

117TH CONGRESS
2D SESSION

H. R. 350

AN ACT

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Domestic Terrorism
5 Prevention Act of 2022”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “Director” means the Director of
9 the Federal Bureau of Investigation;

10 (2) the term “domestic terrorism” has the
11 meaning given the term in section 2331 of title 18,
12 United States Code;

13 (3) the term “Domestic Terrorism Executive
14 Committee” means the committee within the De-
15 partment of Justice tasked with assessing and shar-
16 ing information about ongoing domestic terrorism
17 threats;

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

22 (5) the term “Secretary” means the Secretary
23 of Homeland Security; and

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

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

5 (a) AUTHORIZATION OF OFFICES TO MONITOR, ANA-
6 LYZE, INVESTIGATE, AND PROSECUTE DOMESTIC TER-
7 RORISM.—

8 (1) DOMESTIC TERRORISM UNIT.—There is au-
9 thorized a Domestic Terrorism Unit in the Office of
10 Intelligence and Analysis of the Department of
11 Homeland Security, which shall be responsible for
12 monitoring and analyzing domestic terrorism activ-
13 ity.

14 (2) DOMESTIC TERRORISM OFFICE.—There is
15 authorized a Domestic Terrorism Office in the
16 Counterterrorism Section of the National Security
17 Division of the Department of Justice—

18 (A) which shall be responsible for inves-
19 tigating and prosecuting incidents of domestic
20 terrorism;

21 (B) which shall be headed by the Domestic
22 Terrorism Counsel; and

23 (C) which shall coordinate with the Civil
24 Rights Division on domestic terrorism matters
25 that may also be hate crime incidents.

1 (3) DOMESTIC TERRORISM SECTION OF THE
2 FBI.—There is authorized a Domestic Terrorism
3 Section within the Counterterrorism Division of the
4 Federal Bureau of Investigation, which shall be re-
5 sponsible for investigating domestic terrorism activ-
6 ity.

7 (4) STAFFING.—The Secretary, the Attorney
8 General, and the Director shall each ensure that
9 each office authorized under this section in their re-
10 spective agencies shall—

11 (A) have an adequate number of employees
12 to perform the required duties;

13 (B) have not less than one employee dedi-
14 cated to ensuring compliance with civil rights
15 and civil liberties laws and regulations; and

16 (C) require that all employees undergo an-
17 nual anti-bias training.

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

21 (b) JOINT REPORT ON DOMESTIC TERRORISM.—

22 (1) BIENNIAL REPORT REQUIRED.—Not later
23 than 180 days after the date of enactment of this
24 Act, and each 6 months thereafter for the 10-year
25 period beginning on the date of enactment of this

1 Act, the Secretary of Homeland Security, the Attor-
2 ney General, and the Director of the Federal Bureau
3 of Investigation shall submit a joint report authored
4 by the domestic terrorism offices authorized under
5 paragraphs (1), (2), and (3) of subsection (a) to—

6 (A) the Committee on the Judiciary, the
7 Committee on Homeland Security and Govern-
8 mental Affairs, and the Select Committee on
9 Intelligence of the Senate; and

10 (B) the Committee on the Judiciary, the
11 Committee on Homeland Security, and the Per-
12 manent Select Committee on Intelligence of the
13 House of Representatives.

14 (2) CONTENTS.—Each report submitted under
15 paragraph (1) shall include—

16 (A) an assessment of the domestic ter-
17 rorism threat posed by White supremacists and
18 neo-Nazis, including White supremacist and
19 neo-Nazi infiltration of Federal, State, and
20 local law enforcement agencies and the uni-
21 formed services; and

22 (B)(i) in the first report, an analysis of in-
23 cidents or attempted incidents of domestic ter-
24 rorism that have occurred in the United States
25 since April 19, 1995, including any White-su-

premacist-related incidents or attempted incidents; and

(ii) in each subsequent report, an analysis of incidents or attempted incidents of domestic terrorism that occurred in the United States during the preceding 6 months, including any White-supremacist-related incidents or attempted incidents;

(C) a quantitative analysis of domestic terrorism for the preceding 6 months, including—

(i) the number of—

(I) domestic terrorism related assessments initiated by the Federal Bureau of Investigation, including the number of assessments from each classification and subcategory, with a specific classification or subcategory for those related to White supremacism;

