentenced Friday to*
19 *nearly six years in prison in connection with brutal*
20 *assault. Gage Halupowski pleaded guilty to second-*
21 *degree assault after authorities accused him of using*
22 *a weapon against a conservative demonstrator who*
23 *suffered blows to the head that the victim claims left*
24 *him with a concussion and cuts that required 25 sta-*
25 *ples to close.*

1 (8) *On December 12, 2019, an assailant involved*
2 *in the prolonged firefight in Jersey City, NJ, that left*
3 *six people dead, including one police officer, was*
4 *linked on Wednesday to the Black Hebrew Israelite*
5 *movement, and had public anti-Semitic posts online,*
6 *a law enforcement official said.*

7 (9) *On February 8, 2020, A gunman stormed a*
8 *NYPD precinct after firing at police van, wounding*
9 *2. The police commissioner called the Bronx rampage*
10 *an “assassination attempt,” on law enforcement.*

11 **SEC. 3. DEFINITIONS.**

12 *In this Act—*

13 (1) *the term “Director” means the Director of the*
14 *Federal Bureau of Investigation;*

15 (2) *the term “domestic terrorism” has the mean-*
16 *ing given the term in section 2331 of title 18, United*
17 *States Code, except that it does not include acts per-*
18 *petrated by individuals associated with or inspired*
19 *by—*

20 (A) *a foreign person or organization des-*
21 *ignated as a foreign terrorist organization under*
22 *section 219 of the Immigration and Nationality*
23 *Act (8 U.S.C. 1189);*

1 (B) an individual or organization des-
2 ignated under Executive Order 13224 (50 U.S.C.
3 1701 note); or

4 (C) a state sponsor of terrorism as deter-
5 mined by the Secretary of State under section
6 6(j) of the Export Administration Act of 1979
7 (50 U.S.C. 4605), section 40 of the Arms Export
8 Control Act (22 U.S.C. 2780), or section 620A of
9 the Foreign Assistance Act of 1961 (22 U.S.C.
10 2371);

11 (3) the term “Domestic Terrorism Executive
12 Committee” means the committee within the Depart-
13 ment of Justice tasked with assessing and sharing in-
14 formation about ongoing domestic terrorism threats;

15 (4) the term “hate crime incident” means an act
16 described in section 241, 245, 247, or 249 of title 18,
17 United States Code, or in section 901 of the Civil
18 Rights Act of 1968 (42 U.S.C. 3631);

19 (5) the term “Secretary” means the Secretary of
20 Homeland Security; and

21 (6) the term “uniformed services” has the mean-
22 ing given the term in section 101(a) of title 10,
23 United States Code.

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

2 (a) *AUTHORIZATION OF OFFICES TO MONITOR, ANA-*
3 *LYZE, INVESTIGATE, AND PROSECUTE DOMESTIC TER-*
4 *RORISM.—*

5 (1) *DOMESTIC TERRORISM UNIT.—There is au-*
6 *thorized a Domestic Terrorism Unit in the Office of*
7 *Intelligence and Analysis of the Department of Home-*
8 *land Security, which shall be responsible for moni-*
9 *toring and analyzing domestic terrorism activity.*

10 (2) *DOMESTIC TERRORISM OFFICE.—There is*
11 *authorized a Domestic Terrorism Office in the*
12 *Counterterrorism Section of the National Security Di-*
13 *vision of the Department of Justice—*

14 (A) *which shall be responsible for inves-*
15 *tigating and prosecuting incidents of domestic*
16 *terrorism; and*

17 (B) *which shall be headed by the Domestic*
18 *Terrorism Counsel.*

19 (3) *DOMESTIC TERRORISM SECTION OF THE*
20 *FBI.—There is authorized a Domestic Terrorism Sec-*
21 *tion within the Counterterrorism Division of the Fed-*
22 *eral Bureau of Investigation, which shall be respon-*
23 *sible for investigating domestic terrorism activity.*

24 (4) *STAFFING.—The Secretary, the Attorney*
25 *General, and the Director shall each ensure that each*

1 office authorized under this section in their respective
2 agencies shall—

3 (A) have adequate number of employees to
4 perform the required duties;

5 (B) have not less than 1 employee dedicated
6 to ensuring compliance with civil rights and
7 civil liberties laws and regulations; and

8 (C) require that all employees undergo an-
9 nual anti-bias training.

