

119TH CONGRESS
1ST SESSION

H. R. 488

To require the Secretary of Homeland Security and the Secretary of State 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.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2025

Mr. CISCOMANI (for himself and Ms. HOULAHAN) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, Foreign Affairs, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Secretary of Homeland Security and the Secretary of State 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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Combating Cartels on
3 Social Media Act of 2025”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional com-
7 mittees” means—
8

9 (A) the Committee on Homeland Security
10 and Governmental Affairs, the Committee on
11 the Judiciary, and the Committee on Foreign
12 Relations of the Senate; and

13 (B) the Committee on Homeland Security,
14 the Committee on the Judiciary, and the Com-
15 mittee on Foreign Affairs of the House of Rep-
16 resentatives.

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

20 (3) **COVERED SERVICE.**—The term “covered
21 service” means—

22 (A) a social media platform;

23 (B) a mobile or desktop service with direct
24 or group messaging capabilities, but not includ-
25 ing text messaging services without other sub-
26 stantial social functionalities or electronic mail

1 services, that the Secretary of Homeland Security
2 determines is being or has been used by
3 transnational criminal organizations in connection
4 with matters described in section 3; or

5 (C) a digital platform, or an electronic application
6 utilizing the digital platform, involving
7 real-time interactive communication between
8 multiple individuals, including multi-player
9 gaming services and immersive technology platforms
10 or applications, that the Secretary of
11 Homeland Security determines is being or has
12 been used by transnational criminal organizations
13 in connection with matters described in
14 section 3.

15 (4) CRIMINAL ENTERPRISE.—The term “criminal
16 enterprise” has the meaning given the term
17 “continuing criminal enterprise” in section 408 of
18 the Controlled Substances Act (21 U.S.C. 848).

19 (5) ILLICIT ACTIVITIES.—The term “illicit activities”
20 means the following criminal activities that
21 transcend national borders:

22 (A) A violation of section 401 of the Controlled
23 Substances Act (21 U.S.C. 841).

1 (B) Narcotics trafficking, as defined in
2 section 808 of the Foreign Narcotics Kingpin
3 Designation Act (21 U.S.C. 1907).

4 (C) Weapons trafficking.

5 (D) Migrant smuggling, defined as a viola-
6 tion of section 274(a)(1)(A)(ii) of the Immigra-
7 tion and Nationality Act (8 U.S.C.
8 1324(a)(1)(A)(ii)).

9 (E) Human trafficking, defined as—

10 (i) a violation of section 1590, 1591,
11 or 1592 of title 18, United States Code; or

12 (ii) engaging in severe forms of traf-
13 ficking in persons, as defined in section
14 103 of the Victims of Trafficking and Vio-
15 lence Protection Act of 2000 (22 U.S.C.
16 7102).

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

19 (G) A violation of any provision that is
20 subject to intellectual property enforcement, as
21 defined in section 302 of the Prioritizing Re-
22 sources and Organization for Intellectual Prop-
23 erty Act of 2008 (15 U.S.C. 8112).

1 (H) Bulk cash smuggling of currency, de-
2 fined as a violation of section 5332 of title 31,
3 United States Code.

4 (I) Laundering the proceeds of the crimi-
5 nal activities described in subparagraphs (A)
6 through (H).

7 (6) TRANSNATIONAL CRIMINAL ORGANIZA-
8 TION.—The term “transnational criminal organiza-
9 tion” means a group, or network, and associated in-
10 dividuals, that operate transnationally for the pur-
11 poses of obtaining power, influence, or monetary or
12 commercial gain, wholly or in part by certain unlaw-
13 ful means, while advancing their activities through a
14 pattern of crime, corruption, or violence, and while
15 protecting their unlawful activities through a
16 transnational organizational structure and the ex-
17 ploitation of public corruption or transnational logis-
18 tics, financial, or communication mechanisms.

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

20 Not later than 180 days after the date of enactment
21 of this Act, the Secretary of Homeland Security, the At-
22 torney General, and the Secretary of State shall submit
23 to the appropriate congressional committees a joint assess-
24 ment describing—

1 (1) the use of covered services by transnational
2 criminal organizations, or criminal enterprises acting
3 on behalf of transnational criminal organizations, to
4 engage in recruitment efforts, including the recruit-
5 ment of individuals located in the United States, to
6 engage in or provide support with respect to illicit
7 activities occurring in the United States, Mexico, or
8 otherwise in proximity to an international border of
9 the United States;

10 (2) the use of covered services by transnational
11 criminal organizations, or criminal enterprises acting
12 on behalf of transnational criminal organizations, to
13 engage in illicit activities or conduct in support of il-
14 licit activities, including—

15 (A) smuggling or trafficking involving nar-
16 cotics, other controlled substances, precursors
17 thereof, or other items prohibited under the
18 laws of the United States, Mexico, or another
19 relevant jurisdiction, including firearms;

20 (B) human smuggling or trafficking, with
21 a particular focus on the exploitation of chil-
22 dren; and

23 (C) transportation of bulk currency or
24 monetary instruments in furtherance of smug-
25 gling or trafficking; and

1 (3) the existing efforts of the Secretary of
2 Homeland Security, the Attorney General, the Sec-
3 retary of State, and relevant government and law
4 enforcement entities to counter, monitor, or other-
5 wise respond to the usage of covered services de-
6 scribed in paragraphs (1) and (2).

