

116TH CONGRESS
2D SESSION

H. R. 5736

IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 2020

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To direct the Under Secretary for Intelligence and Analysis of the Department of Homeland Security to develop and disseminate a threat assessment regarding threats to the United States associated with foreign violent white supremacist extremist organizations, 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 “Transnational White
5 Supremacist Extremism Review Act”.

6 **SEC. 2. THREAT ASSESSMENT.**

7 (a) IN GENERAL.—The Under Secretary for Intel-
8 ligence and Analysis of the Department of Homeland Se-
9 curity shall, in coordination with appropriate Federal
10 partners, develop a terrorism threat assessment and ref-
11 erence aid regarding threats to the United States associ-
12 ated with foreign violent white supremacist extremist or-
13 ganizations. Consistent with the protection of classified
14 and confidential unclassified information, the Under Sec-
15 retary shall share the threat assessment developed under
16 this section with State, local, and Tribal law enforcement
17 officials, including officials who operate within State, local,
18 and regional fusion centers through the Department of
19 Homeland Security State, Local, and Regional Fusion
20 Center Initiative established in accordance with section
21 210A of the Homeland Security Act of 2002 (6 U.S.C.
22 124h).

23 (b) COORDINATION.—The threat assessment and ref-
24 erence aid developed pursuant to subsection (a)—

1 (1) shall be developed in coordination with the
2 Office of Civil Rights and Civil Liberties of the De-
3 partment of Homeland Security and other appro-
4 priate Federal agencies; and

5 (2) may be informed by existing products devel-
6 oped by such Office and agencies, as appropriate.

7 (c) OVERVIEW.—The threat assessment and ref-
8 erence aid shall include an overview of symbols, flags, or
9 other references utilized by adherents of foreign violent
10 white supremacist extremist organizations.

11 (d) DISTRIBUTION.—Consistent with the protection
12 of classified and confidential unclassified information, the
13 Under Secretary for Intelligence and Analysis of the De-
14 partment of Homeland Security shall share the threat as-
15 sessment and reference aid with the following:

16 (1) State, local, and Tribal law enforcement of-
17 ficials, including officials who operate within State,
18 local, and regional fusion centers through the De-
19 partment of Homeland Security State, Local, and
20 Regional Fusion Center Initiative established in ac-
21 cordance with section 210A of the Homeland Secu-
22 rity Act of 2002 (6 U.S.C. 124h).

23 (2) Appropriate owners and operators of online
24 platforms to assist in identifying content that may
25 be associated with a foreign violent white suprema-

1 cist extremist organization that may violate the
2 terms of service of such online platforms, upon re-
3 quest from such online platforms and in consultation
4 with the Office of Civil Rights and Civil Liberties of
5 the Department.

6 (e) DEFINITIONS.—In this section:

7 (1) FOREIGN VIOLENT WHITE SUPREMACIST
8 EXTREMIST ORGANIZATION.—The term “foreign vio-
9 lent white supremacist extremist organization”
10 means an organization based outside the United
11 States that seeks, wholly or in part, through unlaw-
12 ful acts of force or violence, to support a belief in
13 the intellectual and moral superiority of the white
14 race over other races.

15 (2) ONLINE PLATFORM.—The term “online
16 platform” means internet-based information services
17 consisting of the storage and processing of informa-
18 tion by and at the request of a content provider and
19 the dissemination of such content to third parties.

20 (f) LIMITATION.—The Under Secretary for Intel-
21 ligence and Analysis of the Department of Homeland Se-
22 curity shall ensure that the threat assessment and ref-
23 erence aid does not contain the name or other identifiable
24 information of any individual or organization engaged in

- 1 lawful political or public discourse in the United States
- 2 protected under the United States Constitution.

Passed the House of Representatives September 30,
2020.

Attest:

CHERYL L. JOHNSON,

Clerk.