10 (5) *SUNSET.*—The offices authorized under this
11 subsection shall terminate on the date that is 10 years
12 after the date of enactment of this Act.

13 (b) *JOINT REPORT ON DOMESTIC TERRORISM.*—

14 (1) *BIANNUAL REPORT REQUIRED.*—Not later
15 than 180 days after the date of enactment of this Act,
16 and each 6 months thereafter for the 10-year period
17 beginning on the date of enactment of this Act, the
18 Secretary of Homeland Security, the Attorney Gen-
19 eral, and the Director of the Federal Bureau of Inves-
20 tigation shall submit a joint report authored by the
21 domestic terrorism offices authorized under para-
22 graphs (1), (2), 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 In-*
2 *telligence 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 terrorism*
10 *threat posed by White supremacists and neo-*
11 *Nazis, including White supremacist and neo-*
12 *Nazi infiltration of Federal, State, and local law*
13 *enforcement agencies and the uniformed services;*
14 *and*

15 *(B)(i) in the first report, an analysis of in-*
16 *cidents or attempted incidents of domestic ter-*
17 *rorism that have occurred in the United States*
18 *since April 19, 1995, including any White-su-*
19 *premacist-related incidents or attempted inci-*
20 *dents; and*

21 *(ii) in each subsequent report, an analysis*
22 *of incidents or attempted incidents of domestic*
23 *terrorism that occurred in the United States dur-*
24 *ing the preceding 6 months, including any*

1 *White-supremacist-related incidents or attempted*
2 *incidents; and*

3 *(C) a quantitative analysis of domestic ter-*
4 *rorism for the preceding 6 months, including—*

5 *(i) the number of—*

6 *(I) domestic terrorism related as-*
7 *sessments initiated by the Federal Bu-*
8 *reau of Investigation, including the*
9 *number of assessments from each clas-*
10 *sification and subcategory, with a spe-*
11 *cific classification or subcategory for*
12 *those related to White supremacism;*

13 *(II) domestic terrorism-related*
14 *preliminary investigations initiated by*
15 *the Federal Bureau of Investigation,*
16 *including the number of preliminary*
17 *investigations from each classification*
18 *and subcategory, with a specific classi-*
19 *fication or subcategory for those related*
20 *to White supremacism, and how many*
21 *preliminary investigations resulted*
22 *from assessments;*

23 *(III) domestic terrorism-related*
24 *full investigations initiated by the Fed-*
25 *eral Bureau of Investigation, including*

1 *the number of full investigations from*
2 *each classification and subcategory,*
3 *with a specific classification or sub-*
4 *category for those related to White*
5 *supremacism, and how many full in-*
6 *vestigations resulted from preliminary*
7 *investigations and assessments;*

8 (IV) *domestic terrorism-related*
9 *incidents, including the number of in-*
10 *cidents from each classification and*
11 *subcategory, with a specific classifica-*
12 *tion or subcategory for those related to*
13 *White supremacism, the number of*
14 *deaths and injuries resulting from each*
15 *incident, and a detailed explanation of*
16 *each incident;*

17 (V) *Federal domestic terrorism-re-*
18 *lated arrests, including the number of*
19 *arrests from each classification and*
20 *subcategory, with a specific classifica-*
21 *tion or subcategory for those related to*
22 *White supremacism, and a detailed ex-*
23 *planation of each arrest;*

24 (VI) *Federal domestic terrorism-*
25 *related indictments, including the*

1 *number of indictments from each clas-*
2 *sification and subcategory, with a spe-*
3 *cific classification or subcategory for*
4 *those related to White supremacy,*
5 *and a detailed explanation of each in-*
6 *dictment;*

7 *(VII) Federal domestic terrorism-*
8 *related prosecutions, including the*
9 *number of incidents from each classi-*
10 *fication and subcategory, with a spe-*
11 *cific classification or subcategory for*
12 *those related to White supremacy,*
13 *and a detailed explanation of each*
14 *prosecution;*

