

AMENDMENT TO RULES COMMITTEE PRINT 118-

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OFFERED BY MR. PFLUGER OF TEXAS

At the end of subtitle C of title XVII, insert the following:

1 **SEC. 17___.** **DEPARTMENT OF HOMELAND SECURITY**
2 **TRANSNATIONAL REPRESSION.**

3 (a) **FINDINGS AND SENSE OF CONGRESS REGARDING**
4 **TRANSNATIONAL REPRESSION.—**

5 (1) **FINDINGS.—**Congress makes the following
6 findings:

7 (A) The Department of Homeland Security
8 (DHS), Homeland Security Investigations
9 (HSI) National Security Division (NSD), Spe-
10 cial Interest Investigations Unit (SIU), col-
11 laborates with Federal, State, and local part-
12 ners to investigate allegations of transnational
13 repression.

14 (B) HSI, through its investigative authori-
15 ties, works to deter, dismantle, and mitigate
16 criminal enterprises and hostile foreign govern-
17 ment actors engaged in transnational repres-
18 sion.

1 (C) In October 2023, the Government Ac-
2 countability Office (GAO) published a report
3 that found agency actions are needed to address
4 harassment of dissidents and other tactics of
5 transnational repression in the United States.

6 (D) According to GAO, several Federal
7 agencies work to address transnational repres-
8 sion, including DHS's Office of Intelligence and
9 Analysis, which works to produce intelligence
10 that support Federal, State, and local govern-
11 ment entities to develop protective and support
12 measures in response to threats of
13 transnational repression, as well as DHS's Of-
14 fice of Partnership and Engagement (OPE),
15 which meets with stakeholders and victims of
16 transnational repression to understand the
17 range of transnational repression activities in
18 the United States. For example, DHS hosted a
19 listening session in March 2022 with stake-
20 holders to learn about issues facing commu-
21 nities in the United States. DHS has also
22 issued reporting for State and local law enforce-
23 ment agencies to raise awareness about acts of
24 transnational repression.

1 (E) DHS's OPE also works to share avail-
2 able Federal resources to help disrupt threats
3 of transnational repression against United
4 States citizens, with Federal, State, local, Trib-
5 al, and international partners so they coordi-
6 nate countering acts of transnational repression
7 and preparing best practices.

8 (2) SENSE OF CONGRESS.—It is the sense of
9 Congress that—

10 (A) transnational repression and related
11 terrorism threats by a foreign government or an
12 agent of a foreign government to target individ-
13 uals in the United States and persons outside
14 of the United States are real and growing;

15 (B) agents acting on behalf of hostile for-
16 eign governments employ a range of
17 transnational repression tactics, including mak-
18 ing threats, intimidation, harassment, surveil-
19 lance, stalking, silencing, and planning physical
20 harm or the kidnapping of individuals in the
21 United States; and

22 (C) the Department of Homeland Security
23 must take steps to recognize, assess, and help
24 address this threat, thereby reducing risks to
25 the people of the United States.

1 (b) OFFICE TO COMBAT TRANSNATIONAL REPRES-
2 SION.—

3 (1) IN GENERAL.—Subtitle H of title VIII of
4 the Homeland Security Act of 2002 (6 U.S.C. 451
5 et seq.) is amended by adding at the end the fol-
6 lowing new section:

7 **“SEC. 890E. TRANSNATIONAL REPRESSION.**

8 “(a) OFFICE TO ANALYZE, MONITOR, AND INVES-
9 TIGATE TRANSNATIONAL REPRESSION.—

10 “(1) IN GENERAL.—There is established an of-
11 fice, to be known as the ‘Transnational Repression
12 Office’ (in this section referred to as the ‘Office’), in
13 the National Security Division of Homeland Security
14 Investigations, which shall be responsible for ana-
15 lyzing and monitoring transnational repression and
16 related terrorism threats.

17 “(2) DIRECTOR OF THE OFFICE.—

18 “(A) APPOINTMENT OF DIRECTOR.—The
19 head of the Office shall be the Director of the
20 Transnational Repression Office, who shall be
21 appointed by the Director of Homeland Secu-
22 rity Investigations.

23 “(B) REPORTING.—The Director of the
24 Transnational Repression Office shall report to
25 the Secretary and the Director of Homeland

1 Security Investigations regarding all adminis-
2 trative, operational, and security matters of the
3 Office.

4 “(3) STAFFING.—The Director of Homeland
5 Security Investigations shall ensure the Office—

6 “(A) has a sufficient number of employees
7 to perform required duties; and

8 “(B) has at least one employee dedicated
9 to ensuring compliance with privacy laws and
10 regulations.

11 “(4) DETAILEES AUTHORIZED.—The Office
12 may accept and employ detailees with expertise in
13 countering transnational repression and related ter-
14 rorism threats or related fields from any element of
15 the intelligence community, or any other Federal
16 agency the Director of the Transnational Repression
17 Office determines appropriate, with or without reim-
18 bursement, consistent with applicable laws and regu-
19 lations regarding such employees.

20 “(5) INFORMATION SHARING.—The Office shall
21 review information relating to transnational repres-
22 sion and related terrorism threats that is gathered
23 by Federal, State, local, Tribal, and territorial part-
24 ners, and the National Network of Fusion Centers,
25 and incorporate such information, as appropriate,

1 into the Office’s own information relating to
2 transnational repression and related terrorism
3 threats. The Office shall ensure the dissemination to
4 Federal, State, local, Tribal, and territorial partners,
5 and the National Network of Fusion Centers, of in-
6 formation related to transnational repression and re-
7 lated terrorism threats.

8 “(6) HOMELAND SECURITY ASSESSMENT ON
9 TRANSNATIONAL REPRESSION.—

10 “(A) ANNUAL ASSESSMENTS.—Not later
11 than 180 days after the date of the enactment
12 of this section and annually thereafter for ten
13 years, the Director of Homeland Security Inves-
14 tigation, acting through the Director of the
15 Transnational Repression Office, shall submit
16 to the Committee on Homeland Security of the
17 House of Representatives and the Committee
18 on Homeland Security and Governmental Af-
19 fairs of the Senate a report that assesses inci-
20 dents of transnational repression and related
21 terrorism threats during the immediately pre-
22 ceding 12 months.

23 “(B) CONTENTS.—Each assessment sub-
24 mitted under subparagraph (A) shall also in-
25 clude the following:

1 “(i) An analysis attempted incidents
2 of transnational repression and related ter-
3 rorism threats.

4 “(ii) A quantitative analysis of
5 transnational repression and related ter-
6 rorism threats, including the number of in-
7 dividuals responsible for or associated with
8 such transnational repression or related
9 terrorism threats, and an identification of
10 the country of citizenship or nationality of
11 each such individual, and the roles of the
12 foreign governments of such countries in
13 enabling, preventing, mitigating, and re-
14 sponding to transnational repression and
15 related terrorism threats.

16 “(iii) Subject to appropriate protec-
17 tions for sensitive information regarding
18 law enforcement investigations and oper-
19 ations, a description of efforts by the De-
20 partment to disrupt through investigation
21 transnational repression and related ter-
22 rorism threats.

23 “(iv) Any other matters the Director
24 of Homeland Security Investigations deter-
25 mines relevant.

1 “(C) FORM.—Each assessment under sub-
2 paragraph (A) shall be submitted in unclassi-
3 fied form, but may include a classified annex
4 only for the protection of intelligence sources
5 and methods relating to the matters contained
6 in each such assessment. The Director of
7 Homeland Security Investigations shall post on
8 a publicly available website of Homeland Secu-
9 rity Investigations the unclassified portion of
10 each such assessment.

11 “(7) SUNSET.—The Office shall terminate on
12 the date that is ten years after the date of the enact-
13 ment of this section.

14 “(b) RESEARCH.—Not later than one year after the
15 date of the enactment of this section, the Secretary, in
16 coordination with the Under Secretary for Science and
17 Technology of the Department, the Director of the
18 Transnational Repression Office, and the Director of
19 Homeland Security Investigations, shall, to the extent
20 practicable, carry out research and development, including
21 operational testing, of technologies and techniques for en-
22 hancing the Department’s security and situational aware-
23 ness support to Federal, State, local, Tribal, and terri-
24 torial officials relating to combating transnational repres-
25 sion and related terrorism threats, in accordance with ap-

1 plicable constitutional, privacy, civil rights, and civil lib-
2 erties protections.

3 “(c) DEFINITIONS.—In this section:

4 “(1) AGENT OF A FOREIGN GOVERNMENT.—

5 The term ‘agent of a foreign government’ means an
6 individual or entity that operates subject to the di-
7 rection or control of—

8 “(A) a foreign government; or

9 “(B) an official or entity of such foreign
10 government.

11 “(2) FOREIGN GOVERNMENT.—The term ‘for-
12 eign government’ means the government of a foreign
13 country.

14 “(3) FUSION CENTER.—The term ‘fusion cen-
15 ter’ has the meaning given such term in subsection
16 (j) of section 210A of the Homeland Security Act of
17 2002 (6 U.S.C. 124h).

18 “(4) INTELLIGENCE COMMUNITY.—The term
19 ‘intelligence community’ has the meaning given such
20 term in section 3(4) of the National Security Act of
21 1947 (50 U.S.C. 3003(4)).

22 “(5) NATIONAL NETWORK OF FUSION CEN-
23 TERS.—The term ‘National Network of Fusion Cen-
24 ters’ means a decentralized arrangement of fusion
25 centers intended to enhance individual State and

1 urban area fusion centers’ ability to leverage the ca-
2 pabilities and expertise of all such fusion centers for
3 the purpose of enhancing analysis and homeland se-
4 curity information sharing nationally.

5 “(6) TRANSNATIONAL REPRESSION.—The term
6 ‘transnational repression’ means an action of a for-
7 eign government or an agent of a foreign govern-
8 ment that satisfies each of the following:

9 “(A) The action involves—

10 “(i) any effort intended to coerce, har-
11 ass, or digitally or physically threaten, in-
12 cluding by force or reasonable fear of
13 death or serious bodily injury or imprison-
14 ment of a person or an immediate family
15 member of a person, a person to take an
16 action in the interest of such a foreign gov-
17 ernment;

18 “(ii) any effort intended to harass or
19 coerce, including by force or fear, a person
20 to forebear from exercising their First
21 Amendment rights or any other right guar-
22 anteed to the person by the Constitution or
23 laws of the United States, or to retaliate
24 against a person for having exercised such
25 a right;

1 “(iii) an extrajudicial killing; or

2 “(iv) any act intended to further the
3 efforts specified in clause (i), (ii), or (iii).

4 “(B) The action is engaged in for or in the
5 interests of such a foreign government.

6 “(C) The action—

7 “(i) occurs, in whole or in part, in the
8 United States; or

9 “(ii) is committed against a United
10 States person.

11 “(7) UNITED STATES PERSON.—The term
12 ‘United States person’ has the meaning given such
13 term in section 1637(d)(10) of the Carl Levin and
14 Howard P. ‘Buck’ McKeon National Defense Au-
15 thorization Act for Fiscal year 2015 (50 U.S.C.
16 1708(d)(10)).”.

17 (2) CLERICAL AMENDMENT.—The table of con-
18 tents in section 1(b) of the Homeland Security Act
19 of 2002 is amended by inserting after the item relat-
20 ing to section 890D the following new item:

“Sec. 890E. Transnational repression.”.

