

117TH CONGRESS
2D SESSION

H. R. 6873

IN THE SENATE OF THE UNITED STATES

MAY 18 (legislative day, MAY 17), 2022

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To amend the Homeland Security Act of 2002 to establish
the Office for Bombing Prevention to address terrorist
explosive threats, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Bombing Prevention
3 Act of 2022”.

4 **SEC. 2. OFFICE FOR BOMBING PREVENTION.**

5 (a) IN GENERAL.—Title XXII of the Homeland Se-
6 curity Act of 2002 (6 U.S.C. 651 et seq.) is amended by
7 adding at the end the following new subtitle:

8 **“Subtitle D—Bombing Prevention**

9 **“SEC. 2241. OFFICE FOR BOMBING PREVENTION.**

10 “(a) ESTABLISHMENT.—There is established within
11 the Department an Office for Bombing Prevention (in this
12 section referred to as the ‘Office’).

13 “(b) ACTIVITIES.—The Office shall have the primary
14 responsibility within the Department for enhancing the
15 ability and coordinating the efforts of the United States
16 to deter, detect, prevent, protect against, mitigate, and re-
17 spond to terrorist explosive threats and attacks in the
18 United States, including by carrying out the following:

19 “(1) Advising the Secretary on matters related
20 to terrorist explosive threats and attacks in the
21 United States.

22 “(2) Coordinating the efforts of the Depart-
23 ment to counter terrorist explosive threats and at-
24 tacks in the United States, including by carrying out
25 the following:

1 “(A) Developing, in coordination with the
2 Under Secretary for Strategy, Policy, and
3 Plans, the Department’s strategy against ter-
4 rorist explosives threats and attacks, including
5 efforts to support the security and preparedness
6 of critical infrastructure and the public sector
7 and private sector.

8 “(B) Leading the prioritization of the De-
9 partment’s efforts against terrorist explosive
10 threats and attacks, including preparedness and
11 operational requirements.

12 “(C) Ensuring, in coordination with the
13 Under Secretary for Science and Technology
14 and the Administrator of the Federal Emer-
15 gency Management Agency, the identification,
16 evaluation, and availability of effective tech-
17 nology applications through field pilot testing
18 and acquisition of such technology applications
19 by the public sector to deter, detect, prevent,
20 protect against, mitigate, and respond to ter-
21 rorist explosive threats and attacks in the
22 United States.

23 “(D) Providing advice and recommenda-
24 tions to the Administrator of the Federal Emer-
25 gency Management Agency regarding the effec-

1 tive use of grants authorized under section
2 2002.

3 “(E) In coordination with the Assistant
4 Secretary for Countering Weapons of Mass De-
5 struction, aligning Department efforts related
6 to terrorist explosive threats and attacks in the
7 United States and weapons of mass destruction.

8 “(3) Engaging other Federal departments and
9 agencies, including Sector Risk Management Agen-
10 cies, regarding terrorist explosive threats and at-
11 tacks in the United States.

12 “(4) Facilitating information sharing and deci-
13 sion support of the public and private sector involved
14 in deterrence, detection, prevention, protection
15 against, mitigation of, and response to terrorist ex-
16 plosive threats and attacks in the United States.
17 Such sharing and support may include the following:

18 “(A) Operating and maintaining a secure
19 information sharing system that allows the
20 sharing of critical information and data relating
21 to terrorist explosive attack tactics, techniques,
22 procedures, and security capabilities, including
23 information and data described in paragraph
24 (6) and section 2242.

1 “(B) Working with international partners,
2 in coordination with the Office for International
3 Affairs of the Department, to develop and share
4 effective practices to deter, prevent, detect, pro-
5 tect against, mitigate, and respond to terrorist
6 explosive threats and attacks in the United
7 States.

8 “(5) Promoting security awareness among the
9 public and private sector and the general public re-
10 garding the risks posed by the misuse of explosive
11 precursor chemicals and other bomb-making mate-
12 rials.

