

VIOLENT RADICALIZATION AND HOMEGROWN TERRORISM PREVENTION ACT OF 2007

OCTOBER 16, 2007.—Ordered to be printed

Mr. THOMPSON of Mississippi, from the Committee on Homeland
Security, submitted the following

R E P O R T

[To accompany H.R. 1955]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security, to whom was referred the bill (H.R. 1955) to prevent homegrown terrorism and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

CONTENTS

Purpose and Summary	Page 7
Background and Need for Legislation	7
Hearings	7
Committee Consideration	8
Committee Votes	8
Committee Oversight Findings	9
New Budget Authority, Entitlement Authority, and Tax Expenditures	9
Congressional Budget Office Estimate	9
Statement of General Performance Goals and Objectives	10
Congressional Earmarks, Limited Tax Benefits, and Limited Tariff Benefits ...	11
Federal Mandates Statement	11
Advisory Committee Statement	11
Constitutional Authority Statement	11
Applicability to Legislative Branch	11
Section-by-Section Analysis of the Legislation	11
Changes in Existing Law Made by the Bill, as Reported	13
Committee Correspondence	22

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Violent Radicalization and Homegrown Terrorism Prevention Act of 2007”.

SEC. 2. PREVENTION OF VIOLENT RADICALIZATION AND 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 Violent Radicalization
and Homegrown Terrorism**

“SEC. 899A. DEFINITIONS.

“For purposes of this subtitle:

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

“(2) VIOLENT RADICALIZATION.—The term ‘violent 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) 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.

“(4) 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 violent radicalization, homegrown terrorism, and ideologically based violence in the United States is critical to combating domestic terrorism.

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

“(3) The Internet has aided in facilitating violent radicalization, 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 violent radicalization, homegrown terrorism, and ideologically based violence 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 violent radicalization, homegrown terrorism, and 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 violent radicalization, homegrown terrorism, and 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. NATIONAL COMMISSION ON THE PREVENTION OF VIOLENT RADICALIZATION AND IDEOLOGICALLY BASED VIOLENCE.

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

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

“(1) Examine and report upon the facts and causes of violent radicalization, homegrown terrorism, and ideologically based violence in the United States, including United States connections to non-United States persons and networks, violent radicalization, homegrown terrorism, and ideologically based violence in prison, individual or ‘lone wolf’ violent radicalization, homegrown terrorism, and ideologically based violence, and other faces of the phenomena of violent radicalization, homegrown terrorism, and ideologically based violence that the Commission considers important.

“(2) Build upon and bring together the work of other entities and avoid unnecessary duplication, by reviewing the findings, conclusions, and recommendations of—

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

“(B) Federal, State, local, or tribal studies of, reviews of, and experiences with violent radicalization, homegrown terrorism, and ideologically based violence; and

“(C) foreign government studies of, reviews of, and experiences with violent radicalization, homegrown terrorism, and ideologically based violence.

“(c) **COMPOSITION OF COMMISSION.**—The Commission shall be composed of 10 members appointed for the life of the Commission, of whom—

“(1) one member shall be appointed by the President from among officers or employees of the executive branch and private citizens of the United States;

“(2) one member shall be appointed by the Secretary;

“(3) one member shall be appointed by the majority leader of the Senate;

“(4) one member shall be appointed by the minority leader of the Senate;

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

“(6) one member shall be appointed by the minority leader of the House of Representatives;

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

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

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

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

“(d) **CHAIR AND VICE CHAIR.**—The Commission shall elect a Chair and a Vice Chair from among its members.

“(e) **QUALIFICATIONS.**—Individuals shall be selected for appointment to the Commission solely on the basis of their professional qualifications, achievements, public stature, experience, and expertise in relevant fields, including, but not limited to, behavioral science, constitutional law, corrections, counterterrorism, cultural anthropology, education, information technology, intelligence, juvenile justice, local law enforcement, organized crime, Islam and other world religions, sociology, or terrorism.

