

AMENDMENT TO RULES COMMITTEE PRINT 117-

54

OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Add at the end of title LVIII of division E the following:

1 **SEC. 58__.** **FOREIGN VIOLENT EXTREMIST ORGANIZA-**
2 **TIONS REPORT.**

3 (a) **IN GENERAL.**—The Secretary of State, in coordi-
4 nation with the Attorney General, the Director of National
5 Intelligence, the Secretary of Treasury, the Secretary of
6 Defense, and the Secretary of Homeland Security, shall
7 seek to combat the threat of foreign violent white su-
8 premacist extremist organizations, including through des-
9 ignating groups that meet the criteria of Specially-Des-
10 ignated Global Terrorist Groups pursuant to Executive
11 Order 13224 and foreign terrorist organizations pursuant
12 to section 219 of the Immigration and Nationality Act (8
13 U.S.C. 1189).

14 (b) **REPORT.**—Not later than 120 days after receiv-
15 ing a joint written request from the chairperson and rank-
16 ing member of one of the appropriate congressional com-
17 mittees with respect to whether a foreign violent white su-
18 premacist extremist organization has met the criteria for

1 designation as a Specially-Designated Global Terrorist
2 Group or foreign terrorist organization, the Secretary of
3 State shall—

4 (1) determine if that group meets the criteria
5 for designation; and

6 (2) transmit an unclassified report with a clas-
7 sified annex to the chairperson and ranking member
8 of the appropriate committees with respect to that
9 determination that includes—

10 (A) a statement of whether the Secretary
11 has designated;

12 (B) in the case that the Secretary has des-
13 igned the group—

14 (i) whether the group shall be des-
15 igned as a Specially Designated Terrorist
16 Group or foreign terrorist organization;

17 (ii) whether any other nation has des-
18 igned the group as a terrorist organiza-
19 tion;

20 (iii) whether a foreign agent or gov-
21 ernment has encouraged or in any way fa-
22 cilitated violent attacks against United
23 States nationals, the United States, or
24 United States interests; and

1 (iv) efforts by the Secretary to en-
2 courage the governments of other countries
3 to designate such groups in a manner that
4 is substantially similar to the manner in
5 which designations are made under Execu-
6 tive Order 13224 or section 219 of the Im-
7 migration and Nationality Act (8 U.S.C.
8 1189); and

9 (C) in the case that the Secretary has not
10 designated the group—

11 (i) the factual basis for the decision
12 not to designate the group;

13 (ii) whether substantial ties to the
14 United States was a factor for non-des-
15 ignation; and

16 (iii) any other rationale for not desig-
17 nating the group.

18 (c) WRITTEN NOTICE OF CONSIDERATION.—In the
19 case that the Secretary of State is still considering the
20 designation of a group, and the publication of that consid-
21 eration would interfere with a deliberative process or ongo-
22 ing investigation, an indication of that fact shall be pro-
23 vided to the appropriate congressional committees as a
24 written notification, and subsequently an unclassified re-
25 port with a classified annex describing the outcome shall

1 be provided to the appropriate congressional committees,
2 either within 7 days of the Secretary’s decision on the des-
3 ignation of the group or not more than 90 additional days
4 after the initial notification, whichever occurs first.

5 (d) DEFINITIONS.—In this section:

6 (1) FOREIGN VIOLENT WHITE SUPREMACIST
7 EXTREMIST ORGANIZATION.—The term “foreign vio-
8 lent white supremacist extremist organization”
9 means an organization, such as a neo-Nazi or racist
10 skinhead group or militia, with a substantial compo-
11 nent based outside the United States, that is en-
12 gaged in the commission of racially, ethnically, or re-
13 ligiously motivated acts of terrorist violence moti-
14 vated by white supremacist extremism, particularly
15 against immigrants or individuals perceived to be
16 immigrants, African Americans or other people of
17 African descent, Jews, Muslims, or other people per-
18 ceived to be racial, ethnic, or religious minorities or
19 not perceived to be white.

20 (2) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES.—The term “appropriate congressional com-
22 mittees” means—

23 (A) the Committee on Homeland Security
24 and Governmental Affairs, the Committee on
25 Foreign Relations, the Committee on Banking,

1 Housing, and Urban Affairs; the Senate Select
2 Committee on Intelligence, the Committee on
3 the Judiciary, and the Committee on Armed
4 Services of the Senate; and

5 (B) the Committee on Homeland Security,
6 the Committee on Foreign Affairs, the Com-
7 mittee on the Judiciary, the House Permanent
8 Select Committee on Intelligence, the Com-
9 mittee on Financial Services, and the Com-
10 mittee on Armed Services of the House of Rep-
11 resentatives.

12 (e) PRIVACY AND CIVIL LIBERTIES ASSESSMENT.—
13 Not later than 180 days after the date of the enactment
14 of this Act, the Privacy and Civil Liberties Oversight
15 Board, in consultation with the civil liberties and privacy
16 officers of appropriate Federal departments and agencies,
17 shall submit a report to the appropriate congressional
18 committees containing an assessment of the impacts on
19 the privacy and civil liberties of United States nationals
20 concerning the use of any authorities, regulations, or poli-
21 cies described in subsection (a) and the reporting require-
22 ments under subsection (b).

23 (f) CLARIFICATION OF AUTHORITIES.—

24 (1) RULE OF CONSTRUCTION.—No report sub-
25 mitted under this section may name or otherwise

1 identify any organization based on the organization's
2 lawful speech that is protected under the First
3 Amendment of the United States Constitution.

4 (2) REPORT.—Nothing in this section directs or
5 shall be construed to direct or require the Secretary
6 of State to designate as a Specially-Designated Glob-
7 al Terrorist Group or foreign terrorist organization
8 any domestic or foreign organization.