13 “(6) Providing training, guidance, assessments,
14 and planning assistance to the public and private
15 sector, as appropriate, to help counter the risk of
16 terrorist explosive threats and attacks in the United
17 States.

18 “(7) Conducting analysis and planning for the
19 capabilities and requirements necessary for the pub-
20 lic and private sector, as appropriate, to deter, de-
21 tect, prevent, protect against, mitigate, and respond
22 to terrorist explosive threats and attacks in the
23 United States by carrying out the following:

24 “(A) Maintaining a database on capabili-
25 ties and requirements, including capabilities

1 and requirements of public safety bomb squads,
2 explosive detection canine teams, special tactics
3 teams, public safety dive teams, and recipients
4 of services described in section 2242.

5 “(B) Applying the analysis derived from
6 the database described in subparagraph (A)
7 with respect to the following:

8 “(i) Evaluating progress toward clos-
9 ing identified gaps relating to national
10 strategic goals and standards related to de-
11 terring, detecting, preventing, protecting
12 against, mitigating, and responding to ter-
13 rorist explosive threats and attacks in the
14 United States.

15 “(ii) Informing decisions relating to
16 homeland security policy, assistance, train-
17 ing, research, development efforts, testing
18 and evaluation, and related requirements
19 regarding deterring, detecting, preventing,
20 protecting against, mitigating, and re-
21 sponding to terrorist explosive threats and
22 attacks in the United States.

23 “(8) Promoting secure information sharing of
24 sensitive material and promoting security awareness,
25 including by carrying out the following:

1 “(A) Operating and maintaining a secure
2 information sharing system that allows the
3 sharing among and between the public and pri-
4 vate sector of critical information relating to ex-
5 plosive attack tactics, techniques, and proce-
6 dures.

7 “(B) Educating the public and private sec-
8 tors about explosive precursor chemicals.

9 “(C) Working with international partners,
10 in coordination with the Office for International
11 Affairs of the Department, to develop and share
12 effective practices to deter, detect, prevent, pro-
13 tect against, mitigate, and respond to terrorist
14 explosive threats and attacks in the United
15 States.

16 “(D) Executing national public awareness
17 and vigilance campaigns relating to terrorist ex-
18 plosive threats and attacks in the United
19 States, preventing explosive attacks, and activi-
20 ties and measures underway to safeguard the
21 United States.

22 “(E) Working with relevant stakeholder or-
23 ganizations.

24 “(9) Providing any other assistance the Sec-
25 retary determines necessary.

1 **“SEC. 2242. COUNTERING EXPLOSIVE DEVICES TECHNICAL**
2 **ASSISTANCE.**

3 “(a) ESTABLISHMENT.—Upon request, the Secretary
4 shall, to the extent practicable, provide to the public and
5 private sector technical assistance services to support the
6 security and preparedness of such sectors, as appropriate,
7 to counter terrorist explosive threats and attacks that pose
8 a risk in certain jurisdictions, including vulnerable and
9 disadvantaged communities, to critical infrastructure fa-
10 cilities, or to special events, as appropriate.

11 “(b) ELEMENTS.—Technical assistance services pro-
12 vided pursuant to subsection (a) shall—

13 “(1) support the planning and implementation
14 of effective measures to deter, detect, prevent, pro-
15 tect against, mitigate, and respond to terrorist ex-
16 plosive threats and attacks in the United States, in-
17 cluding effective strategic risk management and
18 emergency operations plans;

19 “(2) support the security of explosive precursor
20 chemicals and other bomb-making materials outside
21 of regulatory control;

22 “(3) support efforts to prepare for and respond
23 to bomb threats or other acts involving the malicious
24 conveyance of false information concerning terrorist
25 explosive threats and attacks in the United States;

1 “(4) make available resources to enhance deter-
2 rence, prevention, detection, protection, mitigation,
3 and response capabilities for terrorist explosive
4 threats and attacks in the United States, including
5 coordination and communication, to better integrate
6 State, local, Tribal, and territorial and private sector
7 capabilities and assets, as appropriate, with Federal
8 operations;

9 “(5) make available augmenting resources, as
10 appropriate, to enable State, local, Tribal, and terri-
11 torial governments to sustain and refresh their capa-
12 bilities;

13 “(6) track performance in meeting the goals
14 and associated plans of the provision of such tech-
15 nical assistance; and

16 “(7) include any other assistance the Secretary
17 determines necessary.

