

HR 1955 IH

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H. R. 1955

To prevent homegrown terrorism, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

April 19, 2007

Ms. HARMAN (for herself and Mr. REICHERT) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on the Judiciary, 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 prevent homegrown terrorism, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the `Homegrown Terrorism Prevention Act of 2007'.

SEC. 2. PREVENTION OF HOMEGROWN TERRORISM.

(a) In General- Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) is amended by adding at the end the following new subtitle:

` Subtitle J--Prevention of Homegrown Terrorism

` SEC. 899A. DEFINITIONS.

` For purposes of this subtitle:

` (1) HOMEGROWN TERRORISM- The term `homegrown terrorism' means the use, planned use, or threatened use, of force or violence by a group or individual born, raised, or based and operating primarily within the United States or any possession of the United States to intimidate or coerce the United States government, the civilian population of the United States, or any segment thereof, in furtherance of political or social objectives.

` (2) RADICALIZATION- The term `radicalization' means the process of adopting or promoting an extremist belief system for the purpose of facilitating ideologically-based violence to advance political, religious, or social change.

` (3) IDEOLOGICALLY-BASED VIOLENCE- The term `ideologically-based

violence' means the use, planned use, or threatened use of force or violence by a group or individual to promote the group or individual's political, religious, or social beliefs.

SEC. 899B. FINDINGS.

The Congress finds the following:

(1) The development and implementation of methods and processes that can be utilized to prevent homegrown terrorism in the United States is critical to combating domestic terrorism.

(2) The promotion of ideologically-based violence and homegrown terrorism exists in the United States and poses a threat to homeland security.

(3) The Internet has aided in facilitating ideologically-based violence and the homegrown terrorism process in the United States by providing access to broad and constant streams of terrorist-related propaganda to United States citizens.

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

(5) Understanding the motivational factors that lead to homegrown terrorism is a vital step toward eradicating these threats in the United States.

(6) The potential rise of self radicalized, unaffiliated terrorists domestically cannot be easily prevented through traditional Federal intelligence or law enforcement efforts, and requires the incorporation of State and local solutions.

(7) Individuals prone to ideologically-based violence span all races, ethnicities, and religious beliefs, and individuals should not be targeted based solely on race, ethnicity, or religion.

(8) Any measure taken to prevent ideologically-based violence and homegrown terrorism in the United States should not violate the constitutional rights, civil rights and civil liberties of United States citizens and lawful permanent residents.

(9) Certain governments, including the United Kingdom, Canada, and Australia have significant experience with homegrown terrorism and the United States can benefit from lessons learned by those nations.

SEC. 899C. GRANT PROGRAM TO PREVENT IDEOLOGICALLY-BASED VIOLENCE AND HOMEGROWN TERRORISM IN THE UNITED STATES.

(a) Establishment- Subject to the requirements of this section, the Secretary shall establish a grant program to prevent radicalization and homegrown terrorism in the United States.

(b) Grants Authorized- The Secretary may award grants to States to enhance homeland security by preventing radicalization and homegrown terrorism in at-risk populations, as determined by the Secretary.

(c) Purpose- The purpose of the grant program is to prevent, disrupt, and mitigate the effects of radicalization and prevent ideologically-based violence and

homegrown terrorism in the United States.

` (d) Grant Eligibility- Any State shall be eligible to apply for a grant under the program referred to in paragraph (a).

` (e) Use of Funds- Grants awarded under this section shall be used by the States to award to agencies and organizations, including but not limited to, social services agencies, community-based groups, educational institutions and non-governmental organizations as sub-grantees to address radicalization and homegrown terrorism by--

` (1) developing best practices, standards and protocols to conduct outreach to various populations that are at-risk for radicalization and homegrown terrorism;

` (2) assisting with educational outreach, social services, and integration into society;

` (3) program planning and management and strategy formulation and strategic planning;

` (4) promote civic engagement and community outreach programs;

` (5) any other uses determined by the Secretary to be necessary to prevent radicalization and homegrown terrorism.

` (f) Prohibited Uses- Funds provided as a grant may not be used--

` (1) for law enforcement activities, except for programs that include outreach activities;

` (2) to supplant State or local funds;

` (3) to construct buildings or other physical facilities;

` (4) to acquire land; or

` (5) for any State or local government cost-sharing contribution.

