

110TH CONGRESS
1ST SESSION

S. 1959

To establish the National Commission on the Prevention of Violent Radicalization and Homegrown Terrorism, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2007

Ms. COLLINS (for herself and Mr. COLEMAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To establish the National Commission on the Prevention of Violent Radicalization and Homegrown Terrorism, 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 “Violent Radicalization
5 and Homegrown Terrorism Prevention Act of 2007”.

1 **SEC. 2. PREVENTION OF VIOLENT RADICALIZATION AND**
 2 **HOMEGROWN TERRORISM.**

3 (a) IN GENERAL.—Title VIII of the Homeland Secu-
 4 rity Act of 2002 (6 U.S.C. 361 et seq.) is amended by
 5 adding at the end the following:

6 **“Subtitle J—Prevention of Violent**
 7 **Radicalization and Homegrown**
 8 **Terrorism**

9 **“SEC. 899A. DEFINITIONS.**

10 “In this subtitle:

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

15 “(2) VIOLENT RADICALIZATION.—The term
 16 ‘violent radicalization’ means the process of adopting
 17 or promoting an extremist belief system for the pur-
 18 pose of facilitating ideologically based violence to ad-
 19 vance political, religious, or social change.

20 “(3) HOMEGROWN TERRORISM.—The term
 21 ‘homegrown terrorism’ means the use, planned use,
 22 or threatened use, of force or violence by a group or
 23 individual born, raised, or based and operating pri-
 24 marily within the United States or any possession of
 25 the United States to intimidate or coerce the United
 26 States government, the civilian population of the

1 United States, or any segment thereof, in further-
2 ance of political or social objectives.

3 “(4) IDEOLOGICALLY BASED VIOLENCE.—The
4 term ‘ideologically based violence’ means the use,
5 planned use, or threatened use of force or violence
6 by a group or individual to promote the group or in-
7 dividual’s political, religious, or social beliefs.

8 **“SEC. 899B. FINDINGS.**

9 “The Congress finds the following:

10 “(1) The development and implementation of
11 methods and processes that can be used to prevent
12 violent radicalization, homegrown terrorism, and
13 ideologically based violence in the United States is
14 critical to combating domestic terrorism.

15 “(2) The promotion of violent radicalization,
16 homegrown terrorism, and ideologically based vio-
17 lence exists in the United States and poses a threat
18 to homeland security.

19 “(3) The Internet has aided in facilitating vio-
20 lent radicalization, ideologically based violence, and
21 the homegrown terrorism process in the United
22 States by providing access to broad and constant
23 streams of terrorist-related propaganda to United
24 States citizens.

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

6 “(5) Understanding the motivational factors
7 that lead to violent radicalization, homegrown ter-
8 rorism, and ideologically based violence is a vital
9 step toward eradicating these threats in the United
10 States.

11 “(6) The potential rise of self radicalized, unaf-
12 filiated terrorists domestically cannot be easily pre-
13 vented through traditional Federal intelligence or
14 law enforcement efforts, and requires the incorpora-
15 tion of State and local solutions.

16 “(7) Individuals prone to violent radicalization,
17 homegrown terrorism, and ideologically based vio-
18 lence span all races, ethnicities, and religious beliefs,
19 and individuals should not be targeted based solely
20 on race, ethnicity, or religion.

21 “(8) Any measure taken to prevent violent
22 radicalization, homegrown terrorism, and ideologi-
23 cally based violence and homegrown terrorism in the
24 United States should not violate the constitutional

1 rights, civil rights, or civil liberties of United States
2 citizens and lawful permanent residents.

3 “(9) Certain governments, including the Gov-
4 ernment of the United Kingdom, the Government of
5 Canada, and the Government of Australia have sig-
6 nificant experience with homegrown terrorism and
7 the United States can benefit from lessons learned
8 by those nations.

