

115TH CONGRESS  
2D SESSION

# H. R. 6664

To develop a national strategy to prevent targeted violence through threat assessment and management, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 10, 2018

Mr. BABIN introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To develop a national strategy to prevent targeted violence through threat assessment and management, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Threat Assessment,  
5 Prevention, and Safety Act of 2018”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

8 (1) incidents of targeted violence are impacting  
9 our Nation frequently and indiscriminately;

1           (2) a collaborative, multi-disciplinary, and  
2 multi-jurisdictional threat assessment and manage-  
3 ment process on a Federal, State, local, and Tribal  
4 level complements the development of better tactical  
5 methods for strategically preventing targeted vio-  
6 lence in communities, including schools;

7           (3) the United States has the capability to rap-  
8 idly develop threat assessment and management  
9 guidelines, practices, and standards;

10           (4) the United States should encourage the  
11 standardization of such guidelines, practices, and  
12 standards for streamlined and cohesive use across  
13 the United States;

14           (5) establishing such guidelines, practices, and  
15 standards is an important first step toward pre-  
16 venting targeted violence; and

17           (6) it is in the national security interest of the  
18 United States to develop such guidelines, practices,  
19 and standards.

20 **SEC. 3. ESTABLISHMENT OF A JOINT THREAT ASSESSMENT**  
21 **AND MANAGEMENT TASK FORCE.**

22           (a) IN GENERAL.—Not later than 30 days after the  
23 date of the enactment of this Act, the Secretary of Home-  
24 land Security shall establish within the Department of  
25 Homeland Security a Joint Threat Assessment and Man-

1 agement Task Force (referred to in this Act as the “Task  
2 Force”).

3 (b) DUTIES.—It shall be the duty of the Task Force  
4 to provide recommendations to the appropriate committees  
5 of Congress and the Secretary of Homeland Security on  
6 the development and implementation of a national strat-  
7 egy for preventing targeted violence through threat assess-  
8 ment and management (referred to in this Act as the “na-  
9 tional strategy”).

10 (c) MEMBERSHIP.—

11 (1) COMPOSITION.—The Task Force shall be  
12 composed of not more than 21 members as follows:

13 (A) The Secretary of Homeland Security  
14 or a designee with a position classified at GS–  
15 15 or above.

16 (B) Not more than two representatives of  
17 a nongovernmental organization that is deter-  
18 mined by the Secretary of Homeland Security  
19 to have expertise in threat assessment and  
20 management.

21 (C) Not more than two psychiatrists or  
22 psychologists who are determined by the Sec-  
23 retary of Homeland Security to have expertise  
24 in behavior-based threat assessment and man-  
25 agement.

1 (D) Not more than three representatives  
2 from local threat assessment and management  
3 units who are determined by the Secretary of  
4 Homeland Security to have expertise in threat  
5 assessment and management.

6 (E) Not more than three representatives  
7 from State threat assessment and management  
8 units who are determined by the Secretary of  
9 Homeland Security to have expertise in threat  
10 assessment and management.

11 (F) One expert in threat assessment and  
12 management appointed by the head of each of  
13 the following entities:

14 (i) The National Threat Assessment  
15 Center of the United States Secret Service.

16 (ii) The Protective Intelligence and  
17 Assessment Division of the United States  
18 Secret Service.

19 (iii) The Behavioral Analysis Unit–1  
20 of the Critical Incident Response Group of  
21 the Federal Bureau of Investigation.

22 (iv) The Joint Terrorism Task Force  
23 of the Federal Bureau of Investigation.

24 (v) The United States Marshals Serv-  
25 ice of the Department of Justice.

1 (vi) The Office on Violence Against  
2 Women of the Department of Justice.

3 (vii) The Naval Criminal Investigative  
4 Service of the Department of the Navy.

5 (viii) The United States Capitol Po-  
6 lice.

7 (ix) The Department of Education.

8 (x) The Department of Health and  
9 Human Services.

10 (2) CHAIRPERSON.—The Secretary of Home-  
11 land Security shall appoint a chairperson of the  
12 Task Force.

13 (3) CONSULTATION.—The Task Force may, as  
14 the chairperson determines necessary, consult with  
15 experts in threat assessment and management from  
16 State, local, and Tribal government agencies and  
17 private entities that have established threat assess-  
18 ment and management programs.

