

118TH CONGRESS
2D SESSION

H. R. 9317

To require the Secretary of Homeland Security to conduct annual assessments on terrorism threats to the United States posed by terrorist organizations utilizing foreign cloud-based mobile or desktop messaging applications, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 2024

Mr. PFLUGER (for himself and Mr. PANETTA) introduced the following bill;
which was referred to the Committee on Homeland Security

A BILL

To require the Secretary of Homeland Security to conduct annual assessments on terrorism threats to the United States posed by terrorist organizations utilizing foreign cloud-based mobile or desktop messaging applications, 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 “Counter Terrorgram
5 Act of 2024”.

1 **SEC. 2. SENSE OF CONGRESS REGARDING THE USE OF FOR-**
2 **EIGN CLOUD-BASED MOBILE AND DESKTOP**
3 **MESSAGING APPLICATIONS FOR TERRORIST**
4 **ACTIVITY.**

5 It is the sense of Congress that—

6 (1) the heightened terrorism threat landscape
7 and the increasing utilization of foreign cloud-based
8 mobile and desktop messaging applications by ter-
9 rorist organizations represent a national security
10 threat, and the challenges posed by such threat are
11 not well understood; and

12 (2) the Department of Homeland Security, in
13 consultation with the Office of the Director of Na-
14 tional Intelligence, must take steps to recognize, as-
15 sess, and address such threat, thereby reducing risks
16 to the people of the United States.

17 **SEC. 3. ANNUAL ASSESSMENTS ON TERRORISM THREATS**
18 **TO THE UNITED STATES POSED BY TER-**
19 **RORIST ORGANIZATIONS UTILIZING FOREIGN**
20 **CLOUD-BASED MOBILE AND DESKTOP MES-**
21 **SAGING APPLICATIONS.**

22 (a) ASSESSMENTS.—

23 (1) IN GENERAL.—Not later than 180 days
24 after the date of the enactment of this Act and an-
25 nually thereafter for five years, the Secretary of
26 Homeland Security, in consultation with the Direc-

1 tor of National Intelligence, shall submit to the ap-
2 propriate congressional committees an assessment of
3 terrorism threats to the United States posed by ter-
4 rorist organizations utilizing foreign cloud-based mo-
5 bile or desktop messaging applications.

6 (2) CONTENTS.—The terrorism threat assess-
7 ments under paragraph (1) shall address the fol-
8 lowing:

9 (A) In the first such assessment, an anal-
10 ysis of incidents in which terrorist organizations
11 have utilized foreign cloud-based mobile and
12 desktop messaging applications to facilitate the
13 ability to radicalize and recruit individuals.

14 (B) Information related to online payment
15 features of foreign cloud-based mobile and desk-
16 top messaging applications, and how such fea-
17 tures provide monetary support to terrorist or-
18 ganizations.

19 (C) Recommendations on appropriate
20 measures to address terrorism threats to the
21 United States posed by terrorist organizations
22 utilizing foreign cloud-based mobile or desktop
23 messaging applications.

24 (3) COORDINATION.—Each terrorism threat as-
25 sessment under paragraph (1)—

1 (A) shall be coordinated with the Office of
2 the General Counsel, the Privacy Office, and
3 the Office of for Civil Rights and Civil Liberties
4 of the Department of Homeland Security prior
5 to release outside the Department to ensure
6 each such assessment complies with applicable
7 law and protects individuals' privacy, civil
8 rights, and civil liberties, and

9 (B) may be informed by existing products,
10 as appropriate.

11 (4) FORM.—Each terrorism threat assessment
12 under paragraph (1) shall be submitted in unclassi-
13 fied form, but may include a classified annex only
14 for the protection of intelligence sources and meth-
15 ods relating to the matters contained in such assess-
16 ment. The Secretary of Homeland Security shall
17 post on a publicly available website of the Depart-
18 ment of Homeland Security the unclassified portion
19 of each such assessment.

