

117TH CONGRESS  
1ST SESSION

# H. R. 350

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 19, 2021

Mr. SCHNEIDER (for himself, Mr. NADLER, Mr. FITZPATRICK, Ms. KELLY of Illinois, Mr. BACON, Mr. VICENTE GONZALEZ of Texas, Mr. UPTON, and Mr. CORREA) 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

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## A BILL

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

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Domestic Terrorism  
3 Prevention Act of 2021”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act—

6 (1) the term “Director” means the Director of  
7 the Federal Bureau of Investigation;

8 (2) the term “domestic terrorism” has the  
9 meaning given the term in section 2331 of title 18,  
10 United States Code, except that it does not include  
11 acts perpetrated by individuals associated with or in-  
12 spired by—

13 (A) a foreign person or organization des-  
14 ignated as a foreign terrorist organization  
15 under section 219 of the Immigration and Na-  
16 tionality Act (8 U.S.C. 1189);

17 (B) an individual or organization des-  
18 ignated under Executive Order 13224 (50  
19 U.S.C. 1701 note); or

20 (C) a state sponsor of terrorism as deter-  
21 mined by the Secretary of State under section  
22 6(j) of the Export Administration Act of 1979  
23 (50 U.S.C. 4605), section 40 of the Arms Ex-  
24 port Control Act (22 U.S.C. 2780), or section  
25 620A of the Foreign Assistance Act of 1961  
26 (22 U.S.C. 2371);

1           (3) the term “Domestic Terrorism Executive  
2           Committee” means the committee within the De-  
3           partment of Justice tasked with assessing and shar-  
4           ing information about ongoing domestic terrorism  
5           threats;

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

10          (5) the term “Secretary” means the Secretary  
11          of Homeland Security; and

12          (6) the term “uniformed services” has the  
13          meaning given the term in section 101(a) of title 10,  
14          United States Code.

15 **SEC. 3. OFFICES TO COMBAT DOMESTIC TERRORISM.**

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

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

1           (2) DOMESTIC TERRORISM OFFICE.—There is  
2 authorized a Domestic Terrorism Office in the  
3 Counterterrorism Section of the National Security  
4 Division of the Department of Justice—

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

8                   (B) which shall be headed by the Domestic  
9 Terrorism Counsel.

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

16           (4) STAFFING.—The Secretary, the Attorney  
17 General, and the Director shall each ensure that  
18 each office authorized under this section in their re-  
19 spective agencies shall—

20                   (A) have adequate number of employees to  
21 perform the required duties;

22                   (B) have not less than one employee dedi-  
23 cated to ensuring compliance with civil rights  
24 and civil liberties laws and regulations; and

1 (C) require that all employees undergo an-  
2 nual anti-bias training.

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

6 (b) JOINT REPORT ON DOMESTIC TERRORISM.—

7 (1) BIENNIAL REPORT REQUIRED.—Not later  
8 than 180 days after the date of enactment of this  
9 Act, and each 6 months thereafter for the 10-year  
10 period beginning on the date of enactment of this  
11 Act, the Secretary of Homeland Security, the Attor-  
12 ney General, and the Director of the Federal Bureau  
13 of Investigation shall submit a joint report authored  
14 by the domestic terrorism offices authorized under  
15 paragraphs (1), (2), and (3) of subsection (a) to—

16 (A) the Committee on the Judiciary, the  
17 Committee on Homeland Security and Govern-  
18 mental Affairs, and the Select Committee on  
19 Intelligence of the Senate; and

20 (B) the Committee on the Judiciary, the  
21 Committee on Homeland Security, and the Per-  
22 manent Select Committee on Intelligence of the  
23 House of Representatives.

24 (2) CONTENTS.—Each report submitted under  
25 paragraph (1) shall include—

1           (A) an assessment of the domestic ter-  
2 rorism threat posed by White supremacists and  
3 neo-Nazis, including White supremacist and  
4 neo-Nazi infiltration of Federal, State, and  
5 local law enforcement agencies and the uni-  
6 formed services; and

7           (B)(i) in the first report, an analysis of in-  
8 cidents or attempted incidents of domestic ter-  
9 rorism that have occurred in the United States  
10 since April 19, 1995, including any White-su-  
11 premacist-related incidents or attempted inci-  
12 dents; and