19 (4) TERM OF MEMBERSHIP.—

20 (A) TERM OF MEMBERS.—Members of the  
21 Task Force shall serve until the head of the re-  
22 spective entity of the member appoints a new  
23 representative to the Task Force.

1 (B) TERM OF CHAIRPERSON.—The chair-  
2 person shall serve until the Secretary of Home-  
3 land Security appoints a new chairperson.

4 (5) MEMBER COMPENSATION.—Members of the  
5 Task Force may not receive additional pay, allow-  
6 ances, or benefits by reason of their service on the  
7 Task Force.

8 (d) OPERATING RULES AND PROCEDURES.—

9 (1) RULES AND PROCEDURES.—Any member of  
10 the Task Force may propose to develop or change  
11 existing operating rules and procedures of the Task  
12 Force consistent with the functions of the Task  
13 Force. Any change to such operating rules and pro-  
14 cedures shall be adopted upon a majority vote of the  
15 Task Force.

16 (2) FINDINGS AND SOLUTIONS.—The Task  
17 Force shall adopt recommendations for the imple-  
18 mentation of the national strategy only upon a ma-  
19 jority vote of the Task Force.

20 (3) VOTING.—Each member of the Task Force  
21 shall have one vote.

22 (4) QUORUM.—Two-thirds of the members of  
23 the Task Force shall be present to constitute a  
24 quorum, but a lesser number may hold meetings.

25 (e) STAFF DIRECTOR AND STAFF.—

1           (1) STAFF DIRECTOR.—The chairperson may  
2           appoint a staff director, who shall be paid at a rate  
3           not to exceed the rate of basic pay for level IV of  
4           the Executive Schedule under section 5315 of title  
5           5, United States Code.

6           (2) STAFF.—The staff director may appoint not  
7           more than 3 additional staff personnel.

8           (3) APPLICABILITY OF CERTAIN CIVIL SERVICE  
9           LAWS.—The staff of the Task Force shall be ap-  
10          pointed subject to the provisions of title 5, United  
11          States Code, governing appointments in the competi-  
12          tive service, and shall be paid in accordance with the  
13          provisions of chapter 51 and subchapter III of chap-  
14          ter 53 of that title relating to classification and Gen-  
15          eral Schedule pay rates.

16          (4) EXPERTS AND CONSULTANTS.—The Task  
17          Force and the staff director, acting with the ap-  
18          proval of the Task Force, may procure temporary  
19          and intermittent services pursuant to section  
20          3109(b) of title 5, United States Code.

21          (5) STAFF OF FEDERAL AGENCIES.—Upon the  
22          request of the Secretary of Homeland Security, the  
23          head of any Federal department or agency may de-  
24          tail, on a reimbursable basis, any of the personnel  
25          of such Federal department or agency to the Task

1 Force to assist it in carrying out the duties of the  
2 Task Force under this section.

3 (f) POWERS OF THE TASK FORCE.—Any member of  
4 the Task Force may, if authorized by the Task Force, take  
5 any action which the Task Force is authorized to take by  
6 this section.

7 (g) OBTAINING OFFICIAL DATA.—Subject to applica-  
8 ble privacy laws and regulations, the Task Force may se-  
9 cure directly from any Federal department or agency in-  
10 formation necessary to enable it to carry out the duties  
11 of the Task Force under this section. Upon request of the  
12 chairperson of the Task Force, the head of such Federal  
13 department or agency shall furnish such information to  
14 the Task Force.

15 (h) ADMINISTRATIVE SUPPORT SERVICES.—Upon  
16 the request of the Task Force, the Administrator of Gen-  
17 eral Services shall provide to the Task Force, on a reim-  
18 bursable basis, the administrative support services nec-  
19 essary for the Task Force to carry out the duties of the  
20 Task Force under this section.

21 (i) CONTRACT AUTHORITY.—To the extent and in the  
22 amounts made available in advance in appropriations Acts,  
23 the Task Force may contract with and compensate State,  
24 local, and Tribal government agencies and private entities



1 or persons for services necessary to carry out the duties  
2 of the Task Force under this section.

3 (j) REPORT.—Not later than 120 days after the date  
4 of the enactment of this Act, the Task Force shall submit  
5 to the appropriate committees of Congress and the Sec-  
6 retary of Homeland Security a report on recommendations  
7 related to the national strategy, including recommenda-  
8 tions for the development and implementation of the na-  
9 tional strategy.

