

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1736
OFFERED BY MR. PFLUGER OF TEXAS

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Generative AI Ter-
3 rorism Risk Assessment Act”.

4 SEC. 2. SENSE OF CONGRESS REGARDING THE USE OF GEN-
5 ERATIVE ARTIFICIAL INTELLIGENCE APPLI-
6 CATIONS FOR TERRORIST ACTIVITY.

7 It is the sense of Congress that—

- 8 (1) the heightened terrorism threat landscape
9 and the increasing utilization of generative artificial
10 intelligence by foreign terrorist organizations rep-
11 resent a national security threat, and the challenges
12 posed by such threat are not well understood; and
13 (2) the Department of Homeland Security, in
14 consultation with the Office of the Director of Na-
15 tional Intelligence, must take steps to recognize, as-
16 sess, and address such threat, thereby reducing risks
17 to the people of the United States.

1 **SEC. 3. ANNUAL ASSESSMENTS ON TERRORISM THREATS**
2 **TO THE UNITED STATES POSED BY THE USE**
3 **OF GENERATIVE ARTIFICIAL INTELLIGENCE**
4 **FOR TERRORISM.**

5 (a) ASSESSMENTS.—

6 (1) IN GENERAL.—Not later than one year
7 after the date of the enactment of this Act and an-
8 nually thereafter for five years, the Secretary of
9 Homeland Security, in consultation with the Direc-
10 tor of National Intelligence, shall submit to the ap-
11 propriate congressional committees an assessment of
12 terrorism threats to the United States posed by the
13 use of generative artificial intelligence for terrorism.

14 (2) CONTENTS.—Each terrorism threat assess-
15 ment under paragraph (1) shall include the fol-
16 lowing:

17 (A) An analysis of incidents during the im-
18 mediately preceding calendar year in which a
19 foreign terrorist organization or individual has
20 used or attempted to use generative artificial
21 intelligence to carry out the following:

22 (i) Spread violent extremist messaging
23 and facilitate the ability to radicalize and
24 recruit individuals to violence.

1 (ii) Enhance their ability to develop or
2 deploy chemical, biological, radiological, or
3 nuclear weapons.

4 (B) Recommendations on appropriate
5 measures to counter terrorism threats to the
6 United States posed by such terrorist organiza-
7 tion or individual.

8 (3) COORDINATION.—Each terrorism threat as-
9 sessment under paragraph (1)—

10 (A) shall be coordinated by the Secretary
11 of Homeland Security to ensure compliance
12 with applicable law and protections relating to
13 individuals' privacy, civil rights, and civil lib-
14 erties, and

15 (B) may be informed by existing products
16 of the Department of Homeland Security, as
17 appropriate.

18 (4) FORM.—Each terrorism threat assessment
19 under paragraph (1) shall be submitted in unclassi-
20 fied form, but may include a classified annex. The
21 Secretary of Homeland Security shall post on a pub-
22 licly available website of the Department of Home-
23 land Security the unclassified portion of each such
24 assessment. Each such unclassified portion shall not
25 contain information that is designated as For Offi-

1 cial Use Only, or otherwise would not be publicly
2 available pursuant to section 552 of title 5, United
3 States Code (popularly referred to as the “Freedom
4 of Information Act” (FOIA)), or other applicable
5 law.

6 (5) BRIEFING.—Not later than 30 days after
7 the submission of each terrorism threat assessment
8 under paragraph (1), the Secretary of Homeland Se-
9 curity shall brief the appropriate congressional com-
10 mittees regarding each such assessment. The head
11 of any other relevant Federal department or agency
12 shall join the Secretary for any such briefing if any
13 such committee, in consultation with the Secretary,
14 determines such is appropriate.

15 (b) INFORMATION SHARING.—

16 (1) IN GENERAL.—The Secretary of Homeland
17 Security shall review information relating to ter-
18 rorism threats to the United States posed by the use
19 of generative artificial intelligence for terrorism that
20 is gathered by State and major urban area fusion
21 centers and the National Network of Fusion Cen-
22 ters, and incorporate such information, as appro-
23 priate, into the Department of Homeland Security’s
24 own information relating to such. The Secretary
25 shall ensure the dissemination to State and major

1 urban area fusion centers and the National Network
2 of Fusion Centers of such information.

3 (2) COORDINATION.—In carrying out para-
4 graph (1), the entities specified in paragraph (3)
5 shall share with the Secretary of Homeland Security
6 information regarding terrorism threats to the
7 United States posed by the use of generative artifi-
8 cial intelligence for terrorism.

9 (3) ENTITIES SPECIFIED.—The entities speci-
10 fied in this paragraph are the following:

11 (A) The Office of the Director of National
12 Intelligence.

13 (B) The Federal Bureau of Investigation.

14 (C) Members of the intelligence commu-
15 nity.

16 (D) Any other relevant Federal depart-
17 ment or agency the Secretary of Homeland Se-
18 curity determines necessary.

19 (c) DEFINITIONS.—In this section:

20 (1) APPROPRIATE CONGRESSIONAL COMMIT-
21 TEES.—The term “appropriate congressional com-
22 mittees” means the Committee on Homeland Secu-
23 rity, the Permanent Select Committee on Intel-
24 ligence, and the Committee on Energy and Com-
25 merce of the House of Representatives and the Com-

1 mittee on Homeland Security and Governmental Af-
2 fairs, the Select Committee on Intelligence, and the
3 Committee on Commerce, Science, and Transpor-
4 tation of the Senate.

5 (2) ARTIFICIAL INTELLIGENCE.—The term “ar-
6 tificial intelligence” has the meaning given such
7 term in section 5002 of the National Artificial Intel-
8 ligence Initiative Act of 2020 (15 U.S.C. 9401).

9 (3) GENERATIVE ARTIFICIAL INTELLIGENCE.—
10 The term “generative artificial intelligence” means
11 the class of artificial intelligence models that emu-
12 late the structure and characteristics of input data
13 in order to generate derived synthetic content, in-
14 cluding images, videos, audio, text, and other digital
15 content.

16 (4) FOREIGN TERRORIST ORGANIZATION.—The
17 term “terrorist organization” means any entity des-
18 ignated as a foreign terrorist organization pursuant
19 to section 219 of the Immigration and Nationality
20 Act (8 U.S.C. 1189).

21 (5) FUSION CENTER.—The term “fusion cen-
22 ter” has the meaning given such term in subsection
23 (k) of section 210A of the Homeland Security Act
24 of 2002 (6 U.S.C. 124h).

1 (6) INTELLIGENCE COMMUNITY.—The term
2 “intelligence community” has the meaning given
3 such term in section 3(4) of the National Security
4 Act of 1947 (50 U.S.C. 3003(4)).

5 (7) NATIONAL NETWORK OF FUSION CEN-
6 TERS.—The term “National Network of Fusion Cen-
7 ters” means a decentralized arrangement of fusion
8 centers intended to enhance the ability of individual
9 State and local fusion centers to leverage the capa-
10 bilities and expertise of all such fusion centers for
11 the purpose of enhancing analysis and homeland se-
12 curity information sharing nationally.

13 (8) TERRORISM.—The term “terrorism” has
14 the meaning given such term in section 2 of the
15 Homeland Security Act of 2002 (6 U.S.C. 101).

Amend the title so as to read: “A bill To require the
Secretary of Homeland Security to conduct annual as-
sessments on threats to the United States posed by the
use of generative artificial intelligence for terrorism, and
for other purposes.”.