` (g) Application for Grant-

` (1) IN GENERAL- A State may apply for a grant under this subsection by submitting to the Secretary an application detailing how requested funds would be used to achieve the purpose stated herein and containing such other information the Secretary may reasonably require.

` (2) DEADLINES FOR APPLICATIONS AND AWARDS- All applications for grants must be submitted at such time as the Secretary may reasonably require for the fiscal year for which they are submitted. The Secretary shall award grants pursuant to all approved applications for such fiscal year as soon as practicable, but not later than March 1 of such year.

` (3) AVAILABILITY OF FUNDS- All funds awarded by the Secretary in a fiscal year shall be available for obligation through the end of the subsequent fiscal year.

` (4) MINIMUM CONTENTS OF APPLICATION- The Secretary shall require that each State include in its application, at a minimum-

- ` (A) the purpose for which the applicant seeks grant funds and the reason why the applicant needs the grant to meet the capabilities for preventing radicalization and homegrown terrorism within the State;
 - ` (B) a description of how the allocation of grant funding proposed in the application would assist in fulfilling the capabilities for preventing radicalization and homegrown terrorism;
 - ` (C) a description of how the State plans to allocate the grant funds to local governments and Indian tribes;
 - ` (D) identification of the subgrantees that will expend grant funds; and
 - ` (E) a capital budget showing how the applicant intends to allocate and expend the covered grant funds.
- ` (h) Prioritization of Grant Applications-
- ` (1) IN GENERAL- The Secretary shall evaluate and annually prioritize all pending applications for grants based upon the risk and degree to which they would, by achieving, maintaining, or enhancing the capabilities of the applicants on a nationwide basis, mitigate the threat of radicalization and homegrown terrorism.
 - ` (2) BASIS- Such evaluation and prioritization shall be based upon-
 - ` (A) the most current relevant information available, including, but not limited to threat assessments generated by the Department of Homeland Security Office of Intelligence Analysis, the Department of Homeland Security Office of Strategic Plans Radicalization and Engagement Working Group, and products generated by the Center for Excellence for the Study of Radicalization and Homegrown Terrorism established under section 899C;
 - ` (B) criteria, which shall be made publicly available and reported to Congress, that identifies the characteristics, qualities, and standards that groups or organizations should meet in order to serve as partners with the United States Government in fulfilling the purpose of the grant program; and
 - ` (C) information contained within State applications for grants, including sub-grantees identified in such applications.
 - ` (3) REQUIREMENT FOR SUB-GRANTEES TO MEET CRITERIA- The Secretary may deny a grant under this section to any State that submits a grant application that identifies a sub-grantee that does not meet the criteria referred to in paragraph (2)(B).
 - ` (4) PENALTIES FOR USING NON-APPROVED OR NON-DISCLOSED SUB-GRANTEES- Any State that allows grant funds to be used by a subgrantee that has not been disclosed to and previously approved by the Secretary, shall be ineligible for any further grant funds under this section for two fiscal years.
- ` (i) Certifications Regarding Distribution of Grant Funds to Local Governments- Any State that receives a grant shall certify to the Secretary, that the State has made grant funds available for expenditure by local governments and other local groups.
- ` (j) Report on Spending- Each recipient of a grant under this section shall annually

submit a report to the Secretary not later than 60 days after the end of each Federal fiscal year that contains--

- ` (1) an accounting of the amount of State and local government funds spent on activities aimed at preventing radicalization and homegrown terrorism;
- ` (2) an accounting of the administrative costs incurred by sub-grantees;
- ` (3) information regarding the use of grant funds by the sub-grantees as required by the Secretary; and
- ` (4) progress of the recipient and sub-grantees in achieving the purpose of the grant program.

` (k) Government Accountability Office Access to Information- Each recipient of grant funds under this section and the Department shall provide the Government Accountability Office with full access to information regarding the activities carried out under this section.

` (l) Reports to Congress- The Secretary shall submit an annual report to Congress that provides--

- ` (1) an evaluation of how states and local governments are making progress in achieving the purpose of the grant program;
- ` (2) the total amount of funds provided to the States as grants under this section during the preceding year; and
- ` (3) an accounting of how such amounts were expended.