9 **“SEC. 899C. NATIONAL COMMISSION ON THE PREVENTION**
10 **OF VIOLENT RADICALIZATION AND IDEO-**
11 **LOGICALLY BASED VIOLENCE.**

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

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

18 “(1) Examine and report upon the facts and
19 causes of violent radicalization, homegrown ter-
20 rorism, and ideologically based violence in the
21 United States, including United States connections
22 to non-United States persons and networks, violent
23 radicalization, homegrown terrorism, and ideologi-
24 cally based violence in prison, individual or ‘lone
25 wolf’ violent radicalization, homegrown terrorism,

1 and ideologically based violence, and other faces of
2 the phenomena of violent radicalization, homegrown
3 terrorism, and ideologically based violence that the
4 Commission considers important.

5 “(2) The Commission shall, in cooperation with
6 the Department, the Department of State, and other
7 Federal departments and agencies, as appropriate,
8 conduct a survey of methodologies implemented by
9 foreign nations to prevent violent radicalization and
10 homegrown terrorism in their respective nations.

11 “(3) Build upon and bring together the work of
12 other entities and avoid unnecessary duplication, by
13 reviewing the findings, conclusions, and rec-
14 ommendations of—

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

18 “(B) Federal, State, local, or tribal govern-
19 ment studies of, reviews of, and experiences
20 with violent radicalization, homegrown ter-
21 rorism, and ideologically based violence; and

22 “(C) foreign government studies of, re-
23 views of, and experiences with violent
24 radicalization, homegrown terrorism, and ideo-
25 logically based violence.

1 “(c) COMPOSITION OF COMMISSION.—The Commis-
2 sion shall be composed of 12 members appointed for the
3 life of the Commission, of whom—

4 “(1) 2 members shall be appointed by the
5 President from among officers or employees of the
6 executive branch and private citizens of the United
7 States;

8 “(2) 2 members shall be appointed by the ma-
9 jority leader of the Senate;

10 “(3) 1 member shall be appointed by the minor-
11 ity leader of the Senate;

12 “(4) 2 members shall be appointed by the
13 Speaker of the House of Representatives;

14 “(5) 1 member shall be appointed by the minor-
15 ity leader of the House of Representatives;

16 “(6) 1 member shall be appointed by the Chair-
17 man of the Committee on Homeland Security of the
18 House of Representatives;

19 “(7) 1 member shall be appointed by the rank-
20 ing minority member of the Committee on Homeland
21 Security of the House of Representatives;

22 “(8) 1 member shall be appointed by the Chair-
23 man of the Committee on Homeland Security and
24 Governmental Affairs of the Senate; and

1 “(9) 1 member shall be appointed by the rank-
2 ing minority member of the Committee on Homeland
3 Security and Governmental Affairs of the Senate.

4 “(d) CHAIR AND VICE CHAIR.—The Commission
5 shall elect a Chair and a Vice Chair from among its mem-
6 bers.

7 “(e) QUALIFICATIONS.—

8 “(1) IN GENERAL.—Individuals shall be se-
9 lected for appointment to the Commission solely on
10 the basis of their professional qualifications, achieve-
11 ments, public stature, experience, and expertise in
12 relevant fields, including behavioral science, constitu-
13 tional law, corrections, counterterrorism, cultural an-
14 thropology, education, information technology, intel-
15 ligence, juvenile justice, local law enforcement, orga-
16 nized crime, Islam and other world religions, soci-
17 ology, or terrorism.

18 “(2) LIMITATION.—Not more than 6 members
19 of the Commission shall be from the same political
20 party.

21 “(f) DEADLINE FOR APPOINTMENT.—All members of
22 the Commission shall be appointed not later than 60 days
23 after the date of enactment of this subtitle.

24 “(g) QUORUM AND MEETINGS.—The Commission
25 shall meet and begin the operations of the Commission

1 not later than 30 days after the date on which all members
2 have been appointed or, if such meeting cannot be mutu-
3 ally agreed upon, on a date designated by the Speaker of
4 the House of Representatives. Each subsequent meeting
5 shall occur upon the call of the Chair or a majority of
6 its members. A majority of the members of the Commis-
7 sion shall constitute a quorum, but a lesser number may
8 hold meetings.

