

**Calendar No. 267**118TH CONGRESS  
1ST SESSION**S. 61****[Report No. 118-123]**

To require the Secretary of Homeland Security to implement a strategy to combat the efforts of transnational criminal organizations to recruit individuals in the United States via social media platforms and other online services and assess their use of such platforms and services for illicit activities, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

JANUARY 24 (legislative day, JANUARY 3), 2023

Ms. SINEMA (for herself, Mr. LANKFORD, Mr. KELLY, Mr. HAGERTY, Mr. TESTER, and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

DECEMBER 11, 2023

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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**A BILL**

To require the Secretary of Homeland Security to implement a strategy to combat the efforts of transnational criminal organizations to recruit individuals in the United States via social media platforms and other online services and assess their use of such platforms and services for illicit activities, 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 “Combating Cartels on  
 5 Social Media Act of 2023”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**  
 9 **TEES.**—The term “appropriate congressional com-  
 10 mittees” means—

11 (A) the Committee on Homeland Security  
 12 and Governmental Affairs of the Senate; and

13 (B) the Committee on Homeland Security  
 14 of the House of Representatives.

15 (2) **COVERED OPERATOR.**—The term “covered  
 16 operator” means the operator, developer, or pub-  
 17 lisher of a covered service.

18 (3) **COVERED SERVICE.**—The term “covered  
 19 service” means—

20 (A) a social media platform;

21 (B) a mobile or desktop service with direct  
 22 or group messaging capabilities, but not includ-  
 23 ing text messaging services without other sub-  
 24 stantial social functionalities or electronic mail  
 25 services, that the Secretary determines is, has

1           been, or will be used by transnational criminal  
2           organizations in connection with matters de-  
3           scribed in section 3; and

4           (C) a digital platform, or an electronic ap-  
5           plication utilizing the digital platform, involving  
6           real-time interactive communication between  
7           multiple individuals, including multi-player  
8           gaming services and immersive technology plat-  
9           forms or applications, that the Secretary deter-  
10          mines is, has been, or will be used by  
11          transnational criminal organizations in connec-  
12          tion with matters described in section 3.

13          (4) DEPARTMENT.—The term “Department”  
14          means the Department of Homeland Security.

15          (5) SECRETARY.—The term “Secretary” means  
16          the Secretary of Homeland Security.

17 **SEC. 3. ASSESSMENT OF ILLICIT USAGE.**

18          (a) IN GENERAL.—Not later than 180 days after the  
19          date of enactment of this Act, the Secretary shall submit  
20          to the appropriate congressional committees an assess-  
21          ment describing—

22               (1) the use of covered services by transnational  
23               criminal organizations or criminal enterprises acting  
24               on their behalf to engage in recruitment efforts, in-  
25               cluding the recruitment of individuals, including in-

1 individuals under the age of 18, located in the United  
2 States to engage in or provide support with respect  
3 to illicit activities occurring in the United States,  
4 Mexico, or otherwise in proximity to an international  
5 boundary of the United States;

6 (2) the use of covered services by transnational  
7 criminal organizations to engage in other illicit ac-  
8 tivities or other conduct in support of illicit activi-  
9 ties, including—

10 (A) smuggling or trafficking involving nar-  
11 cotics, other controlled substances, precursors  
12 thereof, or other items prohibited under the  
13 laws of the United States, Mexico, or another  
14 relevant jurisdiction, including firearms; and

15 (B) human smuggling or trafficking;

16 (3) the existing efforts of the Secretary and rel-  
17 evant government and law enforcement entities to  
18 counter, monitor, or otherwise respond to the usage  
19 of covered services described in paragraphs (1) and  
20 (2);

21 (4) the existing efforts of covered operators to  
22 counter, monitor, or otherwise respond to the usage  
23 of covered services described in paragraphs (1) and  
24 (2); and

1           (5) the existing cooperative efforts between the  
2           Secretary, other relevant government entities, and  
3           covered operators with respect to the matters de-  
4           scribed in paragraphs (1) and (2).