18 **“SEC. 2243. RELATIONSHIP TO OTHER DEPARTMENT COM-**
19 **PONENTS AND FEDERAL AGENCIES.**

20 “(a) IN GENERAL.—The authority of the Secretary
21 under this subtitle shall not affect or diminish the author-
22 ity or the responsibility of any officer of any other Federal
23 agency with respect to the command, control, or direction
24 of the functions, personnel, funds, assets, or liabilities of
25 any other such Federal agency.

1 “(b) DEPARTMENT COMPONENTS.—Nothing in this
2 subtitle or any other provision of law may be construed
3 to affect or reduce the responsibilities of—

4 “(1) the Countering Weapons of Mass Destruction
5 Office or the Assistant Secretary of the Office,
6 including with respect to any asset, function, or mission
7 of the Office or the Assistant Secretary, as the
8 case may be;

9 “(2) the Federal Emergency Management
10 Agency or the Administrator of the Agency, including
11 the diversion of any asset, function, or mission
12 of the Agency or the Administrator as the case may
13 be; or

14 “(3) the Transportation Security Administration
15 or the Administrator of the Administration, including
16 the diversion of any asset, function, or mission
17 of the Administration or the Administrator, as
18 the case may be.”.

19 (b) STRATEGY AND REPORTS.—

20 (1) STRATEGY.—Not later than one year after
21 the date of the enactment of this Act, the head of
22 the Office for Bombing Prevention of the Department
23 of Homeland Security (established pursuant to
24 section 2241 of the Homeland Security Act of 2002,
25 as added by subsection (a)), in consultation with the

1 heads of other components of the Department and
2 the heads of other Federal agencies, as appropriate,
3 shall develop a strategy to align the Office's activi-
4 ties with the threat environment and stakeholder
5 needs, and make the public and private sector aware
6 of the Office's capabilities. Such strategy shall in-
7 clude the following elements:

8 (A) Information on terrorist explosive
9 threats, tactics, and attacks in the United
10 States.

11 (B) Information, by region of the United
12 States, regarding public and private sector enti-
13 ties likely to be targeted by terrorist explosive
14 threats and attacks in the United States, in-
15 cluding historically black colleges and univer-
16 sities and minority serving institutions, places
17 of worship, health care facilities, transportation
18 systems, commercial facilities, and government
19 facilities.

20 (C) Guidance on how outreach to owners
21 and operators of critical infrastructure (as such
22 term is defined in section 1016(e) of Public
23 Law 107-56 (42 U.S.C. 5195c(e))) in a region
24 should be prioritized.

1 (D) A catalogue of the services and train-
2 ing currently offered by the Office, and a de-
3 scription of how such services and trainings as-
4 sist the public and private sector to deter, de-
5 tect, prevent, protect against, mitigate, and re-
6 spond to terrorist explosive threats and attacks
7 in the United States.

8 (E) Long-term objectives of the Office, in-
9 cluding future service and training offerings.

10 (F) Metrics for measuring the effectiveness
11 of services and trainings offered by the Office.

12 (G) An assessment of resource require-
13 ments necessary to implement such strategy.

14 (H) A description of how the Office part-
15 ners with other components of the Department
16 and other Federal agencies to carry out its mis-
17 sion.