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

“(g) **QUORUM AND MEETINGS.**—The Commission shall meet and begin the operations of the Commission not later than 30 days after the date on which all members have been appointed or, if such meeting cannot be mutually agreed upon, on a date designated by the Speaker of the House of Representatives. Each subsequent meeting shall occur upon the call of the Chair or a majority of its members. A majority of the members of the Commission shall constitute a quorum, but a lesser number may hold meetings.

“(h) **AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.**—Any member of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this Act.

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

“(1) **IN GENERAL.**—

“(A) **HEARINGS AND EVIDENCE.**—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this section, hold hearings and sit and act at such times and places, take such testimony, receive such evidence, and admin-

ister such oaths as the Commission considers advisable to carry out its duties.

“(B) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this section.

“(2) INFORMATION FROM FEDERAL AGENCIES.—

“(A) IN GENERAL.—The Commission may secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this section. The head of each such department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chair of the Commission, by the chair of any subcommittee created by a majority of the Commission, or by any member designated by a majority of the Commission.

“(B) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

“(j) ASSISTANCE FROM FEDERAL AGENCIES.—

“(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission’s functions.

“(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance required under paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, and staff as they may determine advisable and as may be authorized by law.

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

“(l) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

“(m) PUBLIC MEETINGS.—

“(1) IN GENERAL.—The Commission shall hold public hearings and meetings to the extent appropriate.

“(2) PROTECTION OF INFORMATION.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

“(n) STAFF OF COMMISSION.—

“(1) APPOINTMENT AND COMPENSATION.—The Chair of the Commission, in consultation with the Vice Chair and in accordance with rules adopted by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the maximum rate of pay for GS-15 under the General Schedule.

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

“(3) PERSONNEL AS FEDERAL EMPLOYEES.—

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

“(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

“(4) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and during such detail shall retain the rights, status, and privileges of his or her regular employment without interruption.

“(5) CONSULTANT SERVICES.—The Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

“(6) EMPHASIS ON SECURITY CLEARANCES.—The Commission shall make it a priority to hire as employees and retain as contractors and detailees individuals otherwise authorized by this section who have active security clearances.

“(o) COMMISSION PERSONNEL MATTERS.—

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

“(2) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

“(3) TRAVEL ON ARMED FORCES CONVEYANCES.—Members and personnel of the Commission may travel on aircraft, vehicles, or other conveyances of the Armed Forces of the United States when such travel is necessary in the performance of a duty of the Commission, unless the cost of commercial transportation is less expensive.

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

“(5) VACANCIES.—A vacancy on the Commission shall not affect its powers and shall be filled in the manner in which the original appointment was made. The appointment of the replacement member shall be made not later than 60 days after the date on which the vacancy occurs.

“(p) SECURITY CLEARANCES.—The heads of appropriate departments and agencies of the executive branch shall cooperate with the Commission to expeditiously provide Commission members and staff with appropriate security clearances to the extent possible under applicable procedures and requirements.

“(q) REPORTS.—

“(1) FINAL REPORT.—Not later than 18 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress a final report of its findings and conclusions, legislative recommendations for immediate and long-term countermeasures to violent radicalization, homegrown terrorism, and ideologically based violence, and measures that can be taken to prevent violent radicalization, homegrown terrorism, and ideologically based violence from developing and spreading within the United States, and any final recommendations for any additional grant programs to support these purposes. The report may also be accompanied by a classified annex.

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

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

“(i) its findings and conclusions and legislative recommendations for the purposes described in paragraph (1); and

“(ii) its recommendations on the feasibility of a grant program established and administered by the Secretary for the purpose of preventing, disrupting, and mitigating the effects of violent radicalization, homegrown terrorism, and ideologically based violence and, if such a program is feasible, recommendations on how grant funds should be used and administered; and

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

“(3) INDIVIDUAL OR DISSENTING VIEWS.—Each member of the Commission may include in each report under this subsection the individual additional or dissenting views of the member.