5 **SEC. 4. STRATEGY TO COMBAT CARTEL RECRUITMENT ON**  
6 **SOCIAL MEDIA AND ONLINE PLATFORMS.**

7           (a) **IN GENERAL.**—Not later than 1 year after the  
8           date of enactment of this Act, the Secretary shall submit  
9           to the appropriate congressional committees a strategy, to  
10          be known as the National Strategy to Combat Illicit Re-  
11          cruitment Activity by Transnational Criminal Organiza-  
12          tions on Social Media and Online Platforms, to combat  
13          the use of covered services by transnational criminal orga-  
14          nizations or criminal enterprises acting on their behalf to  
15          recruit individuals located in the United States to engage  
16          in or provide support with respect to illicit activities occur-  
17          ring in the United States, Mexico, or otherwise in prox-  
18          imity to an international boundary of the United States.

19          (b) **ELEMENTS.**—

20                 (1) **IN GENERAL.**—The strategy required under  
21                 subsection (a) shall, at a minimum, include the fol-  
22                 lowing:

23                         (A) A proposal to improve cooperation and  
24                         thereafter maintain cooperation between the  
25                         Secretary, relevant law enforcement entities,

1 and appropriate covered operators with respect  
2 to the matters described in subsection (a).

3 ~~(B) Recommendations to implement the re-~~  
4 ~~quirement under section 5(a)(2) to establish a~~  
5 ~~centralized mechanism for reporting informa-~~  
6 ~~tion regarding the United States recruitment~~  
7 ~~efforts of transnational criminal organizations~~  
8 ~~involving covered services.~~

9 ~~(C) A proposal to improve~~  
10 ~~intragovernmental coordination with respect to~~  
11 ~~the matters described in subsection (a), includ-~~  
12 ~~ing between the Department and State, Tribal,~~  
13 ~~and local governments.~~

14 ~~(D) A proposal to improve coordination~~  
15 ~~within the Department and between the compo-~~  
16 ~~nents of the Department with respect to the~~  
17 ~~matters described in subsection (a).~~

18 ~~(E) Activities to facilitate increased intel-~~  
19 ~~ligence analysis for law enforcement purposes of~~  
20 ~~efforts of transnational criminal organizations~~  
21 ~~to utilize covered services for recruitment pur-~~  
22 ~~poses.~~

23 ~~(F) Activities to foster international part-~~  
24 ~~nerships and enhance collaboration with foreign~~  
25 ~~governments and, as applicable, multilateral in-~~

1           stitutions with respect to the matters described  
2           in subsection (a).

3           (G) Activities to facilitate proactive law en-  
4           forcement and other governmental efforts relat-  
5           ing to the efforts of transnational criminal or-  
6           ganizations to utilize covered services for re-  
7           cruitment purposes, including activities in-  
8           tended to preempt through outreach and en-  
9           gagement the commission of criminal offenses  
10          by individuals located in the United States who  
11          are targeted for recruitment by those  
12          transnational criminal organizations.

13          (H) Activities to specifically increase en-  
14          gagement and outreach with youth in border  
15          communities, including regarding the recruit-  
16          ment tactics of transnational criminal organiza-  
17          tions and the consequences of participation in  
18          illicit activities.

19          (2) LIMITATION.—The strategy required under  
20          subsection (a) shall not include legislative rec-  
21          ommendations or elements predicated on the passage  
22          of legislation that is not enacted as of the date on  
23          which the strategy is submitted under subsection  
24          (a), including with respect to encryption policies or

1 reforms to section 230 of the Communications Act  
2 of 1934 (47 U.S.C. 230).