9 “(h) POWERS OF COMMISSION.—

10 “(1) IN GENERAL.—

11 “(A) HEARINGS AND EVIDENCE.—The
12 Commission or, on the authority of the Com-
13 mission, any subcommittee or member thereof,
14 may, for the purpose of carrying out this sec-
15 tion, hold hearings and sit and act at such
16 times and places, take such testimony, receive
17 such evidence, and administer such oaths as the
18 Commission considers advisable to carry out its
19 duties.

20 “(B) CONTRACTING.—The Commission
21 may, to such extent and in such amounts as are
22 provided in appropriation Acts, enter into con-
23 tracts to enable the Commission to discharge its
24 duties under this section.

1 “(2) INFORMATION FROM FEDERAL AGEN-
2 CIES.—

3 “(A) IN GENERAL.—The Commission may
4 secure directly from any executive department,
5 bureau, agency, board, commission, office, inde-
6 pendent establishment, or instrumentality of the
7 Government, information (including classified
8 information), suggestions, estimates, and statis-
9 tics for the purposes of this section. The head
10 of each such department, bureau, agency,
11 board, commission, office, independent estab-
12 lishment, or instrumentality shall, to the extent
13 authorized by law, furnish such information,
14 suggestions, estimates, and statistics directly to
15 the Commission, upon request made by the
16 Chair of the Commission, by the chair of any
17 subcommittee created by a majority of the
18 Commission, or by any member designated by a
19 majority of the Commission.

20 “(B) RECEIPT, HANDLING, STORAGE, AND
21 DISSEMINATION.—Information shall only be re-
22 ceived, handled, stored, and disseminated by
23 members of the Commission and its staff con-
24 sistent with all applicable statutes, regulations,
25 and Executive orders.

1 “(i) ASSISTANCE FROM FEDERAL AGENCIES.—

2 “(1) GENERAL SERVICES ADMINISTRATION.—

3 The Administrator of General Services shall provide
4 to the Commission on a reimbursable basis adminis-
5 trative support and other services for the perform-
6 ance of the Commission’s functions.

7 “(2) OTHER DEPARTMENTS AND AGENCIES.—

8 In addition to the assistance required under para-
9 graph (1), a Federal department or agency may pro-
10 vide to the Commission such services, funds, facili-
11 ties, and staff as they may determine advisable and
12 as may be authorized by law.

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

17 “(k) NONAPPLICABILITY OF FEDERAL ADVISORY
18 COMMITTEE ACT.—The Federal Advisory Committee Act
19 (5 U.S.C. App.) shall not apply to the Commission.

20 “(l) PUBLIC MEETINGS.—

21 “(1) IN GENERAL.—The Commission shall hold
22 public hearings and meetings to the extent appro-
23 priate.

24 “(2) PROTECTION OF INFORMATION.—Any pub-
25 lic hearings of the Commission shall be conducted in

1 a manner consistent with the protection of informa-
2 tion provided to or developed for or by the Commis-
3 sion as required by any applicable statute, regula-
4 tion, or Executive order.

5 “(m) STAFF OF COMMISSION.—

6 “(1) APPOINTMENT AND COMPENSATION.—The
7 Chair of the Commission, in consultation with the
8 Vice Chair and in accordance with rules adopted by
9 the Commission, may appoint and fix the compensa-
10 tion of a staff director and such other personnel as
11 may be necessary to enable the Commission to carry
12 out its functions, without regard to the provisions of
13 title 5, United States Code, governing appointments
14 in the competitive service, and without regard to the
15 provisions of chapter 51 and subchapter III of chap-
16 ter 53 of such title relating to classification and
17 General Schedule pay rates, except that no rate of
18 pay fixed under this subsection may exceed the max-
19 imum rate of pay for GS–15 under the General
20 Schedule.

21 “(2) STAFF EXPERTISE.—Individuals shall be
22 selected for appointment as staff of the Commission
23 on the basis of their expertise in one or more of the
24 fields described in subsection (e)(1).

25 “(3) PERSONNEL AS FEDERAL EMPLOYEES.—

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

6 “(B) MEMBERS OF COMMISSION.—Sub-
7 paragraph (A) shall not be construed to apply
8 to members of the Commission.