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

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

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

“SEC. 899D. CENTER OF EXCELLENCE FOR THE STUDY OF VIOLENT RADICALIZATION AND HOMETGROWN 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 Violent 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 violent 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 violent 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 violent 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 violent 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 violent radicalization and homegrown terrorism;

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

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

“SEC. 899E. PREVENTING VIOLENT RADICALIZATION AND HOMETGROWN 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 violent radicalization and homegrown terrorism in their respective nations.

“(b) **IMPLEMENTATION.**—To the extent that methodologies are permissible 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 HOMETGROWN 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.

“(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 the results of its audit in 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 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.”.

PURPOSE AND SUMMARY

The purpose of H.R. 1955 is to prevent homegrown terrorism, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

The promotion of ideologically-based violence and homegrown terrorism exists in the United States and poses a threat to homeland security; in particular, 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. 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. Understanding the motivational factors that lead to homegrown terrorism is a vital step toward eradicating these threats in the United States. 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.

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. In view of this, 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. Moreover, certain foreign governments, including the United Kingdom of Great Britain and Northern Ireland, Canada, and the Commonwealth of Australia have significant experience with homegrown terrorism and the United States can benefit from lessons learned by those nations.

Homegrown terrorism is a multifaceted and significant threat that must be addressed in a robust and thoughtful manner. H.R. 1955 provides necessary and valuable tools to prevent violent radicalization within the United States and enhance security against the threat posed by violent radicalization and homegrown terrorism.

HEARINGS

On March 14, 2007, the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment held a hearing entitled “The Department of Homeland Security State and Local Fusion Center Program: Advancing Information Sharing While Safeguarding Civil Liberties.” The Subcommittee received testimony from Mr. Charles E. Allen, Chief Intelligence Officer, Office of Intelligence and Analysis, Department of Homeland Security, Mr. Daniel W. Sutherland, Officer for Civil Rights and Civil Liberties, Department of Homeland Security, and Mr. Hugo Teufel, Privacy Officer, Department of Homeland Security.

On April 5, 2007, the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment held a field hearing in Torrance, California entitled “Radicalization, Information Sharing and Community Outreach: Protecting the Homeland from Home-grown Terror.” The Subcommittee received testimony from Mr. John J. Neu, Chief of Police, Torrance Police Department, Torrance, California; Mr. William J. Bratton, Chief of Police, Los Angeles Police Department; Los Angeles, California; Ms. Janice K. Fedarczyk, Special Agent in-Charge, Counterterrorism Division, Los Angeles Field Office, Federal Bureau of Investigation, Department of Justice; Sgt. Larry Mead, Deputy Sheriff, Los Angeles County Sheriff’s Department, Los Angeles, California; Ms. Sireen Sawaf, Director, Southern California Government Relations, Muslim Public Affairs Council; Mr. Brian Jenkins, Senior Advisor, RAND Corporation; and Mr. David Gersten, Director, Civil Rights and Civil Liberties Programs, Department of Homeland Security.

COMMITTEE CONSIDERATION

H.R. 1955 was introduced by Ms. Harman and Mr. Reichert on April 19, 2007, and referred to the Committee on Homeland Security, and in addition to the Committee on the Judiciary. Within the Committee on Homeland Security, H.R. 1955 was referred to the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment.

On July 17, 2007, the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment met in open markup session and ordered H.R. 1955 forwarded to the Full Committee for consideration, amended, by voice vote.

On August 1, 2007, the Full Committee met in open markup session and ordered H.R. 1955 favorably reported to the House of Representatives, as amended, by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the record votes on the motion to report legislation and amendments thereto.

On July 17, 2007, the Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment met in open markup session and ordered H.R. 1955 forwarded to the Full Committee for consideration, amended, by voice vote.

The following amendment was offered:

An Amendment in the Nature of a Substitute offered by Ms. Harman (#1), was AGREED TO by voice vote.

