

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5736

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## 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:

*Clerk.*

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