

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7427
OFFERED BY MR. GOLDMAN OF NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Securing Access from
3 Foreign Entities Visiting Internal Sites in the States Act”
4 or the “SAFE VISITS Act”.

**5 SEC. 2. DHS THREAT ANALYSES AND GUIDANCE RELATED
6 TO VISITING FOREIGN NATIONALS TO STATE,
7 LOCAL, TRIBAL, AND TERRITORIAL GOVERN-
8 MENTS.**

9 (a) IN GENERAL.—Subtitle A of title II of the Home-
10 land Security Act of 2002 (6 U.S.C. 121 et seq.) is amend-
11 ed by adding at the end the following new section:

**12 “SEC. 210H. THREAT ANALYSES AND GUIDANCE RELATED
13 TO VISITING FOREIGN NATIONALS TO STATE,
14 LOCAL, TRIBAL, AND TERRITORIAL GOVERN-
15 MENTS.**

16 “(a) IN GENERAL.—Not later than 180 days after
17 the date of the enactment of this section and annually
18 thereafter, the Secretary, in coordination with all relevant

1 Department heads, shall submit to the Committee on
2 Homeland Security and the Permanent Select Committee
3 on Intelligence of the House of Representatives and the
4 Committee on Homeland Security and Governmental Af-
5 fairs and the Select Committee on Intelligence of the Sen-
6 ate a threat analysis, including relating to potential coun-
7 terintelligence and terrorism threats, reported to the De-
8 partment by State, local, Tribal, or territorial government
9 officials or employees, regarding any known visits by for-
10 eign nationals who—

11 “(1) seek to meet with such officials or employ-
12 ees, or

13 “(2) seek access to State, local, Tribal, or terri-
14 torial government information, facilities, programs,
15 or systems, and

16 disseminate to State, local, Tribal, and territorial govern-
17 ments guidance based on such threat analysis.

18 “(b) CONTENT OF THREAT ANALYSIS AND GUID-
19 ANCE.—The threat analysis, including relating to poten-
20 tial counterintelligence and terrorism threats, and guid-
21 ance under subsection (a) shall contain the following:

22 “(1) Descriptions of high-risk State, local, Trib-
23 al, and territorial government targets.

24 “(2) An analysis of trends related to visits by
25 foreign nationals who seek access to State, local,

1 Tribal, or territorial officials or employees, informa-
2 tion, facilities, programs, or systems based on vet-
3 ting request information submitted to, by, or
4 through fusion centers (as such term is defined in
5 section 210A) by State, local, Tribal, or territorial
6 governments.

7 “(3) Descriptions of actions that may be taken
8 to mitigate homeland security threats, including po-
9 tential counterintelligence and terrorism threats, and
10 protect State, local, Tribal, and territorial officials
11 or employees, information, facilities, programs, or
12 systems.

13 “(c) TAILORED OUTREACH AND VETTING ASSIST-
14 ANCE.—

15 “(1) IN GENERAL.—If the Secretary, based on
16 the threat analysis under subsection (a), identifies a
17 particular State, local, Tribal, or territorial govern-
18 ment official or employee or information, facility,
19 program, or system as a high-risk potential target of
20 a visiting foreign national who seeks access to such
21 official or employee, information, facility, program,
22 or system, the Secretary shall carry out the fol-
23 lowing:

24 “(A) Conduct outreach to the identified
25 State, local, Tribal, or territorial government

1 and provide information, unclassified or classi-
2 fied at the lowest possible level, regarding such
3 potential target.

4 “(B) Provide the identified State, local,
5 Tribal, or Territorial government with assist-
6 ance vetting such a foreign national.

7 “(C) Provide the identified State, local,
8 Tribal, or Territorial government with addi-
9 tional guidance on specific actions that may be
10 taken to mitigate homeland security threats, in-
11 cluding potential counterintelligence and ter-
12 rorism threats, in connection with such visit.

13 “(2) DEBRIEFINGS.—Not later than 30 days
14 after an identified State, local, Tribal, or Territorial
15 government hosts a visiting foreign national for
16 which the Department provided assistance in accord-
17 ance with paragraph (1), the Secretary shall request
18 a debriefing from such host State, local, Tribal, or
19 territorial government to maintain awareness of any
20 attempt by visiting foreign nationals to obtain access
21 to officials or employees, information, facilities, pro-
22 grams, or systems of such host State, local, Tribal,
23 or Territorial government, and the techniques used
24 by such visiting foreign nationals.

1 “(d) REPORT.—The Secretary shall annually submit
2 to the Committee on Homeland Security of the House of
3 Representatives and the Committee on Homeland Security
4 and Governmental Affairs of the Senate a description of
5 the outreach and vetting assistance by the Secretary under
6 subsection (c) during the immediately preceding six month
7 period. Each report under this subsection shall be sub-
8 mitted together with each corresponding report required
9 under subsection (a), beginning with the second such re-
10 port under such subsection.

11 “(e) INFORMATION DEFINED.—In this section, the
12 term ‘information’ means data or materials collected, pos-
13 sessed, or prepared by a State, local, Tribal, or territorial
14 government that is not intended for public disclosure or
15 general use.”.

16 (b) RESEARCH AND DEVELOPMENT.—The Secretary
17 of Homeland Security shall, to the extent practicable, co-
18 ordinate with the Under Secretary for Science and Tech-
19 nology of the Department of Homeland Security to carry
20 out research and development of a technology to enhance
21 sharing of information to carry out section 210H of the
22 Homeland Security Act of 2002, as added by subsection
23 (a).

24 (c) CLERICAL AMENDMENT.—The table of contents
25 in section (b) of the Homeland Security Act of 2002 is

- 1 amended by inserting after the item relating to section
- 2 210G the following new item:

“Sec. 210H. Threat analyses and guidance related to visiting foreign nationals to State, local, Tribal, and territorial governments.”.

Amend the title so as to read: “A bill To amend the Homeland Security Act of 2002 to provide threat analyses, including relating to counterintelligence and terrorism threats, and guidance to State, local, Tribal, or territorial government officials or employees regarding visiting foreign nationals who seek access to State, local, Tribal, or territorial officials or employees, information, facilities, programs, or systems, and for other purposes.”.