7 **SEC. 4. STRATEGY TO COMBAT CARTEL RECRUITMENT ON**
8 **SOCIAL MEDIA AND ONLINE PLATFORMS.**

9 (a) IN GENERAL.—Not later than 1 year after the
10 date of enactment of this Act, the Secretary of Homeland
11 Security, the Attorney General, and the Secretary of State
12 shall submit to the appropriate congressional committees
13 a joint strategy, to be known as the “National Strategy
14 to Combat Illicit Recruitment Activity by Transnational
15 Criminal Organizations on Social Media and Online Plat-
16 forms”, to combat the use of covered services by
17 transnational criminal organizations, or criminal enter-
18 prises acting on behalf of transnational criminal organiza-
19 tions, to recruit individuals located in the United States
20 to engage in or provide support for illicit activities occur-
21 ring in the United States, Mexico, or otherwise in prox-
22 imity to an international border of the United States.

23 (b) ELEMENTS.—

1 (1) IN GENERAL.—The strategy required under
2 subsection (a) shall, at a minimum, include the fol-
3 lowing:

4 (A) A proposal to improve cooperation be-
5 tween the Secretary of Homeland Security, the
6 Attorney General, the Secretary of State, and
7 relevant government and law enforcement enti-
8 ties.

9 (B) Recommendations to implement a
10 process for the voluntary reporting of informa-
11 tion regarding the recruitment efforts of
12 transnational criminal organizations, or crimi-
13 nal enterprises acting on behalf of transnational
14 criminal organizations, in the United States in-
15 volving covered services.

16 (C) A proposal to improve
17 intragovernmental coordination with respect to
18 the matters described in subsection (a), includ-
19 ing between the Department of Homeland Secu-
20 rity, the Department of Justice, the Depart-
21 ment of State, and State, Tribal, and local gov-
22 ernments.

23 (D) A proposal to improve coordination
24 within the Department of Homeland Security,
25 the Department of Justice, and the Department

1 of State and between the components of those
2 Departments with respect to the matters de-
3 scribed in subsection (a).

4 (E) Activities to facilitate increased intel-
5 ligence analysis for law enforcement purposes of
6 efforts of transnational criminal organizations,
7 or criminal enterprises acting on behalf of
8 transnational criminal organizations, to utilize
9 covered services for recruitment to engage in or
10 provide support with respect to illicit activities.

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

16 (G) Activities to specifically increase en-
17 gagement and outreach with youth in border
18 communities, including regarding the recruit-
19 ment tactics of transnational criminal organiza-
20 tions, or criminal enterprises acting on behalf of
21 transnational criminal organizations, and the
22 consequences of participation in illicit activities.

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

1 (i) law enforcement and intelligence
2 activities focus on the recruitment activi-
3 ties of transnational criminal organiza-
4 tions, or criminal enterprises acting on be-
5 half of transnational criminal organiza-
6 tions, rather than individuals the
7 transnational criminal organizations or en-
8 terprises, as the case may be, attempt to
9 or successfully recruit; and

10 (ii) the protection of privacy rights,
11 civil rights, and civil liberties in carrying
12 out the activities described in clause (i),
13 with a particular focus on the protections
14 in place to protect minors and constitu-
15 tionally protected activities.

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

22 (c) CONSULTATION.—In drafting and implementing
23 the strategy required under subsection (a), the Secretary
24 of Homeland Security, the Attorney General, and the Sec-

1 retary of State shall, at a minimum, consult and engage
2 with—

3 (1) the heads of relevant components of the De-
4 partment of Homeland Security, including—

5 (A) the Under Secretary for Intelligence
6 and Analysis;

7 (B) the Under Secretary for Strategy, Pol-
8 icy, and Plans;

9 (C) the Under Secretary for Science and
10 Technology;

11 (D) the Commissioner of U.S. Customs
12 and Border Protection;

13 (E) the Director of U.S. Immigration and
14 Customs Enforcement;

15 (F) the Officer for Civil Rights and Civil
16 Liberties;

17 (G) the Privacy Officer; and

18 (H) the Assistant Secretary of the Office
19 for State and Local Law Enforcement;

20 (2) the heads of relevant components of the De-
21 partment of Justice, including—