3 (c) CONSULTATION.—In drafting and implementing  
4 the strategy required under subsection (a), the Secretary  
5 shall, at a minimum, consult and engage with—

6 (1) the heads of relevant components of the De-  
7 partment, including—

8 (A) the Commissioner of U.S. Customs  
9 and Border Protection;

10 (B) the Under Secretary for Intelligence  
11 and Analysis;

12 (C) the Under Secretary for Science and  
13 Technology;

14 (D) the Director of U.S. Immigration and  
15 Customs Enforcement;

16 (E) the Officer for Civil Rights and Civil  
17 Liberties; and

18 (F) the Privacy Officer;

19 (2) the Secretary of State;

20 (3) the Director of the Federal Bureau of In-  
21 vestigation;

22 (4) the Administrator of the Drug Enforcement  
23 Agency;

24 (5) representatives of border communities, in-  
25 cluding representatives of—



1           (A) State, Tribal, and local governments,  
2 including school districts and local law enforce-  
3 ment; and

4           (B) nongovernmental organizations;

5       (6) covered operators, including representatives  
6 of—

7           (A) social media platforms, including oper-  
8 ators of platforms or applications—

9               (i) displaying short-form videos cre-  
10 ated by users or third parties;

11              (ii) providing ephemeral content  
12 transmission services; or

13              (iii) using algorithms or other means  
14 of content prioritization to display a feed  
15 of content or advertisements created by  
16 users or third parties to other users;

17           (B) interactive entertainment platforms  
18 and publishers; and

19           (C) companies developing immersive tech-  
20 nology platforms and applications on those plat-  
21 forms; and

22       (7) nongovernmental experts in the fields of—

23           (A) civil rights and civil liberties;

24           (B) online privacy;

- 1           (C) humanitarian assistance for migrants;  
2           and  
3           (D) youth outreach and rehabilitation.

4       (d) IMPLEMENTATION.—

5           (1) IN GENERAL.—Not later than 90 days after  
6       the date on which the strategy required under sub-  
7       section (a) is submitted to the appropriate congress-  
8       sional committees, the Secretary shall commence im-  
9       plementation of the strategy.

10       (2) REPORT.—

11           (A) IN GENERAL.—Not later than 180  
12       days after the date on which the strategy re-  
13       quired under subsection (a) is implemented  
14       under paragraph (1), and semiannually there-  
15       after for 5 years, the Secretary shall submit to  
16       the appropriate congressional committees a re-  
17       port describing the efforts of the Secretary to  
18       implement the strategy required under sub-  
19       section (a) and the progress of those efforts,  
20       which shall include a description of—

21           (i) the recommendations, and cor-  
22       responding implementation of those rec-  
23       ommendations, with respect to the matters  
24       described in subsection (b)(1)(B) relating

1 to the mechanism required under section  
2 5(a)(2);

3 (ii) the interagency posture with re-  
4 spect to the matters covered by the strat-  
5 egy required under subsection (a), which  
6 shall include a description of collaboration  
7 between the Secretary, other Federal enti-  
8 ties, State, local, and Tribal entities, and  
9 foreign governments;

10 (iii) actions taken pursuant to sub-  
11 section (e) that occurred between the Sec-  
12 retary and the entities described in para-  
13 graphs (5) through (7) of that subsection,  
14 provided that such summaries are provided  
15 only in a classified or other non-public  
16 manner; and

17 (iv) the threat landscape, including  
18 new developments related to the United  
19 States recruitment efforts of transnational  
20 criminal organizations and the use by  
21 those organizations of new or emergent  
22 covered services and recruitment methods.

23 (B) FORM.—Each report required under  
24 subparagraph (A) shall be submitted in unclas-  
25 sified form, but may contain a classified annex.

1 **SEC. 5. INTELLIGENCE COLLECTION AND DISSEMINATION.**

2 (a) **IN GENERAL.**—Not later than 90 days after the  
3 date on which the strategy required under section 4(a) is  
4 required to be submitted to the appropriate congressional  
5 committees, the Secretary shall identify a designee—

6 (1) to receive, process, and disseminate infor-  
7 mation and communications involving the use of cov-  
8 ered services by transnational criminal organizations  
9 or criminal enterprises acting on their behalf to re-  
10 cruit individuals located in the United States to en-  
11 gage in or provide support with respect to illicit ac-  
12 tivities occurring in the United States, Mexico, or  
13 otherwise in proximity to an international boundary  
14 of the United States; and

15 (2) to establish a mechanism, or if the designee  
16 determines appropriate, multiple mechanisms, for  
17 covered operators to voluntarily report relevant in-  
18 formation or communications described in paragraph  
19 (1).