10 (k) DISSOLUTION OF TASK FORCE.—The Task Force  
11 shall terminate 180 days after the date of the enactment  
12 of this Act.

13 (l) AUTHORIZATION OF APPROPRIATIONS.—There is  
14 authorized to be appropriated to carry out this section not  
15 more than \$1,000,000 for fiscal year 2019.

16 **SEC. 4. CONTENTS OF NATIONAL STRATEGY RECOMMENDA-**  
17 **TIONS.**

18 National strategy recommendations provided by the  
19 Task Force pursuant to section 3(j) shall include each of  
20 the following:

21 (1) EXISTING INFRASTRUCTURE PLANS.—Rec-  
22 ommendations relating to the most effective use of  
23 existing Federal, State, local, and Tribal infrastruc-  
24 ture, workforce, and experience, including—

1 (A) the use of personnel, communication  
2 channels, and information sharing capabilities  
3 of fusion centers; and

4 (B) a standardized threat assessment and  
5 management process.

6 (2) UNIT SUPPORT PROGRAM.—Recommendations relating to a Threat Assessment and Management Unit Support Program, which shall—

9 (A) assist Federal, State, local, Tribal government agencies and private entities in the implementation of community based, multi-disciplinary, and multi-jurisdictional threat assessment and management units;

14 (B) consult on real-world complex threat assessment and management cases or programs;

17 (C) promote coordination and information sharing among Federal, State, local, and Tribal government agencies and private entities with protective or public safety responsibilities; and

21 (D) support standardization between Federal, State, local, and Tribal government agency threat assessment and management units.

24 (3) TRAINING PROGRAM.—Recommendations  
25 relating to a Threat Assessment and Management

1 Training Program, which may train officers and em-  
2 ployees of Federal, State, local, and Tribal govern-  
3 ment agencies and private entities in standardized  
4 community based, multi-disciplinary, and multi-juris-  
5 dictional threat assessment and management, includ-  
6 ing—

7 (A) integrated operations;

8 (B) information sharing among Federal,  
9 State, local, and Tribal government agencies  
10 and private entities with protective or public  
11 safety responsibilities; and

12 (C) disseminating published evidence-based  
13 research materials on targeted violence preven-  
14 tion through threat assessment and manage-  
15 ment.

16 (4) SCHOOL VIOLENCE PREVENTION PRO-  
17 GRAM.—Recommendations relating to a Threat As-  
18 sessment and Management School Violence Preven-  
19 tion Program for educational entities, which shall—

20 (A) train and support a multi-disciplinary  
21 and multi-jurisdictional threat assessment and  
22 management process, including the coordination  
23 of information sharing;

1 (B) consult on real-world complex threat  
2 assessment and management cases or pro-  
3 grams;

4 (C) support the standardization between  
5 educational entity threat assessment and man-  
6 agement units; and

7 (D) disseminate to educational entities  
8 published research materials on threat assess-  
9 ment and management and the prevention of  
10 targeted violence within educational entities.

11 **SEC. 5. DEVELOPMENT OF NATIONAL STRATEGY.**

12 (a) NATIONAL STRATEGY DEVELOPMENT.—The Sec-  
13 retary of Homeland Security shall develop a national  
14 strategy relating to threat assessment and management  
15 and consider the recommendations made by the Task  
16 Force pursuant to section 4 in the development of such  
17 strategy.

18 (b) EFFECTIVE DATE.—The national strategy shall  
19 take effect 180 days after the date of the enactment of  
20 this Act unless Congress enacts a joint resolution of dis-  
21 approval of the national strategy during such 180-day pe-  
22 riod.

23 **SEC. 6. IMPLEMENTATION OF THE NATIONAL STRATEGY.**

24 (a) IN GENERAL.—Beginning on the date that the  
25 national strategy takes effect under section 5(b), the Sec-

1   retary of Homeland Security shall implement the national  
2   strategy and provide information and training services re-  
3   lated to the national strategy at the request of any Fed-  
4   eral, State, local, or Tribal government agency or private  
5   entity with protective or public safety responsibilities.

6       (b) CONSULTATION.—In implementing the national  
7   strategy, the Secretary of Homeland Security may consult  
8   with the following:

9           (1) The United States Secret Service, includ-  
10   ing—

11           (A) the National Threat Assessment Cen-  
12   ter; and

13           (B) the Protective Intelligence and Assess-  
14   ment Division.