9 “(4) DETAILEES.—Any Federal employee may
10 be detailed to the Commission without reimburse-
11 ment from the Commission, and during such detail
12 shall retain the rights, status, and privileges of the
13 regular employment of such employee without inter-
14 ruption.

15 “(5) CONSULTANT SERVICES.—The Commis-
16 sion may procure the services of experts and consult-
17 ants in accordance with section 3109 of title 5,
18 United States Code, at rates not to exceed the daily
19 rate paid a person occupying a position at level IV
20 of the Executive Schedule under section 5315 of title
21 5, United States Code.

22 “(6) EMPHASIS ON SECURITY CLEARANCES.—
23 The Commission shall make it a priority to hire as
24 employees and retain as contractors and detailees in-

1 individuals otherwise authorized by this section who
2 have active security clearances.

3 “(n) COMMISSION PERSONNEL MATTERS.—

4 “(1) COMPENSATION OF MEMBERS.—Each
5 member of the Commission who is not an employee
6 of the Government shall be compensated at a rate
7 not to exceed the daily equivalent of the annual rate
8 of basic pay in effect for a position at level IV of
9 the Executive Schedule under section 5315 of title
10 5, United States Code, for each day during which
11 that member is engaged in the actual performance
12 of the duties of the Commission.

13 “(2) TRAVEL EXPENSES.—While away from
14 their homes or regular places of business in the per-
15 formance of services for the Commission, members
16 of the Commission shall be allowed travel expenses,
17 including per diem in lieu of subsistence, at rates
18 authorized for employees of agencies under sub-
19 chapter I of chapter 57 of title 5, United States
20 Code, while away from their homes or regular places
21 of business in the performance of services for the
22 Commission.

23 “(3) TREATMENT OF SERVICE FOR PURPOSES
24 OF RETIREMENT BENEFITS.—A member of the
25 Commission who is an annuitant otherwise covered

1 by section 8344 or 8468 of title 5, United States
2 Code, by reason of membership on the Commission
3 shall not be subject to the provisions of such section
4 with respect to membership on the Commission.

5 “(4) VACANCIES.—A vacancy on the Commis-
6 sion shall not affect its powers and shall be filled in
7 the manner in which the original appointment was
8 made. The appointment of the replacement member
9 shall be made not later than 60 days after the date
10 on which the vacancy occurs.

11 “(o) SECURITY CLEARANCES.—The heads of appro-
12 priate departments and agencies of the executive branch
13 shall cooperate with the Commission to expeditiously pro-
14 vide Commission members and staff with appropriate se-
15 curity clearances, to the extent possible under applicable
16 procedures and requirements.

17 “(p) REPORTS.—

18 “(1) FINAL REPORT.—

19 “(A) IN GENERAL.—Not later than 18
20 months after the date on which the Commission
21 first meets, the Commission shall submit to the
22 President and Congress a final report includ-
23 ing—

24 “(i) its findings and conclusions;

1 “(ii) legislative recommendations
2 for—

3 “(I) immediate and long-term
4 countermeasures to violent
5 radicalization, homegrown terrorism,
6 and ideologically based violence; and

7 “(II) measures that can be taken
8 to prevent violent radicalization,
9 homegrown terrorism, and ideologi-
10 cally based violence from developing
11 and spreading within the United
12 States; and

13 “(iii) any final recommendations for
14 any additional grant programs to support
15 these purposes.

16 “(B) ANNEX.—The report submitted
17 under subparagraph (A) may include a classi-
18 fied annex.

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

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

1 “(i) its findings and conclusions and
2 legislative recommendations for the pur-
3 poses described in paragraph (1)(A); and

4 “(ii) its recommendations on the fea-
5 sibility of a grant program established and
6 administered by the Secretary for the pur-
7 pose of preventing, disrupting, and miti-
8 gating the effects of violent radicalization,
9 homegrown terrorism, and ideologically
10 based violence and, if such a program is
11 feasible, recommendations on how grant
12 funds should be used and administered;
13 and

14 “(B) by not later than 6 months after the
15 date on which the Commission submits the in-
16 terim report under subparagraph (A), a second
17 interim report on the matters described in that
18 subparagraph.