` SEC. 899D. CENTER OF EXCELLENCE FOR THE STUDY OF RADICALIZATION AND HOMEGROWN TERRORISM IN THE UNITED STATES.

` (a) Establishment- The Secretary of Homeland Security shall establish or designate a university-based Center of Excellence for the Study of Radicalization and Homegrown Terrorism in the United States (hereinafter referred to as `Center') following the merit-review processes and procedures and other limitations that have been previously established for selecting and supporting University Programs Centers of Excellence. The Center shall assist Federal, State, local and tribal homeland security officials through training, education, and research in preventing radicalization and homegrown terrorism in the United States. In carrying out this section, the Secretary may choose to either create a new Center designed exclusively for the purpose stated herein or identify and expand an existing Department of Homeland Security Center of Excellence so that a working group is exclusively designated within the existing Center of Excellence to achieve the purpose set forth in subsection (b).

` (b) Purpose- It shall be the purpose of the Center to study the social, criminal, political, psychological, and economic roots of radicalization and homegrown terrorism in the United States and methods that can be utilized by Federal, State, local, and tribal homeland security officials to mitigate radicalization and homegrown terrorism.

` (c) Activities- In carrying out this section, the Center shall--

- ` (1) contribute to the establishment of training, written materials, information, analytical assistance and professional resources to aid in combating radicalization and homegrown terrorism;

` (2) utilize theories, methods and data from the social and behavioral sciences to better understand the origins, dynamics, and social and psychological aspects of radicalization and homegrown terrorism;

` (3) conduct research on the motivational factors that lead to radicalization and homegrown terrorism; and

` (4) coordinate with other academic institutions studying the effects of radicalization and homegrown terrorism where appropriate.

` SEC. 899E. PREVENTING RADICALIZATION AND HOMEGROWN TERRORISM THROUGH INTERNATIONAL COOPERATIVE EFFORTS.

` (a) International Effort- The Secretary shall, in cooperation with the Department of State and other Federal Government entities, as appropriate, conduct a survey of methodologies implemented by foreign nations to prevent radicalization and homegrown terrorism in their respective nations.

` (b) Implementation- To the extent that methodologies are not impermissible under the Constitution, the Secretary shall use the results of the survey as an aid in developing a national policy in the United States on addressing radicalization and homegrown terrorism.

` (c) Reports to Congress- The Secretary shall submit a report to Congress that provides--

` (1) a brief description of the foreign partners participating in the survey; and

` (2) a description of lessons learned from the results of the survey and recommendations implemented through this international outreach.

` SEC. 899F. PROTECTING CIVIL RIGHTS AND CIVIL LIBERTIES WHILE PREVENTING IDEOLOGICALLY-BASED VIOLENCE AND HOMEGROWN TERRORISM.

` (a) In General- The Department of Homeland Security's efforts to prevent ideologically-based violence and homegrown terrorism as described herein shall not violate the constitutional rights, civil rights, and civil liberties of United States citizens and lawful permanent residents.

` (b) Commitment to Racial Neutrality- The Secretary shall ensure that the activities and operations of the entities created by this subtitle are in compliance with the Department of Homeland Security's commitment to racial neutrality issued in an Department-wide Memorandum on June 1, 2004.

` (c) Auditing Mechanism- The Civil Rights and Civil Liberties Officer of the Department of Homeland Security will develop and implement an auditing mechanism to ensure that compliance with this subtitle does not result in a disproportionate impact, without a rational basis, on any particular race, ethnicity, or religion and include within its annual report to Congress required under section 705.'

(b) Clerical Amendment- The table of contents in section 1(b) of such Act is amended by inserting at the end of the items relating to title VIII the following:

` Subtitle J--Prevention of Homegrown Terrorism

` Sec. 899A. Definitions.

` Sec. 899B. Findings.

` Sec. 899C. Grant program to prevent ideologically-based violence and homegrown terrorism in the United States.

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

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

` Sec. 899F. Protecting civil rights and civil liberties while preventing ideologically-based violence and homegrown terrorism.'

END