15       (2) The Department of Justice, including—

16           (A) the Behavioral Analysis Unit–1 of the  
17   Critical Incident Response Group of the Federal  
18   Bureau of Investigation;

19           (B) the Joint Terrorism Task Force of the  
20   Federal Bureau of Investigation;

21           (C) the United States Marshals Service;  
22   and

23           (D) the Office on Violence Against  
24   Women.

1           (3) The Department of the Navy, including the  
2 Naval Criminal Investigative Service.

3           (4) The United States Capitol Police.

4           (5) The Department of Education.

5           (6) The Department of Health and Human  
6 Services.

7           (7) Nongovernmental organizations that are de-  
8 termined by the Secretary of Homeland Security to  
9 have expertise in threat assessment and manage-  
10 ment.

11           (8) Psychiatrists or psychologists who are de-  
12 termined by the Secretary of Homeland Security to  
13 have expertise in behavior-based threat assessment  
14 and management.

15           (9) State and local threat assessment and man-  
16 agement units.

17 (c) APPOINTMENT OF HIGH-LEVEL OFFICIAL.—

18           (1) IN GENERAL.—The Secretary of Homeland  
19 Security shall designate a senior official within the  
20 Department of Homeland Security to be responsible  
21 for coordinating the implementation and coordina-  
22 tion of the national strategy.

23           (2) DUTIES.—The duties of the official des-  
24 ignated pursuant to paragraph (1) shall include the  
25 following:

1           (A) Acting as a liaison between each Fed-  
2           eral agency regarding the implementation and  
3           coordination of the strategy.

4           (B) Being knowledgeable about budget pri-  
5           orities and familiar with all efforts within the  
6           Department of Homeland Security and the  
7           Federal Government related to the strategy.

8           (d) CONTRACTING SERVICES.—The Secretary of  
9           Homeland Security shall enter into contracts with public  
10          agencies or private entities with expertise in threat assess-  
11          ment and management to assist with the implementation  
12          of the national strategy.

13          (e) WEBSITE.—The Secretary of Homeland Security  
14          may develop an interactive public website to publicize in-  
15          formation and data on evidence-based practices in threat  
16          assessment and management, except that such website  
17          may not include law enforcement sensitive or classified  
18          data or processes and sources.

19          (f) REPORT TO CONGRESS.—Not later than 1 year  
20          after the date of the enactment of this Act and each year  
21          thereafter, the Secretary of Homeland Security shall sub-  
22          mit to the appropriate committees of Congress a report  
23          on any action taken to implement the national strategy,  
24          which shall include the following:

1           (1) Information relating to the number of  
2 detailees hired (on a full-time equivalent basis).

3           (2) Information relating to the number of, and  
4 use of, contracts entered into with public agencies or  
5 private entities, as required under subsection (d).

6           (3) Information relating to the number of enti-  
7 ties participating in the Threat Assessment and  
8 Management Training Program under section 4(3).

9           (4) Information relating to the number of edu-  
10 cational entities participating in the Threat Assess-  
11 ment and Management School Violence Prevention  
12 Program under section 4(4).

13           (5) Information relating to the number of Fed-  
14 eral, State, local, and Tribal law enforcement enti-  
15 ties participating in the Threat Assessment and  
16 Management Unit Support Program under section  
17 4(2).

18           (6) Information relating to the number of  
19 States participating in the Threat Assessment and  
20 Management Grant Program under section 7.

21           (7) A formal evaluation conducted by the  
22 Homeland Security Studies and Analysis Institute of  
23 the Department of Homeland Security studying the  
24 implementation and effectiveness of the national  
25 strategy.



1 (8) Information relating to the level of coopera-  
2 tion between Federal Government agencies in the  
3 implementation of the strategy.

4 (9) An assessment of future trends, challenges,  
5 and opportunities, including new technologies, that  
6 will impact Federal, State, local, and Tribal govern-  
7 ment agency efforts to combat targeted violence  
8 through threat assessment and management.

9 (g) ANNUAL BRIEFING.—Not later than 1 year after  
10 the date of the enactment of this Act and each year there-  
11 after, the Secretary of Homeland Security shall brief the  
12 appropriate committees of Congress on the progress,  
13 changes, and other developments with respect to imple-  
14 menting the national strategy.

15 **SEC. 7. THREAT ASSESSMENT AND MANAGEMENT GRANT**  
16 **PROGRAM.**

17 (a) IN GENERAL.—The Secretary of Homeland Secu-  
18 rity shall award grants to eligible entities to establish com-  
19 munity based units that implement the national strategy.