15 *(VIII) Federal domestic terrorism-*
16 *related convictions, including the num-*
17 *ber of convictions from each classifica-*
18 *tion and subcategory, with a specific*
19 *classification or subcategory for those*
20 *related to White supremacy, and a*
21 *detailed explanation of each conviction;*
22 *and*

23 *(IX) Federal domestic terrorism-*
24 *related weapons recoveries, including*
25 *the number of each type of weapon and*

1 *the number of weapons from each clas-*
2 *sification and subcategory, with a spe-*
3 *cific classification or subcategory for*
4 *those related to White supremacism;*
5 *and*

6 *(ii) an explanation of each individual*
7 *case that progressed through more than 1 of*
8 *the stages described under clause (i), includ-*
9 *ing the specific classification or subcategory*
10 *for each case.*

11 (3) *HATE CRIMES.—In compiling a joint report*
12 *under this subsection, the domestic terrorism offices*
13 *authorized under paragraphs (1), (2), and (3) of sub-*
14 *section (a) shall, in consultation with the Civil Rights*
15 *Division of the Department of Justice and the Civil*
16 *Rights Unit of the Federal Bureau of Investigation,*
17 *review each hate crime incident reported during the*
18 *preceding 6 months to determine whether the incident*
19 *also constitutes a domestic terrorism-related incident.*

20 (4) *CLASSIFICATION AND PUBLIC RELEASE.—*
21 *Each report submitted under paragraph (1) shall*
22 *be—*

23 (A) *unclassified, to the greatest extent pos-*
24 *sible, with a classified annex only if necessary;*
25 *and*

1 (B) in the case of the unclassified portion of
2 the report, posted on the public websites of the
3 Department of Homeland Security, the Depart-
4 ment of Justice, and the Federal Bureau of In-
5 vestigation.

6 (5) NONDUPLICATION.—If two or more provi-
7 sions of this subsection or any other law impose re-
8 quirements on an agency to report or analyze infor-
9 mation on domestic terrorism that are substantially
10 similar, the agency shall construe such provisions as
11 mutually supplemental, so as to provide for the most
12 extensive reporting or analysis, and shall comply
13 with each such requirement as fully as possible.

14 (c) DOMESTIC TERRORISM EXECUTIVE COMMITTEE.—
15 There is authorized a Domestic Terrorism Executive Com-
16 mittee, which shall—

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

23 (2) be co-chaired by—

24 (A) the Domestic Terrorism Counsel author-
25 ized 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 In-
6 vestigation.

7 (d) *FOCUS ON GREATEST THREATS.*—The domestic
8 terrorism offices authorized under paragraphs (1), (2), and
9 (3) of subsection (a) shall focus their limited resources on
10 the most significant domestic terrorism threats, as deter-
11 mined by the number of domestic terrorism-related inci-
12 dents from each category and subclassification in the joint
13 report for the preceding 6 months required under subsection
14 (b).

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

16 (a) *REQUIRED TRAINING AND RESOURCES.*—The Sec-
17 retary, the Attorney General, and the Director shall review
18 the anti-terrorism training and resource programs of their
19 respective agencies that are provided to Federal, State,
20 local, and Tribal law enforcement agencies, including the
21 State and Local Anti-Terrorism Program that is funded by
22 the Bureau of Justice Assistance of the Department of Jus-
23 tice, and ensure that such programs include training and
24 resources to assist State, local, and Tribal law enforcement
25 agencies in understanding, detecting, deterring, and inves-

1 *tigating acts of domestic terrorism and White supremacist*
2 *and neo-Nazi infiltration of law enforcement and correc-*
3 *tions agencies. The domestic-terrorism training shall focus*
4 *on the most significant domestic terrorism threats, as deter-*
5 *mined by the quantitative analysis in the joint report re-*
6 *quired under section 4(b).*

7 *(b) REQUIREMENT.—Any individual who provides do-*
8 *mestic terrorism training required under this section shall*
9 *have—*

10 *(1) expertise in domestic terrorism; and*

11 *(2) relevant academic, law enforcement, or other*
12 *community-based experience in matters related to do-*
13 *mestic terrorism.*