20 (b) **PROCEDURE.**—Upon the identification of the des-  
21 ignee and the establishment of the voluntary reporting  
22 mechanism required under subsection (a)(2), the Sec-  
23 retary shall notify appropriate covered operators in writing  
24 regarding the voluntary reporting mechanism, including  
25 information regarding how to contact the designee and uti-  
26 lize the voluntary reporting mechanism.

1       (c) ~~PLACEMENT.~~—The designee identified under sub-  
 2 section (a) shall be located in U.S. Customs and Border  
 3 ~~Protection.~~

4       (d) ~~DISSEMINATION.~~—The designee identified under  
 5 subsection (a) shall utilize the information and commu-  
 6 nications received pursuant to this section to—

7           (1) provide Federal, Tribal, State, and local en-  
 8 tities with intelligence to assist with outreach and  
 9 engagement efforts intended to preempt the commis-  
 10 sion of criminal offenses by individuals located in the  
 11 United States who are targeted by transnational  
 12 criminal organizations for recruitment;

13           (2) provide Federal, Tribal, State, and local law  
 14 enforcement with actionable intelligence for law en-  
 15 forcement relating to the United States recruitment  
 16 efforts of transnational criminal organizations; and

17           (3) further other appropriate government func-  
 18 tions involving efforts to prevent the recruitment of  
 19 individuals located in the United States by  
 20 transnational criminal organizations.

21 **SECTION 1. SHORT TITLE.**

22       *This Act may be cited as the “Combating Cartels on*  
 23 *Social Media Act of 2023”.*

24 **SEC. 2. DEFINITIONS.**

25       *In this Act:*

1           (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
2           *TEES.—The term “appropriate congressional commit-*  
3           *tees” means—*

4                   (A) *the Committee on Homeland Security*  
5                   *and Governmental Affairs of the Senate; and*

6                   (B) *the Committee on Homeland Security of*  
7                   *the House of Representatives.*

8           (2) *COVERED OPERATOR.—The term “covered*  
9           *operator” means the operator, developer, or publisher*  
10           *of a covered service.*

11           (3) *COVERED SERVICE.—The term “covered serv-*  
12           *ice” means—*

13                   (A) *a social media platform;*

14                   (B) *a mobile or desktop service with direct*  
15                   *or group messaging capabilities, but not includ-*  
16                   *ing text messaging services without other sub-*  
17                   *stantial social functionalities or electronic mail*  
18                   *services, that the Secretary determines is being*  
19                   *or has been used by transnational criminal orga-*  
20                   *nizations in connection with matters described*  
21                   *in section 3; and*

22                   (C) *a digital platform, or an electronic ap-*  
23                   *plication utilizing the digital platform, involving*  
24                   *real-time interactive communication between*  
25                   *multiple individuals, including multi-player*

1           *gaming services and immersive technology plat-*  
2           *forms or applications, that the Secretary deter-*  
3           *mines is being or has been used by transnational*  
4           *criminal organizations in connection with mat-*  
5           *ters described in section 3.*

6           (4) *CRIMINAL ENTERPRISE.*—*The term “crimi-*  
7           *nal enterprise” has the meaning given the term “con-*  
8           *tinuing criminal enterprise” in section 408 of the*  
9           *Controlled Substances Act (21 U.S.C. 848).*

10          (5) *DEPARTMENT.*—*The term “Department”*  
11          *means the Department of Homeland Security.*

12          (6) *ILLICIT ACTIVITIES.*—*The term “illicit ac-*  
13          *tivities” means the following criminal activities that*  
14          *transcend national borders:*

15                (A) *A violation of section 401 of the Con-*  
16                *trolled Substances Act (21 U.S.C. 841).*