(II) domestic terrorism-related preliminary investigations initiated by the Federal Bureau of Investigation, including the number of preliminary investigations from each classification and subcategory, with a specific clas-

1 sification or subcategory for those re-
2 lated to White supremacism, and how
3 many preliminary investigations re-
4 sulted from assessments;

5 (III) domestic terrorism-related
6 full investigations initiated by the
7 Federal Bureau of Investigation, in-
8 cluding the number of full investiga-
9 tions from each classification and sub-
10 category, with a specific classification
11 or subcategory for those related to
12 White supremacism, and how many
13 full investigations resulted from pre-
14 liminary investigations and assess-
15 ments;

16 (IV) domestic terrorism-related
17 incidents, including the number of in-
18 cidents from each classification and
19 subcategory, with a specific classifica-
20 tion or subcategory for those related
21 to White supremacism, the number of
22 deaths and injuries resulting from
23 each incident, and a detailed expla-
24 nation of each incident;

1 (V) Federal domestic terrorism-
2 related arrests, including the number
3 of arrests from each classification and
4 subcategory, with a specific classifica-
5 tion or subcategory for those related
6 to White supremacy, and a detailed
7 explanation of each arrest;

8 (VI) Federal domestic terrorism-
9 related indictments, including the
10 number of indictments from each clas-
11 sification and subcategory, with a spe-
12 cific classification or subcategory for
13 those related to White supremacy,
14 and a detailed explanation of each in-
15 dictment;

16 (VII) Federal domestic terrorism-
17 related prosecutions, including the
18 number of incidents from each classi-
19 fication and subcategory, with a spe-
20 cific classification or subcategory for
21 those related to White supremacy,
22 and a detailed explanation of each
23 prosecution;

24 (VIII) Federal domestic ter-
25 rorism-related convictions, including

1 the number of convictions from each
2 classification and subcategory, with a
3 specific classification or subcategory
4 for those related to White
5 supremacism, and a detailed expla-
6 nation of each conviction; and

7 (IX) Federal domestic terrorism-
8 related weapons recoveries, including
9 the number of each type of weapon
10 and the number of weapons from each
11 classification and subcategory, with a
12 specific classification or subcategory
13 for those related to White
14 supremacism; and

15 (ii) an explanation of each individual
16 case that progressed through more than 1
17 of the stages described under clause (i)—

18 (I) including the specific classi-
19 fication or subcategory for each case;
20 and

21 (II) not including personally
22 identifiable information not otherwise
23 releasable to the public; and

24 (D) certification that each of the assess-
25 ments and investigations described under sub-

1 paragraph (C) are in compliance with all appli-
2 cable civil rights and civil liberties laws and reg-
3 ulations.

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

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

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

20 (B) in the case of the unclassified portion
21 of the report, posted on the public websites of
22 the Department of Homeland Security, the De-
23 partment of Justice, and the Federal Bureau of
24 Investigation.

1 (5) NONDUPLICATION.—If two or more provi-
2 sions of this subsection or any other law impose re-
3 quirements on an agency to report or analyze infor-
4 mation on domestic terrorism that are substantially
5 similar, the agency may produce one report that
6 complies with each such requirement as fully as pos-
7 sible.

8 (c) DOMESTIC TERRORISM EXECUTIVE COM-
9 MITTEE.—There is authorized a Domestic Terrorism Ex-
10 ecutive Committee, which shall meet on a regular basis,
11 and not less regularly than 4 times each year, to coordi-
12 nate with United States Attorneys and other key public
13 safety officials across the country to promote information
14 sharing and ensure an effective, responsive, and organized
15 joint effort to combat domestic terrorism.

16 (d) FOCUS ON GREATEST THREATS.—The domestic
17 terrorism offices authorized under paragraphs (1), (2),
18 and (3) of subsection (a) shall focus their limited resources
19 on the most significant domestic terrorism threats, as de-
20 termined by the number of domestic terrorism-related inci-
21 dents from each category and subclassification in the joint
22 report for the preceding 6 months required under sub-
23 section (b).

