

117TH CONGRESS
2D SESSION

H. R. 6873

To amend the Homeland Security Act of 2002 to establish the Office for Bombing Prevention to address terrorist explosive threats, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2022

Mr. MALINOWSKI (for himself and Mr. CRAWFORD) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bombing Prevention
5 Act of 2022”.

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

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

1 **“Subtitle D—Bombing Prevention**

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

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

6 “(b) ACTIVITIES.—The Office shall have the primary
7 responsibility within the Department for enhancing the
8 ability and coordinating the efforts of the United States
9 to deter, detect, prevent, protect against, mitigate, and re-
10 spond to terrorist explosive threats and attacks in the
11 United States, including by carrying out the following:

12 “(1) Advising the Secretary on matters related
13 to terrorist explosive threats and attacks in the
14 United States.

15 “(2) Coordinating the efforts of the Depart-
16 ment to counter terrorist explosive threats and at-
17 tacks in the United States, including by carrying out
18 the following:

19 “(A) Developing, in coordination with the
20 Under Secretary for Strategy, Policy, and
21 Plans, the Department’s strategy against ter-
22 rorist explosives threats and attacks, including
23 efforts to support the security and preparedness
24 of critical infrastructure and the public sector
25 and private sector.

1 “(B) Leading the prioritization of the De-
2 partment’s efforts against terrorist explosive
3 threats and attacks, including preparedness and
4 operational requirements.

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

16 “(D) Providing advice and recommenda-
17 tions to the Administrator of the Federal Emer-
18 gency Management Agency regarding the effec-
19 tive use of grants authorized under section
20 2002.

21 “(E) In coordination with the Assistant
22 Secretary for Countering Weapons of Mass De-
23 struction, aligning Department efforts related
24 to terrorist explosive threats and attacks in the
25 United States and weapons of mass destruction.

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

5 “(4) Facilitating information sharing and deci-
6 sion support of the public and private sector involved
7 in deterrence, detection, prevention, protection
8 against, mitigation of, and response to terrorist ex-
9 plosive threats and attacks in the United States.

10 Such sharing and support may include the following:

11 “(A) Operating and maintaining a secure
12 information sharing system that allows the
13 sharing of critical information and data relating
14 to terrorist explosive attack tactics, techniques,
15 procedures, and security capabilities, including
16 information and data described in paragraph
17 (6) and section 2242.

18 “(B) Working with international partners,
19 in coordination with the Office for International
20 Affairs of the Department, to develop and share
21 effective practices to deter, prevent, detect, pro-
22 tect against, mitigate, and respond to terrorist
23 explosive threats and attacks in the United
24 States.

1 “(5) Promoting security awareness among the
2 public and private sector and the general public re-
3 garding the risks posed by the misuse of explosive
4 precursor chemicals and other bomb-making mate-
5 rials.

6 “(6) Providing training, guidance, assessments,
7 and planning assistance to the public and private
8 sector, as appropriate, to help counter the risk of
9 terrorist explosive threats and attacks in the United
10 States.

11 “(7) Conducting analysis and planning for the
12 capabilities and requirements necessary for the pub-
13 lic and private sector, as appropriate, to deter, de-
14 tect, prevent, protect against, mitigate, and respond
15 to terrorist explosive threats and attacks in the
16 United States by carrying out the following:

17 “(A) Maintaining a database on capabili-
18 ties and requirements, including capabilities
19 and requirements of public safety bomb squads,
20 explosive detection canine teams, special tactics
21 teams, public safety dive teams, and recipients
22 of services described in section 2242.

23 “(B) Applying the analysis derived from
24 the database described in subparagraph (A)
25 with respect to the following:

1 “(i) Evaluating progress toward clos-
2 ing identified gaps relating to national
3 strategic goals and standards related to de-
4 terring, detecting, preventing, protecting
5 against, mitigating, and responding to ter-
6 rorist explosive threats and attacks in the
7 United States.

8 “(ii) Informing decisions relating to
9 homeland security policy, assistance, train-
10 ing, research, development efforts, testing
11 and evaluation, and related requirements
12 regarding deterring, detecting, preventing,
13 protecting against, mitigating, and re-
14 sponding to terrorist explosive threats and
15 attacks in the United States.

16 “(8) Promoting secure information sharing of
17 sensitive material and promoting security awareness,
18 including by carrying out the following:

19 “(A) Operating and maintaining a secure
20 information sharing system that allows the
21 sharing among and between the public and pri-
22 vate sector of critical information relating to ex-
23 plosive attack tactics, techniques, and proce-
24 dures.

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

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

10 “(D) Executing national public awareness
11 and vigilance campaigns relating to terrorist ex-
12 plosive threats and attacks in the United
13 States, preventing explosive attacks, and activi-
14 ties and measures underway to safeguard the
15 United States.

16 “(E) Working with relevant stakeholder or-
17 ganizations.

18 “(9) Providing any other assistance the Sec-
19 retary determines necessary.