17                (B) *Narcotics trafficking, as defined in sec-*  
18                *tion 808 of the Foreign Narcotics Kingpin Des-*  
19                *ignation Act (21 U.S.C. 1907).*

20                (C) *Trafficking of weapons, as defined in*  
21                *section 922 of title 18, United States Code.*

22                (D) *Migrant smuggling, defined as a viola-*  
23                *tion of section 274(a)(1)(A)(ii) of the Immigra-*  
24                *tion and Nationality Act (8 U.S.C.*  
25                *1324(a)(1)(A)(ii)).*

1           (E) *Human trafficking, defined as—*

2                   (i) *a violation of section 1590, 1591, or*  
3                   *1592 of title 18, United States Code; or*

4                   (ii) *engaging in severe forms of traf-*  
5                   *ficking in persons, as defined in section 103*  
6                   *of the Victims of Trafficking and Violence*  
7                   *Protection Act of 2000 (22 U.S.C. 7102).*

8           (F) *Cyber crime, defined as a violation of*  
9           *section 1030 of title 18, United States Code.*

10           (G) *A violation of any provision that is*  
11           *subject to intellectual property enforcement, as*  
12           *defined in section 302 of the Prioritizing Re-*  
13           *sources and Organization for Intellectual Prop-*  
14           *erty Act of 2008 (15 U.S.C. 8112).*

15           (H) *Bulk cash smuggling of currency, de-*  
16           *fined as a violation of section 5332 of title 31,*  
17           *United States Code.*

18           (I) *Laundering the proceeds of the criminal*  
19           *activities described in subparagraphs (A)*  
20           *through (H).*

21           (7) *SECRETARY.—The term “Secretary” means*  
22           *the Secretary of Homeland Security.*

23           (8) *TRANSNATIONAL CRIMINAL ORGANIZATION.—*  
24           *The term “transnational criminal organization”*  
25           *means groups, networks, and associated individuals*



1        *who operate transnationally for the purposes of ob-*  
2        *taining power, influence, or monetary or commercial*  
3        *gain, wholly or in part by certain illegal means,*  
4        *while advancing their activities through a pattern of*  
5        *crime, corruption, or violence, and while protecting*  
6        *their illegal activities through a transnational organi-*  
7        *zational structure and the exploitation of public cor-*  
8        *ruption or transnational logistics, financial, or com-*  
9        *munication mechanisms.*

10    **SEC. 3. ASSESSMENT OF ILLICIT USAGE.**

11        *(a) IN GENERAL.—Not later than 180 days after the*  
12        *date of enactment of this Act, the Secretary shall submit*  
13        *to the appropriate congressional committees an assessment*  
14        *describing—*

15                *(1) the use of covered services by transnational*  
16        *criminal organizations, or criminal enterprises acting*  
17        *on behalf of transnational criminal organizations, to*  
18        *engage in recruitment efforts, including the recruit-*  
19        *ment of individuals, including individuals under the*  
20        *age of 18, located in the United States to engage in*  
21        *or provide support with respect to illicit activities oc-*  
22        *curring in the United States, Mexico, or otherwise in*  
23        *proximity to an international boundary of the United*  
24        *States;*

1           (2) *the use of covered services by transnational*  
2 *criminal organizations to engage in illicit activities*  
3 *or conduct in support of illicit activities, including—*

4           (A) *smuggling or trafficking involving nar-*  
5 *cotics, other controlled substances, precursors*  
6 *thereof, or other items prohibited under the laws*  
7 *of the United States, Mexico, or another relevant*  
8 *jurisdiction, including firearms;*

9           (B) *human smuggling or trafficking, in-*  
10 *cluding the exploitation of children; and*

11           (C) *transportation of bulk currency or mon-*  
12 *etary instruments in furtherance of smuggling*  
13 *activity; and*

14           (3) *the existing efforts of the Secretary and rel-*  
15 *evant government and law enforcement entities to*  
16 *counter, monitor, or otherwise respond to the usage of*  
17 *covered services described in paragraphs (1) and (2).*