14 *(c) REPORT.—*

15 *(1) IN GENERAL.—Not later than 6 months after*
16 *the date of enactment of this Act and twice each year*
17 *thereafter, the Secretary, the Attorney General, and*
18 *the Director shall each submit a biannual report to*
19 *the committees of Congress described in section*
20 *4(b)(1) on the domestic terrorism training imple-*
21 *mented by their respective agencies under this section,*
22 *which shall include copies of all training materials*
23 *used and the names and qualifications of the individ-*
24 *uals who provide the training.*

1 (2) *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 of*
8 *each report, posted on the public website of the*
9 *Department of Homeland Security, the Depart-*
10 *ment of Justice, and the Federal Bureau of In-*
11 *vestigation.*

12 **SEC. 6. INTERAGENCY TASK FORCE.**

13 (a) *IN GENERAL.*—*Not later than 180 days after the*
14 *date of enactment of this Act, the Attorney General, the Di-*
15 *rector, the Secretary, and the Secretary of Defense shall es-*
16 *tablish an interagency task force to analyze and combat*
17 *White supremacist and neo-Nazi infiltration of the uni-*
18 *formed services and Federal law enforcement agencies.*

19 (b) *REPORT.*—

20 (1) *IN GENERAL.*—*Not later than 1 year after*
21 *the interagency task force is established under sub-*
22 *section (a), the Attorney General, the Director, the*
23 *Secretary, and the Secretary of Defense shall submit*
24 *a joint report on the findings of the task force and the*
25 *response of the Attorney General, the Director, the*

1 *Secretary, and the Secretary of Defense to such find-*
2 *ings, to—*

3 *(A) the Committee on the Judiciary of the*
4 *Senate;*

5 *(B) the Committee on Homeland Security*
6 *and Governmental Affairs of the Senate;*

7 *(C) the Select Committee on Intelligence of*
8 *the Senate;*

9 *(D) the Committee on Armed Services of the*
10 *Senate;*

11 *(E) the Committee on the Judiciary of the*
12 *House of Representatives;*

13 *(F) the Committee on Homeland Security of*
14 *the House of Representatives;*

15 *(G) the Permanent Select Committee on In-*
16 *telligence of the House of Representatives; and*

17 *(H) the Committee on Armed Services of the*
18 *House of Representatives.*

19 (2) *CLASSIFICATION AND PUBLIC RELEASE.—The*
20 *report submitted under paragraph (1) shall be—*

21 *(A) submitted in unclassified form, to the*
22 *greatest extent possible, with a classified annex*
23 *only if necessary; and*

24 *(B) in the case of the unclassified portion of*
25 *the report, posted on the public website of the De-*

1 *partment of Defense, the Department of Home-*
 2 *land Security, the Department of Justice, and*
 3 *the Federal Bureau of Investigation.*

4 **SEC. 7. DEPARTMENT OF JUSTICE SUPPORT FOR HATE**
 5 **CRIME INCIDENTS WITH A NEXUS TO DOMES-**
 6 **TIC TERRORISM.**

7 (a) *COMMUNITY RELATIONS SERVICE.*—*The Commu-*
 8 *nity Relations Service of the Department of Justice, author-*
 9 *ized under section 1001(a) of the Civil Rights Act of 1964*
 10 *(42 U.S.C. 2000g), may offer the support of the Service to*
 11 *communities where the Department of Justice has brought*
 12 *charges in a hate crime incident that has a nexus to domes-*
 13 *tic terrorism.*

14 (b) *FEDERAL BUREAU OF INVESTIGATION.*—*Section*
 15 *249 of title 18, United States Code, is amended by adding*
 16 *at the end the following:*

17 “(e) *FEDERAL BUREAU OF INVESTIGATION.*—*The At-*
 18 *torney General, acting through the Director of the Federal*
 19 *Bureau of Investigation, shall assign a special agent or hate*
 20 *crimes liaison to each field office of the Federal Bureau of*
 21 *Investigation to investigate hate crimes incidents with a*
 22 *nexus to domestic terrorism (as such term is defined in sec-*
 23 *tion 3 of the Domestic Terrorism Prevention Act of 2020).”.*

1 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

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

Union Calendar No. 426

116TH CONGRESS
2D Session

H. R. 5602

[Report No. 116-526, Part I]

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.

SEPTEMBER 21, 2020

Reported from the Committee on the Judiciary with an amendment

SEPTEMBER 21, 2020

Committees on Homeland Security and Armed Services discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed