AMENDMENT TO RULES COMMITTEE PRINT 116-19
OFFERED BY MR. KEATING OF MASSACHUSETTS

At the end of subtitle D of title X, add the following:

SEC. ___. ESTABLISHING A COORDINATOR FOR ISIS DETAINEE ISSUES.

(a) In general.—Not later than 90 days after the date of the enactment of this Act, the President, acting through the Secretary of State, shall designate an existing official within the Department of State to serve as senior-level coordinator to coordinate, in conjunction with the lead and other relevant agencies, all matters for the United States Government relating to the long-term disposition of Islamic State of Iraq and Syria (ISIS) foreign terrorist fighter detainees, including all matters in connection with—

(1) repatriation, transfer, prosecution, and intelligence-gathering;

(2) coordinating a whole-of-government approach with other countries and international organizations, including INTERPOL, to ensure secure chains of custody and locations of ISIS foreign terrorist fighter detainees;
(3) coordinating technical and evidentiary assistance to foreign countries to aid in the successful prosecution of ISIS foreign terrorist fighter detainees; and

(4) all multilateral and international engagements led by the Department of State and other agencies that are related to the current and future handling, detention, and prosecution of ISIS foreign terrorist fighter detainees.

(b) RETENTION OF AUTHORITY.—The appointment of a senior-level coordinator pursuant to subsection (a) shall not deprive any agency of any authority to independently perform functions of that agency.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than once each year thereafter through January 21, 2021, the individual designated under subsection (a) shall submit to the appropriate committees of Congress a detailed report regarding high-value ISIS detainees that the coordinator reasonably determines to be subject to criminal prosecution in the United States.

(2) ELEMENTS.—The report under paragraph (1) shall include, at a minimum, the following:
(A) A detailed description of the facilities where ISIS foreign terrorist fighter detainees described in paragraph (1) are being held.

(B) An analysis of all United States efforts to prosecute ISIS foreign terrorist fighter detainees described in paragraph (1) and the outcomes of such efforts. Any information, the disclosure of which may violate Department of Justice policy or law, relating to a prosecution or investigation may be withheld from a report under paragraph (1).

(C) A detailed description of any option to expedite prosecution of any ISIS foreign terrorist fighter detainee described in paragraph (1), including in a court of competent jurisdiction outside of the United States.

(D) An analysis of factors on the ground in Syria and Iraq that may result in the unintended release of ISIS foreign terrorist fighter detainees described in paragraph (1), and an assessment of any measures available to mitigate such releases.

(E) A detailed description of all multilateral and other international efforts or proposals that would assist in the prosecution of ISIS for-
eign terrorist fighter detainees described in paragraph (1).

(F) An analysis of all efforts between the United States and partner countries within the Global Coalition to Defeat ISIS or other countries to share intelligence or evidence that may aid in the prosecution of members of the Islamic State of Iraq and Syria and associated forces, and any legal obstacles that may hinder such efforts.

(G) An analysis of the manner in which the United States Government communicates on such proposals and efforts to the families of United States citizens believed to be a victim of a criminal act by an ISIS foreign terrorist fighter detainee.

(3) FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on the Judiciary, the Select Committee
on Intelligence and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

(2) The term “ISIS foreign terrorist fighter detainee” means a detained individual—

(A) who allegedly fought for or supported the Islamic State of Iraq and Syria (ISIS); and

(B) who is a national of a country other than Iraq or Syria.

(e) SUNSET.—The requirements under this section shall sunset on January 21, 2021.