18 **SEC. 4. STRATEGY TO COMBAT CARTEL RECRUITMENT ON**

19 **SOCIAL MEDIA AND ONLINE PLATFORMS.**

20           (a) *IN GENERAL.*—*Not later than 1 year after the date*  
21 *of enactment of this Act, the Secretary shall submit to the*  
22 *appropriate congressional committees a strategy, to be*  
23 *known as the National Strategy to Combat Illicit Recruit-*  
24 *ment Activity by Transnational Criminal Organizations on*  
25 *Social Media and Online Platforms, to combat the use of*

1 *covered services by transnational criminal organizations, or*  
2 *criminal enterprises acting on behalf of transnational*  
3 *criminal organizations, to recruit individuals located in the*  
4 *United States to engage in or provide support with respect*  
5 *to illicit activities occurring in the United States, Mexico,*  
6 *or otherwise in proximity to an international boundary of*  
7 *the United States.*

8 (b) *ELEMENTS.*—

9 (1) *IN GENERAL.*—*The strategy required under*  
10 *subsection (a) shall, at a minimum, include the fol-*  
11 *lowing:*

12 (A) *A proposal to improve cooperation and*  
13 *thereafter maintain cooperation between the Sec-*  
14 *retary and relevant law enforcement entities*  
15 *with respect to the matters described in sub-*  
16 *section (a).*

17 (B) *Recommendations to implement a proc-*  
18 *ess for the voluntary reporting of information re-*  
19 *garding the recruitment efforts of transnational*  
20 *criminal organizations in the United States in-*  
21 *volving covered services.*

22 (C) *A proposal to improve*  
23 *intragovernmental coordination with respect to*  
24 *the matters described in subsection (a), including*

1           *between the Department and State, Tribal, and*  
2           *local governments.*

3           *(D) A proposal to improve coordination*  
4           *within the Department and between the compo-*  
5           *nents of the Department with respect to the mat-*  
6           *ters described in subsection (a).*

7           *(E) Activities to facilitate increased intel-*  
8           *ligence analysis for law enforcement purposes of*  
9           *efforts of transnational criminal organizations to*  
10          *utilize covered services for recruitment to engage*  
11          *in or provide support with respect to illicit ac-*  
12          *tivities.*

13          *(F) Activities to foster international part-*  
14          *nerships and enhance collaboration with foreign*  
15          *governments and, as applicable, multilateral in-*  
16          *stitutions with respect to the matters described*  
17          *in subsection (a).*

18          *(G) Activities to specifically increase en-*  
19          *gagement and outreach with youth in border*  
20          *communities, including regarding the recruit-*  
21          *ment tactics of transnational criminal organiza-*  
22          *tions and the consequences of participation in il-*  
23          *licit activities.*

24          *(H) A detailed description of the measures*  
25          *used to ensure—*

1           (i) law enforcement and intelligence  
2           activities focus on the recruitment activities  
3           of transitional criminal organizations, not  
4           individuals the transnational criminal or-  
5           ganizations attempt to or successfully re-  
6           cruit; and

7           (ii) the privacy rights, civil rights, and  
8           civil liberties protections in carrying out  
9           the activities described in clause (i), with a  
10          particular focus on the protections in place  
11          to protect minors and constitutionally pro-  
12          tected activities.

13          (2) *LIMITATION.*—The strategy required under  
14          subsection (a) shall not include legislative rec-  
15          ommendations or elements predicated on the passage  
16          of legislation that is not enacted as of the date on  
17          which the strategy is submitted under subsection (a).