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

2 (a) **REQUIRED TRAINING AND RESOURCES.**—The
3 Secretary, the Attorney General, and the Director shall
4 review the anti-terrorism training and resource programs
5 of their respective agencies that are provided to Federal,
6 State, local, and Tribal law enforcement agencies, includ-
7 ing the State and Local Anti-Terrorism Program that is
8 funded by the Bureau of Justice Assistance of the Depart-
9 ment of Justice, and ensure that such programs include
10 training and resources to assist State, local, and Tribal
11 law enforcement agencies in understanding, detecting, de-
12 terring, and investigating acts of domestic terrorism and
13 White supremacist and neo-Nazi infiltration of law en-
14 forcement and corrections agencies. The Attorney General
15 shall make training available to Department prosecutors
16 and to Assistant United States Attorneys on countering
17 and prosecuting domestic terrorism. The domestic-ter-
18 rorism training shall focus on the most significant domes-
19 tic terrorism threats, as determined by the quantitative
20 analysis in the joint report required under section 3(b).

21 (b) **REQUIREMENT.**—Any individual who provides do-
22 mestic terrorism training required under this section shall
23 have—

24 (1) expertise in domestic terrorism; and

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

4 (c) REPORT.—

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

15 (2) CLASSIFICATION AND PUBLIC RELEASE.—

16 Each report submitted under paragraph (1) shall—

17 (A) be unclassified, to the greatest extent
18 possible, with a classified annex only if nec-
19 essary;

20 (B) in the case of the unclassified portion
21 of each report, be posted on the public website
22 of the Department of Homeland Security, the
23 Department of Justice, and the Federal Bureau
24 of Investigation; and

1 (C) include the number of Federal inci-
2 dents, investigations, arrests, indictments, pros-
3 ecutions, and convictions with respect to a false
4 report of domestic terrorism or hate crime inci-
5 dent.

6 **SEC. 5. INTERAGENCY TASK FORCE.**

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

13 (b) REPORT.—

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

21 (A) the Committee on the Judiciary of the
22 Senate;

23 (B) the Committee on Homeland Security
24 and Governmental Affairs of the Senate;

1 (C) the Select Committee on Intelligence of
2 the Senate;

3 (D) the Committee on Armed Services of
4 the Senate;

5 (E) the Committee on the Judiciary of the
6 House of Representatives;

7 (F) the Committee on Homeland Security
8 of the House of Representatives;

9 (G) the Permanent Select Committee on
10 Intelligence of the House of Representatives;
11 and

12 (H) the Committee on Armed Services of
13 the House of Representatives.

14 (2) CLASSIFICATION AND PUBLIC RELEASE.—

15 The report submitted under paragraph (1) shall
16 be—

17 (A) submitted in unclassified form, to the
18 greatest extent possible, with a classified annex
19 only if necessary; and

20 (B) in the case of the unclassified portion
21 of the report, posted on the public website of
22 the Department of Defense, the Department of
23 Homeland Security, the Department of Justice,
24 and the Federal Bureau of Investigation.

1 **SEC. 6. FEDERAL SUPPORT FOR ADDRESSING HATE CRIME**
2 **INCIDENTS WITH A NEXUS TO DOMESTIC**
3 **TERRORISM.**

4 (a) COMMUNITY RELATIONS SERVICE.—The Com-
5 munity Relations Service of the Department of Justice,
6 authorized under section 1001(a) of the Civil Rights Act
7 of 1964 (42 U.S.C. 2000g), may offer the support of the
8 Service to communities where the Department of Justice
9 has brought charges in a hate crime incident that has a
10 nexus to domestic terrorism.

11 (b) FEDERAL BUREAU OF INVESTIGATION.—Section
12 249 of title 18, United States Code, is amended by adding
13 at the end the following:

14 “(f) FEDERAL BUREAU OF INVESTIGATION.—The
15 Attorney General, acting through the Director of the Fed-
16 eral Bureau of Investigation, shall assign a special agent
17 or hate crimes liaison to each field office of the Federal
18 Bureau of Investigation to investigate hate crimes inci-
19 dents with a nexus to domestic terrorism (as such term
20 is defined in section 2 of the Domestic Terrorism Preven-
21 tion Act of 2022).”.

22 **SEC. 7. RULE OF CONSTRUCTION.**

23 Nothing in this Act, or any amendment made by this
24 Act, may be construed to authorize the infringement or
25 violation of any right protected under the First Amend-

1 ment to the Constitution of the United States or an appli-
2 cable provision of Federal law.

3 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

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

Passed the House of Representatives May 18, 2022.

Attest:

Clerk.

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AN ACT

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.