On August 1, 2007, the Full Committee met in open markup session and ordered H.R. 1955 favorably reported to the House of Representatives, as amended, by voice vote.

The Committee considered a Committee Print showing the text of H.R. 1955 as agreed to by the Subcommittee.

The Committee adopted the bill, as amended by the Committee Print, by voice vote.

COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee has held oversight hearings and made findings that are reflected in this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee finds that H.R. 1955, the Violent Radicalization and Homegrown Terrorism Prevention Act of 2007, would result in no new or increased budget authority, entitlement authority, or tax expenditures or revenues.

CONGRESSIONAL BUDGET OFFICE ESTIMATE

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 17, 2007.

Hon. BENNIE G. THOMPSON,
Chairman, Committee on Homeland Security,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1955, the Violent Radicalization and Homegrown Terrorism Prevention Act of 2007.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz.

Sincerely,

ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

Enclosure.

H.R. 1955—Violent Radicalization and Homegrown Terrorism Prevention Act of 2007

Summary: H.R. 1955 would direct the Department of Homeland Security (DHS) to establish a university-based Center of Excellence for the Study of Violent Radicalization and Homegrown Terrorism in the United States. The bill also would establish a commission to investigate the causes of terrorist acts committed by persons raised or living in the United States and would require DHS to prepare reports on certain issues relating to domestic terrorism. CBO estimates that implementing H.R. 1955 would cost \$22 million over the 2008–2012 period, assuming appropriation of the necessary amounts. Enacting H.R. 1955 would not affect direct spending or revenues.

H.R. 1955 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated Cost to the Federal Government: The estimated budgetary impact of H.R. 1955 is shown in the following table. The costs

of this legislation fall within budget function 750 (administration of justice).

	By fiscal year, in millions of dollars—				
	2008	2009	2010	2011	2012
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated Authorization Level	6	6	4	4	4
Estimated Outlays	4	6	4	4	4

Basis of estimate: H.R. 1955 would direct DHS to establish a university-based Center of Excellence for the Study of Violent Radicalization and Homegrown Terrorism in the United States. The center would coordinate research on terrorism with other academic institutions. The bill also would establish 10-member commission to examine the causes of terrorist acts committed by persons raised or living in the United States. The commission would report its findings and recommendations to the Congress over the next two years. Finally, the bill would require DHS to prepare reports on certain issues relating to terrorism in the United States.

Assuming appropriation of the necessary amounts and based on information provided by DHS on the cost of conducting similar activities, CBO estimates that the agency would spend about \$22 million over the 2008–2012 period to implement the legislation. Of that amount, \$4 million a year would be used to support the new Center of Excellence. The remaining amount would be spent over the next two years for studies and reports required by the bill, primarily those to be carried out by the new commission.

Intergovernmental and private-sector impact: H.R. 1955 contains no intergovernmental or private-sector mandates as defined in UMR and would impose no costs on state, local, or tribal governments.

Estimate prepared by: Federal Costs: Mark Grabowicz; Impact on State, Local, and Tribal Governments: Melissa Merrell; Impact on the Private Sector: Paige Piper/Bach.

Estimate approved by: Peter H. Fontaine, Assistant Director for Budget Analysis.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 1955, contains the following general performance goals, and objectives, including outcome related goals and objectives authorized.

The purpose of this legislation is to prevent homegrown terrorism, and for other purposes. Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, H.R. 1955 contains the following general performance goals and objectives, including outcome-related goals and objectives authorized: H.R. 1955 adds a new section 899C to the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.), which requires the Commission established in the Act to be appointed no later than 60 days after enactment of the Act, and also requires the Commission to hold its first meeting no later than 30 days after all the Commissioners have been appointed (or, if there is not mutual agreement, on a date designated by the Speaker of the House of Representatives). New section 899E

requires the Secretary of Homeland Security to submit a report to Congress.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

In compliance with rule XXI of the Rules of the House of Representatives, this bill, as reported, contains no congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of the rule XXI.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for this legislation is provided in Article I, section 8, clause 1, which grants Congress the power to provide for the common Defense of the United States.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section indicates that H.R. 1955 may be cited as the “Violent Radicalization and Homegrown Terrorism Prevention Act of 2007.”