20 (b) APPLICATION.—To receive a grant under this  
21 subsection, an eligible entity shall submit an application  
22 to the Secretary of Homeland Security at such time, in  
23 such manner, and containing such information as the Sec-  
24 retary of Homeland Security may require.

1 (c) MATCHING FUNDS.—An eligible entity that re-  
2 ceives a grant under this subsection shall provide a cash  
3 contribution in an amount that is not less than 10 percent  
4 of the amount of the grant.

5 (d) WAIVER.—The Secretary of Homeland Security  
6 may waive or reduce the cash contribution required under  
7 subsection (c) for eligible entities that demonstrate a need  
8 for such a waiver or reduction.

9 (e) ELIGIBLE ENTITY DEFINED.—The term “eligible  
10 entity” means—

- 11 (1) a State;
- 12 (2) a Tribal organization;
- 13 (3) an educational entity;
- 14 (4) a unit of local government; or
- 15 (5) a nongovernmental organization.

16 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

17 (a) IN GENERAL.—There is authorized to be appro-  
18 priated to carry out sections 6 and 7 \$25,000,000 for each  
19 of fiscal years 2019 through 2023.

20 (b) LIMITATION.—No funds authorized to be appro-  
21 priated under this section may be used to train any indi-  
22 vidual in the use of a firearm.

23 **SEC. 9. DEFINITIONS.**

24 In this Act:

1           (1) APPROPRIATE COMMITTEES OF CON-  
2           GRESS.—The term “appropriate committees of Con-  
3           gress” means the Committee on Homeland Security  
4           and the Committee on the Judiciary of the House of  
5           Representatives and the Committee on Homeland  
6           Security and Governmental Affairs and the Com-  
7           mittee on the Judiciary of the Senate.

8           (2) DEFINITIONS RELATED TO CERTAIN EDU-  
9           CATIONAL TERMS.—The terms “early childhood edu-  
10          cation program”, “elementary school”, “local edu-  
11          cational agency”, “secondary school”, and “State  
12          educational agency” have the meanings given such  
13          terms in section 8101 of the Elementary and Sec-  
14          ondary Education Act of 1965 (20 U.S.C. 7801).

15          (3) EDUCATIONAL ENTITIES.—The term “edu-  
16          cational entities” means—

17                   (A) a State educational agency;

18                   (B) a local educational agency;

19                   (C) an institution of higher education;

20                   (D) an elementary school or secondary  
21                   school;

22                   (E) an early childhood education program;

23                   or

24                   (F) a postsecondary vocational institution.

1           (4) FUSION CENTER.—The term “fusion cen-  
2           ter” has the meaning given such term in section  
3           210A(j)(1) of the Homeland Security Act of 2002 (6  
4           U.S.C. 124h(j)(1)).

5           (5) INSTITUTION OF HIGHER EDUCATION.—The  
6           term “institution of higher education” has the  
7           meaning given such term in section 101 of the High-  
8           er Education Act of 1965 (20 U.S.C. 1001).

9           (6) POSTSECONDARY VOCATIONAL INSTITU-  
10          TION.—The term “postsecondary vocational institu-  
11          tion” has the meaning given such term in section  
12          102(c) of the Higher Education Act of 1965 (20  
13          U.S.C. 1002(c)).

14          (7) STATE.—The term “State” means any  
15          State of the United States, the District of Columbia,  
16          the Commonwealth of Puerto Rico, the United  
17          States Virgin Islands, Guam, American Samoa, and  
18          the Commonwealth of the Northern Mariana Is-  
19          lands.

20          (8) TARGETED VIOLENCE.—The term “targeted  
21          violence” means any incident of predatory violence  
22          with respect to which an identifiable individual or  
23          group focuses an attack on a particular target.

24          (9) THREAT ASSESSMENT AND MANAGE-  
25          MENT.—The term “threat assessment and manage-

1       ment” means the systematic and evidence-based  
2       process of—

3               (A) identifying individuals who are exhib-  
4               iting patterns of concerning behavior that indi-  
5               cate an interest, motive, intention, or capability  
6               of carrying out an act of violence;

7               (B) investigating and gathering informa-  
8               tion from multiple sources to assess whether an  
9               individual described in subparagraph (A) poses  
10              a threat, based on articulable facts; and

11              (C) the subsequent management of such a  
12              threat, if necessary.

○