13           (ii) in each subsequent report, an analysis  
14 of incidents or attempted incidents of domestic  
15 terrorism that occurred in the United States  
16 during the preceding 6 months, including any  
17 White-supremacist-related incidents or at-  
18 tempted incidents; and

19           (C) a quantitative analysis of domestic ter-  
20 rorism for the preceding 6 months, including—

21                   (i) the number of—

22                           (I) domestic terrorism related as-  
23 sessments initiated by the Federal  
24 Bureau of Investigation, including the  
25 number of assessments from each

1 classification and subcategory, with a  
2 specific classification or subcategory  
3 for those related to White  
4 supremacism;

5 (II) domestic terrorism-related  
6 preliminary investigations initiated by  
7 the Federal Bureau of Investigation,  
8 including the number of preliminary  
9 investigations from each classification  
10 and subcategory, with a specific clas-  
11 sification or subcategory for those re-  
12 lated to White supremacism, and how  
13 many preliminary investigations re-  
14 sulted from assessments;

15 (III) domestic terrorism-related  
16 full investigations initiated by the  
17 Federal Bureau of Investigation, in-  
18 cluding the number of full investiga-  
19 tions from each classification and sub-  
20 category, with a specific classification  
21 or subcategory for those related to  
22 White supremacism, and how many  
23 full investigations resulted from pre-  
24 liminary investigations and assess-  
25 ments;

1 (IV) domestic terrorism-related  
2 incidents, including the number of in-  
3 cidents from each classification and  
4 subcategory, with a specific classifica-  
5 tion or subcategory for those related  
6 to White supremacy, the number of  
7 deaths and injuries resulting from  
8 each incident, and a detailed expla-  
9 nation of each incident;

10 (V) Federal domestic terrorism-  
11 related arrests, including the number  
12 of arrests from each classification and  
13 subcategory, with a specific classifica-  
14 tion or subcategory for those related  
15 to White supremacy, and a detailed  
16 explanation of each arrest;

17 (VI) Federal domestic terrorism-  
18 related indictments, including the  
19 number of indictments from each clas-  
20 sification and subcategory, with a spe-  
21 cific classification or subcategory for  
22 those related to White supremacy,  
23 and a detailed explanation of each in-  
24 dictment;



1 (VII) Federal domestic terrorism-  
2 related prosecutions, including the  
3 number of incidents from each classi-  
4 fication and subcategory, with a spe-  
5 cific classification or subcategory for  
6 those related to White supremacism,  
7 and a detailed explanation of each  
8 prosecution;

9 (VIII) Federal domestic ter-  
10 rorism-related convictions, including  
11 the number of convictions from each  
12 classification and subcategory, with a  
13 specific classification or subcategory  
14 for those related to White  
15 supremacism, and a detailed expla-  
16 nation of each conviction; and

17 (IX) Federal domestic terrorism-  
18 related weapons recoveries, including  
19 the number of each type of weapon  
20 and the number of weapons from each  
21 classification and subcategory, with a  
22 specific classification or subcategory  
23 for those related to White  
24 supremacism; and

1                   (ii) an explanation of each individual  
2                   case that progressed through more than 1  
3                   of the stages described under clause (i), in-  
4                   cluding the specific classification or sub-  
5                   category for each case.

6                   (3) HATE CRIMES.—In compiling a joint report  
7                   under this subsection, the domestic terrorism offices  
8                   authorized under paragraphs (1), (2), and (3) of  
9                   subsection (a) shall, in consultation with the Civil  
10                  Rights Division of the Department of Justice and  
11                  the Civil Rights Unit of the Federal Bureau of In-  
12                  vestigation, review each hate crime incident reported  
13                  during the preceding 6 months to determine whether  
14                  the incident also constitutes a domestic terrorism-re-  
15                  lated incident.

16                  (4) CLASSIFICATION AND PUBLIC RELEASE.—  
17                  Each report submitted under paragraph (1) shall  
18                  be—

19                         (A) unclassified, to the greatest extent pos-  
20                         sible, with a classified annex only if necessary;  
21                         and

22                         (B) in the case of the unclassified portion  
23                         of the report, posted on the public websites of  
24                         the Department of Homeland Security, the De-

1           partment of Justice, and the Federal Bureau of  
2           Investigation.

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

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

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

21                (2) be co-chaired by—

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

24                        (B) a United States Attorney or Assistant  
25                        United States Attorney;

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

3 (D) a member of the Federal Bureau of  
4 Investigation.