Section 2. Prevention of radicalization and homegrown terrorism

This section amends Title VIII of the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) by adding at a new subtitle entitled: “Subtitle J—Prevention of Homegrown Terrorism.”

Section 899A. Definitions

This section defines, for the purposes of this Act, the terms “Commission,” “Violent Radicalization,” “Homegrown Terrorism,” and “Ideologically Based Violence.”

Section 899B. Findings

This section sets forth findings concerning violent radicalization and homegrown terrorism in the United States and the need to address those threats. The Committee believes that homegrown ter-

rorism is a multifaceted and significant threat that must be addressed in a robust, thoughtful manner.

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

This section establishes within the Legislative Branch of the Government a National Commission on the Prevention of Violent Radicalization and Ideologically Based Violence. This section also describes the purposes of the Commission.

This section also instructs that the Commission shall be composed of ten members and specifies how such members shall be chosen. Moreover, this section declares that individuals appointed to the Commission shall be qualified to serve, and that such qualification shall be based on professional qualifications, achievements, public stature, experience, and expertise in relevant fields, and includes a list of some relevant fields.

This section requires the Commission to be appointed no later than 60 days after enactment of this Act and authorizes the Commission to elect a Chair and Vice Chair from among its members. Moreover, it requires the Commission to hold its first meeting no later than 30 days after all of the Commissioners have been appointed or, if there is not mutual agreement, on a date designated by the Speaker of the House of Representatives. This section also enumerates the Commission's powers and authorities.

This section clarifies that the Federal Advisory Committee Act does not apply to the Commission. It also provides for public meetings of the Commission, staff and personnel, travel, security clearances, retirement benefits, vacancies, reporting requirements, publication of reports, dissenting or individual views, availability of funds, and termination of the Commission.

The Committee notes that, given the unique issues surrounding the American approach, it is important to create a national commission that will bring together the "best minds" from relevant fields of expertise and, for the first time, address the homegrown terrorism threat from a collaborative public, private and academic-sector perspective. The Committee observes that this model has been successful with other vexing national problems, such as the Hart-Rudman Commission's examination of national security policies and processes; the National Commission on Terrorist Attacks upon the United States' review of the September 11, 2001 terrorist attacks; and the National Commission on Terrorism's examination of United States terrorism policy pre-9/11.

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

This section directs the Secretary of Homeland Security to establish a university-based Center of Excellence, or designate an existing Center of Excellence, as a Center of Excellence for the Study of Violent Radicalization and Homegrown Terrorism in the United States tasked with assisting Federal, State, local and tribal homeland security officials through training, education, and research. The Committee believes that the creation of a Center of Excellence for the Prevention of Radicalization and Home Grown Terrorism will help to provide homeland security officials across the government with solutions to these threats.

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

This section directs the Secretary of Homeland Security, in conjunction with the Department of State and other federal government entities, to survey the methodologies used by foreign nations in addressing violent radicalization and homegrown terrorism. This provision also directs the Secretary to consider these methods when formulating United States policies addressing violent radicalization and homegrown terrorism, if the methods used by foreign nations do not conflict with safeguards erected by the United States Constitution. In addition, this section requires the Secretary to submit a report to Congress describing the foreign nations included in the survey, the lessons learned from the results of the survey, and recommendations for implementation.

The Committee observes that other countries, such as the United Kingdom of Great Britain and Northern Ireland, the Commonwealth of Australia, the Federal Republic of Germany, the Kingdom of Spain, and Canada, have confronted and continue to confront homegrown terrorism. Thus H.R. 1955 requires the United States to reach out to these countries in an effort benefit from the lessons they have learned in the process. However, this legislation also recognizes that the American approach must be unique. The Committee understands that because the civil rights and liberties of American citizens and our lawful permanent residents are embedded in our system of government and our way of life, our approach to homegrown terrorism must be consistent with those rights and liberties.