19 “(3) INDIVIDUAL OR DISSENTING VIEWS.—
20 Each member of the Commission may include in
21 each report under this subsection the individual ad-
22 ditional or dissenting views of the member.

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

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

5 “(r) TERMINATION OF COMMISSION.—The Commis-
6 sion shall terminate 30 days after the date on which the
7 Commission submits its final report under subsection (p).

8 **“SEC. 899D. CENTER OF EXCELLENCE FOR THE STUDY OF**
9 **VIOLENT RADICALIZATION AND HOME-**
10 **GROWN TERRORISM IN THE UNITED STATES.**

11 “(a) ESTABLISHMENT.—

12 “(1) IN GENERAL.—The Secretary shall estab-
13 lish or designate a university-based Center of Excel-
14 lence for the Study of Violent Radicalization and
15 Homegrown Terrorism in the United States (in this
16 section referred to as the ‘Center’) using merit-re-
17 view processes and procedures and other limitations
18 established for designating university-based centers
19 for homeland security under section 308(b)(2)(B).
20 The Center shall assist homeland security officials of
21 Federal, State, local, and tribal governments
22 through training, education, and research in pre-
23 venting violent radicalization and homegrown ter-
24 rorism in the United States.

1 “(2) USE OF EXISTING CENTERS.—In carrying
2 out this section, the Secretary may create a new
3 Center designed exclusively for the purpose described
4 in subsection (b) or identify and expand a univer-
5 sity-based center for homeland security of the De-
6 partment in existence on the date of enactment of
7 this subtitle by designating a working group within
8 that center to achieve the purpose described in sub-
9 section (b).

10 “(b) PURPOSE.—It shall be the purpose of the Center
11 to study the social, criminal, political, psychological, and
12 economic roots of violent radicalization and homegrown
13 terrorism in the United States and methods that can be
14 used by homeland security officials of Federal, State,
15 local, and tribal governments to mitigate violent
16 radicalization and homegrown terrorism.

17 “(c) ACTIVITIES.—In carrying out this section, the
18 Center shall—

19 “(1) contribute to the establishment of training,
20 written materials, information, analytical assistance
21 and professional resources to aid in combating vio-
22 lent radicalization and homegrown terrorism;

23 “(2) use theories, methods and data from the
24 social and behavioral sciences to better understand
25 the origins, dynamics, and social and psychological

1 aspects of violent radicalization and homegrown ter-
2 rorism;

3 “(3) conduct research on the motivational fac-
4 tors that lead to violent radicalization and home-
5 grown terrorism; and

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

9 **“SEC. 899E. PROTECTING CIVIL RIGHTS AND CIVIL LIB-**
10 **ERTIES WHILE PREVENTING IDEOLOGICALLY**
11 **BASED VIOLENCE AND HOMEGROWN TER-**
12 **RORISM.**

13 “(a) IN GENERAL.—In carrying out this subtitle, the
14 Secretary shall ensure that the efforts of the Department
15 to prevent ideologically based violence and homegrown ter-
16 rorism as described in this subtitle do not violate the con-
17 stitutional rights, civil rights, and civil liberties of United
18 States citizens and lawful permanent residents.

19 “(b) COMMITMENT TO RACIAL NEUTRALITY.—The
20 Secretary shall ensure that the activities and operations
21 of the entities created by this subtitle are in compliance
22 with the commitment of the Department to racial neu-
23 trality.

24 “(c) AUDITING MECHANISM.—The Civil Rights and
25 Civil Liberties Officer of the Department shall develop and

1 implement an auditing mechanism to ensure that compli-
2 ance with this subtitle does not result in a dispropor-
3 tionate impact, without a rational basis, on any particular
4 race, ethnicity, or religion and include the results of its
5 audit in its annual report to Congress required under sec-
6 tion 705.”.

7 (b) CLERICAL AMENDMENT.—The table of contents
8 in section 1(b) of such Act is amended by inserting after
9 the item relating to section 899 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. Protecting civil rights and civil liberties while preventing ideologi-
cally based violence and homegrown terrorism.”.

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