22 (A) the Assistant Attorney General for the
23 Criminal Division;

24 (B) the Assistant Attorney General for Na-
25 tional Security;

1 (C) the Assistant Attorney General for the
2 Civil Rights Division;

3 (D) the Chief Privacy and Civil Liberties
4 Officer;

5 (E) the Director of the Organized Crime
6 Drug Enforcement Task Forces;

7 (F) the Director of the Federal Bureau of
8 Investigation; and

9 (G) the Director of the Bureau of Alcohol,
10 Tobacco, Firearms, and Explosives;

11 (3) the heads of relevant components of the De-
12 partment of State, including—

13 (A) the Assistant Secretary for Inter-
14 national Narcotics and Law Enforcement Af-
15 fairs;

16 (B) the Assistant Secretary for Western
17 Hemisphere Affairs; and

18 (C) the Coordinator of the Global Engage-
19 ment Center;

20 (4) the Secretary of Health and Human Serv-
21 ices;

22 (5) the Secretary of Education; and

23 (6) as selected by the Secretary of Homeland
24 Security, or his or her designee in the Office of Pub-

1 lic Engagement, representatives of border commu-
2 nities, including representatives of—

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

6 (B) nongovernmental experts in the fields
7 of—

8 (i) civil rights and civil liberties;

9 (ii) online privacy;

10 (iii) humanitarian assistance for mi-
11 grants; and

12 (iv) youth outreach and rehabilitation.

13 (d) IMPLEMENTATION.—

14 (1) IN GENERAL.—Not later than 90 days after
15 the date on which the strategy required under sub-
16 section (a) is submitted to the appropriate congress-
17 sional committees, the Secretary of Homeland Secu-
18 rity, the Attorney General, and the Secretary of
19 State shall commence implementation of the strat-
20 egy.

21 (2) REPORT.—

22 (A) IN GENERAL.—Not later than 180
23 days after the date on which the strategy re-
24 quired under subsection (a) is implemented
25 under paragraph (1), and semiannually there-

1 after for 5 years, the Secretary of Homeland
2 Security, the Attorney General, and the Sec-
3 retary of State shall submit to the appropriate
4 congressional committees a joint report describ-
5 ing the efforts of the Secretary of Homeland
6 Security, the Attorney General, and the Sec-
7 retary of State, respectively, to implement the
8 strategy required under subsection (a) and the
9 progress of those efforts, which shall include a
10 description of—

11 (i) the recommendations, and cor-
12 responding implementation of those rec-
13 ommendations, with respect to the matters
14 described in subsection (b)(1)(B);

15 (ii) the interagency posture with re-
16 spect to the matters covered by the strat-
17 egy required under subsection (a), which
18 shall include a description of collaboration
19 between the Secretary of Homeland Secu-
20 rity, the Attorney General, the Secretary of
21 State, other Federal entities, State, local,
22 and Tribal entities, foreign governments
23 and, as applicable, multilateral institu-
24 tions,; and

1 (iii) the threat landscape, including
2 new developments related to the recruit-
3 ment efforts of transnational criminal or-
4 ganizations, or criminal enterprises acting
5 on behalf of transnational criminal organi-
6 zations, and the use by such organizations
7 or enterprises, as the case may be, of new
8 or emergent covered services and recruit-
9 ment methods.

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

13 (3) CIVIL RIGHTS, CIVIL LIBERTIES, AND PRI-
14 VACY ASSESSMENT.—Not later than 2 years after
15 the date on which the strategy required under sub-
16 section (a) is implemented under paragraph (1), the
17 Office for Civil Rights and Civil Liberties and the
18 Privacy Office of the Department of Homeland Se-
19 curity, in consultation with the Assistant Attorney
20 General for the Civil Rights Division and the Chief
21 Privacy and Civil Liberties Officer of the Depart-
22 ment of Justice, shall submit to the appropriate con-
23 gressional committees a joint report that includes—

24 (A) a detailed assessment of the measures
25 used to ensure the protection of civil rights,

1 civil liberties, and privacy rights in carrying out
2 this section; and

3 (B) recommendations to improve the im-
4 plementation of the strategy required under
5 subsection (a).

6 (4) RULEMAKING.—Prior to implementation of
7 the strategy required under subsection (a) at the
8 Department of Homeland Security, the Secretary of
9 Homeland Security shall issue rules to carry out this
10 section in accordance with section 553 of title 5,
11 United States Code.

12 **SEC. 5. RULE OF CONSTRUCTION.**

13 Nothing in this Act may be construed to expand the
14 statutory law enforcement or regulatory authority of the
15 Department of Homeland Security, the Department of
16 Justice, or the Department of State.

17 **SEC. 6. NO ADDITIONAL FUNDS.**

18 No additional funds are authorized to be appro-
19 priated for the purpose of carrying out this Act.

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