Section 899F. Protecting civil rights and civil liberties while preventing ideologically based violence and homegrown terrorism

This section declares that, in its efforts to prevent ideologically based violence and homegrown terrorism, the Department of Homeland Security shall not violate the constitutional rights, civil rights, and civil liberties of United States citizens and lawful permanent residents.

Moreover, this section provides that, while carrying out the policies set forth in this Act, the Department shall administer such policies in accordance with its commitment to racial neutrality. This provision also directs the Civil Rights and Civil Liberties Officer of the Department to develop and implement an auditing mechanism to ensure that a particular race, ethnicity, or religion is not disproportionately affected by the policies implemented pursuant to this Act, unless it is deemed lawful and appropriate, based on information received. It also requires the Civil Rights and Civil Liberties Officer to include the results of such audit in its annual report to Congress.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

HOMELAND SECURITY ACT OF 2002

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) * * *

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

* * * * *

TITLE VIII—COORDINATION WITH NON-FEDERAL ENTITIES; INSPECTOR GENERAL; UNITED STATES SECRET SERVICE; COAST GUARD; GENERAL PROVISIONS

* * * * *

Subtitle I—Information Sharing

* * * * *

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.

* * * * *

TITLE VIII—COORDINATION WITH NON-FEDERAL ENTITIES; INSPECTOR GENERAL; UNITED STATES SECRET SERVICE; COAST GUARD; GENERAL PROVISIONS

* * * * *

Subtitle J—Prevention of violent radicalization and homegrown terrorism

SEC. 899A. DEFINITIONS.

For purposes of this subtitle:

(1) *COMMISSION.*—The term “Commission” means the National Commission on the Prevention of Violent Radicalization and Homegrown Terrorism established under section 899C.

(2) *VIOLENT RADICALIZATION.*—The term “violent 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) *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.

(4) **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 violent radicalization, homegrown terrorism, and ideologically based violence in the United States is critical to combating domestic terrorism.

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

(3) The Internet has aided in facilitating violent radicalization, 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 violent radicalization, homegrown terrorism, and ideologically based violence 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 violent radicalization, homegrown terrorism, and 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 violent radicalization, homegrown terrorism, and 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. NATIONAL COMMISSION ON THE PREVENTION OF VIOLENT RADICALIZATION AND IDEOLOGICALLY BASED VIOLENCE.

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

(b) **PURPOSE.**—The purposes of the Commission are the following:

(1) Examine and report upon the facts and causes of violent radicalization, homegrown terrorism, and ideologically based violence in the United States, including United States connec-

tions to non-United States persons and networks, violent radicalization, homegrown terrorism, and ideologically based violence in prison, individual or “lone wolf” violent radicalization, homegrown terrorism, and ideologically based violence, and other faces of the phenomena of violent radicalization, homegrown terrorism, and ideologically based violence that the Commission considers important.

(2) Build upon and bring together the work of other entities and avoid unnecessary duplication, by reviewing the findings, conclusions, and recommendations of—

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

(B) Federal, State, local, or tribal studies of, reviews of, and experiences with violent radicalization, homegrown terrorism, and ideologically based violence; and

(C) foreign government studies of, reviews of, and experiences with violent radicalization, homegrown terrorism, and ideologically based violence.

(c) COMPOSITION OF COMMISSION.—The Commission shall be composed of 10 members appointed for the life of the Commission, of whom—

(1) one member shall be appointed by the President from among officers or employees of the executive branch and private citizens of the United States;

(2) one member shall be appointed by the Secretary;

(3) one member shall be appointed by the majority leader of the Senate;

(4) one member shall be appointed by the minority leader of the Senate;

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

(6) one member shall be appointed by the minority leader of the House of Representatives;

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

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

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

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

(d) CHAIR AND VICE CHAIR.—The Commission shall elect a Chair and a Vice Chair from among its members.