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

13 **SEC. 4. TRAINING TO COMBAT DOMESTIC TERRORISM.**

14 (a) REQUIRED TRAINING AND RESOURCES.—The  
15 Secretary, the Attorney General, and the Director shall  
16 review the anti-terrorism training and resource programs  
17 of their respective agencies that are provided to Federal,  
18 State, local, and Tribal law enforcement agencies, includ-  
19 ing the State and Local Anti-Terrorism Program that is  
20 funded by the Bureau of Justice Assistance of the Depart-  
21 ment of Justice, and ensure that such programs include  
22 training and resources to assist State, local, and Tribal  
23 law enforcement agencies in understanding, detecting, de-  
24 terring, and investigating acts of domestic terrorism and  
25 White supremacist and neo-Nazi infiltration of law en-

1 enforcement and corrections agencies. The domestic-ter-  
2 rorism training shall focus on the most significant domes-  
3 tic terrorism threats, as determined by the quantitative  
4 analysis in the joint report required under section 3(b).

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

8 (1) expertise in domestic terrorism; and

9 (2) relevant academic, law enforcement, or  
10 other community-based experience in matters related  
11 to domestic terrorism.

12 (c) REPORT.—

13 (1) IN GENERAL.—Not later than 6 months  
14 after the date of enactment of this Act and twice  
15 each year thereafter, the Secretary, the Attorney  
16 General, and the Director shall each submit a bian-  
17 nual report to the committees of Congress described  
18 in section 3(b)(1) on the domestic terrorism training  
19 implemented by their respective agencies under this  
20 section, which shall include copies of all training ma-  
21 terials used and the names and qualifications of the  
22 individuals who provide the training.

23 (2) CLASSIFICATION AND PUBLIC RELEASE.—

24 Each report submitted under paragraph (1) shall  
25 be—

1 (A) unclassified, to the greatest extent pos-  
2 sible, with a classified annex only if necessary;  
3 and

4 (B) in the case of the unclassified portion  
5 of each report, posted on the public website of  
6 the Department of Homeland Security, the De-  
7 partment of Justice, and the Federal Bureau of  
8 Investigation.

9 **SEC. 5. INTERAGENCY TASK FORCE.**

10 (a) IN GENERAL.—Not later than 180 days after the  
11 date of enactment of this Act, the Attorney General, the  
12 Director, the Secretary, and the Secretary of Defense shall  
13 establish an interagency task force to analyze and combat  
14 White supremacist and neo-Nazi infiltration of the uni-  
15 formed services and Federal law enforcement agencies.

16 (b) REPORT.—

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

1 (A) the Committee on the Judiciary of the  
2 Senate;

3 (B) the Committee on Homeland Security  
4 and Governmental Affairs of the Senate;

5 (C) the Select Committee on Intelligence of  
6 the Senate;

7 (D) the Committee on Armed Services of  
8 the Senate;

9 (E) the Committee on the Judiciary of the  
10 House of Representatives;

11 (F) the Committee on Homeland Security  
12 of the House of Representatives;

13 (G) the Permanent Select Committee on  
14 Intelligence of the House of Representatives;  
15 and

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

18 (2) CLASSIFICATION AND PUBLIC RELEASE.—  
19 The report submitted under paragraph (1) shall  
20 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  
25 of the report, posted on the public website of

1 the Department of Defense, the Department of  
2 Homeland Security, the Department of Justice,  
3 and the Federal Bureau of Investigation.

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

7 (a) **COMMUNITY RELATIONS SERVICE.**—The Com-  
8 munity Relations Service of the Department of Justice,  
9 authorized under section 1001(a) of the Civil Rights Act  
10 of 1964 (42 U.S.C. 2000g), may offer the support of the  
11 Service to communities where the Department of Justice  
12 has brought charges in a hate crime incident that has a  
13 nexus to domestic 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  
18 Attorney General, acting through the Director of the Fed-  
19 eral Bureau of Investigation, shall assign a special agent  
20 or hate crimes liaison to each field office of the Federal  
21 Bureau of Investigation to investigate hate crimes inci-  
22 dents with a nexus to domestic terrorism (as such term  
23 is defined in section 2 of the Domestic Terrorism Preven-  
24 tion Act of 2020).”.



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

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

○