20 (5) BRIEFING.—Not later than 30 days after
21 the submission of each terrorism threat assessment
22 under paragraph (1), the Secretary of Homeland Se-
23 curity shall annually brief the appropriate congres-
24 sional committees regarding each such assessment.
25 The head of any other relevant Federal department

1 or agency shall join the Secretary for any such brief-
2 ing if any such committee, in consultation with the
3 Secretary, determines such is appropriate.

4 (6) APPROPRIATE CONGRESSIONAL COMMIT-
5 TEES.—In this subsection, the term “appropriate
6 congressional committees” means the Committee on
7 Homeland Security and the Permanent Select Com-
8 mittee on Intelligence of the House of Representa-
9 tives and the Committee on Homeland Security and
10 Governmental Affairs and the Select Committee on
11 Intelligence of the Senate.

12 (b) INFORMATION SHARING.—The Secretary of
13 Homeland Security shall review information relating to
14 terrorism threats to the United States posed by terrorist
15 organizations utilizing foreign cloud-based mobile or desk-
16 top messaging applications that is gathered by State and
17 local fusion centers and the National Network of Fusion
18 Centers, and incorporate such information, as appropriate,
19 into the Department of Homeland Security’s own informa-
20 tion relating to such. The Secretary shall ensure the dis-
21 semination to State and local fusion centers and the Na-
22 tional Network of Fusion Centers of such information.

23 (c) DEFINITIONS.—In this section:

24 (1) FOREIGN CLOUD-BASED MOBILE OR DESK-
25 TOP MESSAGING APPLICATIONS.—

1 (A) IN GENERAL.—The term “foreign
2 cloud-based mobile or desktop messaging appli-
3 cations”—

4 (i) includes the applications specified
5 in subparagraph (B); and

6 (ii) means a person or entity that
7 owns or operates one or more social media
8 platforms that are domiciled in or has
9 links to any of the following—

10 (I) a foreign adversary (as such
11 term is defined in section 7.2 of sub-
12 part A of part 7 of subtitle A of title
13 15, Code of Federal Regulations);

14 (II) a person owned by, con-
15 trolled by, or subject to the jurisdic-
16 tion or direction of a foreign adver-
17 sary; or

18 (III) a terrorist organization.

19 (B) APPLICATIONS SPECIFIED.—The appli-
20 cations specified in this subparagraph include
21 the following:

22 (i) ByteDance.

23 (ii) Douyin.

24 (iii) Redz.

25 (iv) Tamtam.

1 (v) Telegram.

2 (vi) TikTok.

3 (vii) V Kontakte.

4 (viii) WeChat.

5 (ix) Weibo.

6 (x) Zappya.

7 (xi) Any other application the Sec-
8 retary of Homeland Security, in consulta-
9 tion with the Director of National Intel-
10 ligence, determines appropriate.

11 (2) FUSION CENTER.—The term “fusion cen-
12 ter” has the meaning given such term in subsection
13 (k) of section 210A of the Homeland Security Act
14 of 2002 (6 U.S.C. 124h).

15 (3) NATIONAL NETWORK OF FUSION CEN-
16 TERS.—The term “National Network of Fusion Cen-
17 ters” means a decentralized arrangement of fusion
18 centers intended to enhance the ability of individual
19 State and local fusion centers to leverage the capa-
20 bilities and expertise of all such fusion centers for
21 the purpose of enhancing analysis and homeland se-
22 curity information sharing nationally.

23 (4) TERRORIST ORGANIZATION.—The term
24 “terrorist organization” means—

1 (A) any entity designated as a foreign ter-
2 rorist organization pursuant to section 219 of
3 the Immigration and Nationality Act (8 U.S.C.
4 1189); or

5 (B) any entity engaged in terrorism, as
6 such term is defined in section 2(18) of the
7 Homeland Security Act of 2002 (6 U.S.C.
8 101(18)).

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