(e) QUALIFICATIONS.—Individuals shall be selected for appointment to the Commission solely on the basis of their professional qualifications, achievements, public stature, experience, and expertise in relevant fields, including, but not limited to, behavioral science, constitutional law, corrections, counterterrorism, cultural anthropology, education, information technology, intelligence, juve-

nile justice, local law enforcement, organized crime, Islam and other world religions, sociology, or terrorism.

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

(g) *QUORUM AND MEETINGS.*—The Commission shall meet and begin the operations of the Commission not later than 30 days after the date on which all members have been appointed or, if such meeting cannot be mutually agreed upon, on a date designated by the Speaker of the House of Representatives. Each subsequent meeting shall occur upon the call of the Chair or a majority of its members. A majority of the members of the Commission shall constitute a quorum, but a lesser number may hold meetings.

(h) *AUTHORITY OF INDIVIDUALS TO ACT FOR COMMISSION.*—Any member of the Commission may, if authorized by the Commission, take any action that the Commission is authorized to take under this Act.

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

(1) *IN GENERAL.*—

(A) *HEARINGS AND EVIDENCE.*—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this section, hold hearings and sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Commission considers advisable to carry out its duties.

(B) *CONTRACTING.*—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this section.

(2) *INFORMATION FROM FEDERAL AGENCIES.*—

(A) *IN GENERAL.*—The Commission may secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this section. The head of each such department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chair of the Commission, by the chair of any subcommittee created by a majority of the Commission, or by any member designated by a majority of the Commission.

(B) *RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.*—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

(j) *ASSISTANCE FROM FEDERAL AGENCIES.*—

(1) *GENERAL SERVICES ADMINISTRATION.*—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) *OTHER DEPARTMENTS AND AGENCIES.*—In addition to the assistance required under paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, and staff as they may determine advisable and as may be authorized by law.

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

(l) *NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.*—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(m) *PUBLIC MEETINGS.*—

(1) *IN GENERAL.*—The Commission shall hold public hearings and meetings to the extent appropriate.

(2) *PROTECTION OF INFORMATION.*—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

(n) *STAFF OF COMMISSION.*—

(1) *APPOINTMENT AND COMPENSATION.*—The Chair of the Commission, in consultation with the Vice Chair and in accordance with rules adopted by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the maximum rate of pay for GS-15 under the General Schedule.

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

(3) *PERSONNEL AS FEDERAL EMPLOYEES.*—

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

(B) *MEMBERS OF COMMISSION.*—Subparagraph (A) shall not be construed to apply to members of the Commission.

(4) *DETAILEES.*—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and during such detail shall retain the rights, status, and privileges of his or her regular employment without interruption.

(5) *CONSULTANT SERVICES.*—The Commission may procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(6) *EMPHASIS ON SECURITY CLEARANCES.*—The Commission shall make it a priority to hire as employees and retain as con-

tractors and detailees individuals otherwise authorized by this section who have active security clearances.

(o) *COMMISSION PERSONNEL MATTERS.—*

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

(2) *TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.*

(3) *TRAVEL ON ARMED FORCES CONVEYANCES.—Members and personnel of the Commission may travel on aircraft, vehicles, or other conveyances of the Armed Forces of the United States when such travel is necessary in the performance of a duty of the Commission, unless the cost of commercial transportation is less expensive.*

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

(5) *VACANCIES.—A vacancy on the Commission shall not affect its powers and shall be filled in the manner in which the original appointment was made. The appointment of the replacement member shall be made not later than 60 days after the date on which the vacancy occurs.*

(p) *SECURITY CLEARANCES.—The heads of appropriate departments and agencies of the executive branch shall cooperate with the Commission to expeditiously provide Commission members and staff with appropriate security clearances to the extent possible under applicable procedures and requirements.*