18 (2) REPORTS.—Not later than one year after
19 the date of the enactment of this Act and annually
20 thereafter, the Secretary of Homeland Security shall
21 submit to the Committee on Homeland Security of
22 the House of Representatives and the Committee on
23 Homeland Security and Governmental Affairs of the
24 Senate a report describing the activities of the Office
25 for Bombing Prevention of the Department of

1 Homeland Security (established pursuant to section
2 2241 of the Homeland Security Act of 2002, as
3 added by subsection (a)). Each such report shall in-
4 clude information on the following:

5 (A) Changes to terrorist explosive threats,
6 tactics, and attacks in the United States.

7 (B) Changes to the types of public and pri-
8 vate sector entities likely to be targeted by ter-
9 rorist explosive threats and attacks in the
10 United States.

11 (C) The number of trainings, assessments,
12 and other engagements carried out by the Of-
13 fice within each region of the United States, in-
14 cluding a description of the critical infrastruc-
15 ture sector or stakeholder served.

16 (D) The number of trainings, assessments,
17 or other engagements the Office was asked to
18 conduct but did not, and an explanation relat-
19 ing thereto.

20 (E) The effectiveness of the trainings, as-
21 sessments, or other engagements provided by
22 the Office based on the metrics described in
23 paragraph (1)(F).

24 (F) Any changes or anticipated changes in
25 the trainings, assessments, and other engage-

1 ments, or any other services, offered by the Of-
 2 fice, and an explanation relating thereto.

3 (c) CLERICAL AMENDMENT.—The table of contents
 4 in section 1(b) of the Homeland Security Act of 2002 is
 5 amended by inserting after the item relating to section
 6 2238 the following new items:

“Subtitle D—Bombing Prevention

“Sec. 2241. Office for Bombing Prevention.

“Sec. 2242. Countering explosive devices technical assistance.

“Sec. 2243. Relationship to other Department components and Federal agen-
 cies.”.

7 **SEC. 3. EXPLOSIVES TECHNOLOGY DEVELOPMENT.**

8 (a) IN GENERAL.—Title III of the Homeland Secu-
 9 rity Act of 2002 (6 U.S.C. 181 et seq.) is amended by
 10 adding at the end the following new section:

11 **“SEC. 323. EXPLOSIVES RESEARCH AND DEVELOPMENT.**

12 “(a) IN GENERAL.—The Secretary, acting through
 13 the Under Secretary for Science and Technology, and in
 14 coordination with the head of the Office for Bombing Pre-
 15 vention and the Assistant Secretary for the Countering
 16 Weapons of Mass Destruction Office, and in consultation
 17 with the Attorney General, the Secretary of Defense, and
 18 the head of any other relevant Federal department or
 19 agency, including Sector Risk Management Agencies, shall
 20 ensure coordination and information sharing regarding
 21 nonmilitary research, development, testing, and evaluation
 22 activities of the Federal Government relating to the deter-

1 rence, detection, prevention, protection against, mitigation
2 of, and response to terrorist explosive threats and attacks
3 in the United States.

4 “(b) LEVERAGING MILITARY RESEARCH.—The Sec-
5 retary, acting through the Under Secretary for Science
6 and Technology, and in coordination with the head of the
7 Office for Bombing Prevention and the Assistant Sec-
8 retary for the Countering of Weapons of Mass Destruction
9 Office, shall consult with the Secretary of Defense and the
10 head of any other relevant Federal department or agency,
11 including Sector Risk Management Agencies, to ensure
12 that, to the maximum extent possible, military policies and
13 procedures, and research, development, testing, and eval-
14 uation activities relating to the deterrence, detection, pre-
15 vention, protection against, mitigation of, and response to
16 terrorist explosive threats and attacks in the United
17 States are adapted to nonmilitary uses.”.

18 (b) CLERICAL AMENDMENT.—The table of contents
19 in section 1(b) of the Homeland Security Act of 2002 is

- 1 amended by inserting after the item relating to section
- 2 322 the following new item:

“Sec. 323. Explosives research and development.”.

Passed the House of Representatives May 17, 2022.

Attest: CHERYL L. JOHNSON,
Clerk.