18          (c) *CONSULTATION.*—In drafting and implementing  
19          the strategy required under subsection (a), the Secretary  
20          shall, at a minimum, consult and engage with—

21                 (1) the heads of relevant components of the De-  
22                 partment, including—

23                         (A) the Under Secretary for Intelligence  
24                         and Analysis;

1           (B) the Under Secretary for Strategy, Pol-  
2           icy, and Plans;

3           (C) the Under Secretary for Science and  
4           Technology;

5           (D) the Commissioner of U.S. Customs and  
6           Border Protection;

7           (E) the Director of U.S. Immigration and  
8           Customs Enforcement;

9           (F) the Officer for Civil Rights and Civil  
10          Liberties;

11          (G) the Privacy Officer; and

12          (H) the Assistant Secretary of the Office for  
13          State and Local Law Enforcement;

14          (2) the Secretary of State;

15          (3) the Attorney General;

16          (4) the Secretary of Health and Human Serv-  
17          ices;

18          (5) the Secretary of Education; and

19          (6) as selected by the Secretary or his or her des-  
20          ignee in the Office of Public Engagement, representa-  
21          tives of border communities, including representatives  
22          of—

23                 (A) State, Tribal, and local governments,  
24                 including school districts and local law enforce-  
25                 ment; and

1                   (B) nongovernmental experts in the fields  
2           of—

3                   (i) civil rights and civil liberties;

4                   (ii) online privacy;

5                   (iii) humanitarian assistance for mi-  
6                   grants; and

7                   (iv) youth outreach and rehabilitation.

8           (d) IMPLEMENTATION.—

9                   (1) IN GENERAL.—Not later than 90 days after  
10           the date on which the strategy required under sub-  
11           section (a) is submitted to the appropriate congress-  
12           sional committees, the Secretary shall commence im-  
13           plementation of the strategy.

14                   (2) REPORT.—

15                   (A) IN GENERAL.—Not later than 180 days  
16           after the date on which the strategy required  
17           under subsection (a) is implemented under para-  
18           graph (1), and semiannually thereafter for 5  
19           years, the Secretary shall submit to the appro-  
20           priate congressional committees a report describ-  
21           ing the efforts of the Secretary to implement the  
22           strategy required under subsection (a) and the  
23           progress of those efforts, which shall include a de-  
24           scription of—

1           (i) *the recommendations, and cor-*  
2           *responding implementation of those rec-*  
3           *ommendations, with respect to the matters*  
4           *described in subsection (b)(1)(B);*

5           (ii) *the interagency posture with re-*  
6           *spect to the matters covered by the strategy*  
7           *required under subsection (a), which shall*  
8           *include a description of collaboration be-*  
9           *tween the Secretary, other Federal entities,*  
10          *State, local, and Tribal entities, and foreign*  
11          *governments; and*

12          (iii) *the threat landscape, including*  
13          *new developments related to the United*  
14          *States recruitment efforts of transnational*  
15          *criminal organizations and the use by those*  
16          *organizations of new or emergent covered*  
17          *services and recruitment methods.*

18          (B) *FORM.—Each report required under*  
19          *subparagraph (A) shall be submitted in unclassi-*  
20          *fied form, but may contain a classified annex.*

21          (3) *CIVIL RIGHTS, CIVIL LIBERTIES, AND PRI-*  
22          *VACY ASSESSMENT.—Not later than 2 years after the*  
23          *date on which the strategy required under subsection*  
24          *(a) is implemented under paragraph (1), the Office*  
25          *for Civil Rights and Civil Liberties and the Privacy*



1        *Office of the Department shall submit to the appro-*  
2        *priate congressional committees a joint report that*  
3        *includes—*

4                *(A) a detailed assessment of the measures*  
5                *used to ensure the protection of civil rights, civil*  
6                *liberties, and privacy rights in carrying out this*  
7                *section; and*

8                *(B) recommendations to improve the imple-*  
9                *mentation of the strategy required under sub-*  
10               *section (a).*

11    **SEC. 5. RULE OF CONSTRUCTION.**

12        *Nothing in this Act shall be construed to expand the*  
13        *statutory law enforcement or regulatory authority of the*  
14        *Department.*

Calendar No. 267

118<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 61**

[Report No. 118-123]

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**A BILL**

To require the Secretary of Homeland Security to implement a strategy to combat the efforts of transnational criminal organizations to recruit individuals in the United States via social media platforms and other online services and assess their use of such platforms and services for illicit activities, and for other purposes.

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DECEMBER 11, 2023

Reported with an amendment