(q) *REPORTS.—*

(1) *FINAL REPORT.—Not later than 18 months after the date on which the Commission first meets, the Commission shall submit to the President and Congress a final report of its findings and conclusions, legislative recommendations for immediate and long-term countermeasures to violent radicalization, homegrown terrorism, and ideologically based violence, and measures that can be taken to prevent violent radicalization, homegrown terrorism, and ideologically based violence from developing and spreading within the United States, and any final recommendations for any additional grant programs to support these purposes. The report may also be accompanied by a classified annex.*

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

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

(i) its findings and conclusions and legislative recommendations for the purposes described in paragraph (1); and

(ii) its recommendations on the feasibility of a grant program established and administered by the Secretary for the purpose of preventing, disrupting, and mitigating the effects of violent radicalization, homegrown terrorism, and ideologically based violence and, if such a program is feasible, recommendations on how grant funds should be used and administered; and

(B) by not later than 6 months after the date on which the Commission submits the interim report under subparagraph (A), a second interim report on such matters.

(3) **INDIVIDUAL OR DISSENTING VIEWS.**—Each member of the Commission may include in each report under this subsection the individual additional or dissenting views of the member.

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

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

(s) **TERMINATION OF COMMISSION.**—The Commission shall terminate 30 days after the date on which the Commission submits its final report.

SEC. 899D. CENTER OF EXCELLENCE FOR THE STUDY OF VIOLENT 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 Violent 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 violent 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 violent 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 violent 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 re-

sources to aid in combating violent 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 violent radicalization and homegrown terrorism;

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

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

SEC. 899E. PREVENTING VIOLENT 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 violent radicalization and homegrown terrorism in their respective nations.

(b) IMPLEMENTATION.—To the extent that methodologies are permissible 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.

(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 the results of its audit in its annual report to Congress required under section 705.

* * * * *

F. JAMES SENSENBRENNER, JR., Wisconsin
HOWARD COBLE, North Carolina
ELTON GALLEGLY, California
SCOT GUDLITZ, California
STEVE CHABOT, Ohio
DANIEL E. LIVINGER, California
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DANIELLE E. ROSS, California
MIKE PENCE, Indiana
J. RANNEY HORNE, Virginia
STEVE KING, Iowa
TOM CROUSE, Florida
TIMOTHY FRANKS, Arizona
LOUISE GOMPERT, Texas
SAM JORDAN, Ohio

cc: The Honorable Lamar Smith
The Honorable John Sullivan, Parliamentarian

BENNIE G. THOMPSON, MISSISSIPPI
CHAIRMAN

PETER T. KING, NEW YORK
RANKING MEMBER



One Hundred Tenth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

October 16, 2007

The Honorable John Conyers, Jr.
Chairman
Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Conyers:

Thank you for your recent letter expressing the Committee on the Judiciary's jurisdictional interest in H.R. 1955, the "Homegrown Terrorism Prevention Act of 2007."

The Committee on Homeland Security appreciates your willingness to work cooperatively on this important legislation. The Committee on Homeland Security recognizes your claim to jurisdiction over provisions contained in this bill, as amended, and appreciates your agreement to forgo a sequential referral of this bill by the Committee on the Judiciary to assure that consideration of the legislation in the Full House is expedited. The Committee on Homeland Security also appreciates the technical changes identified by the Committee on the Judiciary.

The Committee on Homeland Security acknowledges that your decision to forgo a sequential referral on this bill does not waive, reduce or otherwise affect the jurisdiction of the Committee on the Judiciary. Accordingly, the Committee on Homeland Security will support your efforts to participate as conferees in any House-Senate conference on this or similar legislation should a conference be convened.

A copy of this letter, together with the letter you sent on this matter will be included in the accompanying Committee Report and the Congressional record when the bill is considered on the House floor.

Thank you for your continued cooperation, as we work toward enactment of H.R. 1955.

Sincerely,

Bennie G. Thompson
Chairman

cc: Honorable Peter T. King, Ranking Member, Committee on Homeland Security
Mr. John V. Sullivan, Parliamentarian

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