20 **“SEC. 2242. COUNTERING EXPLOSIVE DEVICES TECHNICAL**
21 **ASSISTANCE.**

22 “(a) ESTABLISHMENT.—Upon request, the Secretary
23 shall, to the extent practicable, provide to the public and
24 private sector technical assistance services to support the
25 security and preparedness of such sectors, as appropriate,

1 to counter terrorist explosive threats and attacks that pose
2 a risk in certain jurisdictions, including vulnerable and
3 disadvantaged communities, to critical infrastructure fa-
4 cilities, or to special events, as appropriate.

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

7 “(1) support the planning and implementation
8 of effective measures to deter, detect, prevent, pro-
9 tect against, mitigate, and respond to terrorist ex-
10 plosive threats and attacks in the United States, in-
11 cluding effective strategic risk management and
12 emergency operations plans;

13 “(2) support the security of explosive precursor
14 chemicals and other bomb-making materials outside
15 of regulatory control;

16 “(3) support efforts to prepare for and respond
17 to bomb threats or other acts involving the malicious
18 conveyance of false information concerning terrorist
19 explosive threats and attacks in the United States;

20 “(4) make available resources to enhance deter-
21 rence, prevention, detection, protection, mitigation,
22 and response capabilities for terrorist explosive
23 threats and attacks in the United States, including
24 coordination and communication, to better integrate
25 State, local, Tribal, and territorial and private sector

1 capabilities and assets, as appropriate, with Federal
2 operations;

3 “(5) make available augmenting resources, as
4 appropriate, to enable State, local, Tribal, and terri-
5 torial governments to sustain and refresh their capa-
6 bilities;

7 “(6) track performance in meeting the goals
8 and associated plans of the provision of such tech-
9 nical assistance; and

10 “(7) include any other assistance the Secretary
11 determines necessary.

12 **“SEC. 2243. RELATIONSHIP TO OTHER DEPARTMENT COM-**
13 **PONENTS AND FEDERAL AGENCIES.**

14 “(a) IN GENERAL.—The authority of the Secretary
15 under this subtitle shall not affect or diminish the author-
16 ity or the responsibility of any officer of any other Federal
17 agency with respect to the command, control, or direction
18 of the functions, personnel, funds, assets, or liabilities of
19 any other such Federal agency.

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

23 “(1) the Countering Weapons of Mass Destruc-
24 tion Office or the Assistant Secretary of the Office,
25 including with respect to any asset, function, or mis-

1 sion of the Office or the Assistant Secretary, as the
2 case may be;

3 “(2) the Federal Emergency Management
4 Agency or the Administrator of the Agency, includ-
5 ing the diversion of any asset, function, or mission
6 of the Agency or the Administrator as the case may
7 be; or

8 “(3) the Transportation Security Administra-
9 tion or the Administrator of the Administration, in-
10 cluding the diversion of any asset, function, or mis-
11 sion of the Administration or the Administrator, as
12 the case may be.”.

13 (b) CLERICAL AMENDMENT.—The table of contents
14 in section 1(b) of the Homeland Security Act of 2002 is
15 amended by inserting after the item relating to section
16 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.”.

17 **SEC. 3. EXPLOSIVES TECHNOLOGY DEVELOPMENT.**

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

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

2 “(a) IN GENERAL.—The Secretary, acting through
3 the Under Secretary for Science and Technology, and in
4 coordination with the head of the Office for Bombing Pre-
5 vention and the Assistant Secretary for the Countering
6 Weapons of Mass Destruction Office, and in consultation
7 with the Attorney General, the Secretary of Defense, and
8 the head of any other relevant Federal department or
9 agency, including Sector Risk Management Agencies, shall
10 ensure coordination and information sharing regarding
11 nonmilitary research, development, testing, and evaluation
12 activities of the Federal Government relating to the deter-
13 rence, detection, prevention, protection against, mitigation
14 of, and response to terrorist explosive threats and attacks
15 in the United States.

16 “(b) LEVERAGING MILITARY RESEARCH.—The Sec-
17 retary, acting through the Under Secretary for Science
18 and Technology, and in coordination with the head of the
19 Office for Bombing Prevention and the Assistant Sec-
20 retary for the Countering of Weapons of Mass Destruction
21 Office, shall consult with the Secretary of Defense and the
22 head of any other relevant Federal department or agency,
23 including Sector Risk Management Agencies, to ensure
24 that, to the maximum extent possible, military policies and
25 procedures, and research, development, testing, and eval-
26 uation activities relating to the deterrence, detection, pre-

1 vention, protection against, mitigation of, and response to
2 terrorist explosive threats and attacks in the United
3 States are adapted to nonmilitary uses.”.

4 (b) CLERICAL AMENDMENT.—The table of contents
5 in section 1(b) of the Homeland Security Act of 2002 is
6 amended by inserting after the item relating to section
7 322 the following new item:

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

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