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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

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

MR. MALINOWSKI introduced the following bill; which was referred to the Committee on _____

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”.

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

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

5 **“Subtitle D—Bombing Prevention**

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

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

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

16 “(1) Advising the Secretary on matters related
17 to terrorist explosive threats and attacks in the
18 United States.

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

23 “(A) Developing, in coordination with the
24 Under Secretary for Strategy, Policy, and
25 Plans, the Department’s strategy against ter-
26 rorist explosives threats and attacks, including

1 efforts to support the security and preparedness
2 of critical infrastructure and the public sector
3 and private sector.

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

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

19 “(D) Providing advice and recommenda-
20 tions to the Administrator of the Federal Emer-
21 gency Management Agency regarding the effec-
22 tive use of grants authorized under section
23 2002.

24 “(E) In coordination with the Assistant
25 Secretary for Countering Weapons of Mass De-

1 struction, aligning Department efforts related
2 to terrorist explosive threats and attacks in the
3 United States and weapons of mass destruction.

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

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

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

21 “(B) Working with international partners,
22 in coordination with the Office for International
23 Affairs of the Department, to develop and share
24 effective practices to deter, prevent, detect, pro-
25 tect against, mitigate, and respond to terrorist

1 explosive threats and attacks in the United
2 States.

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

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

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

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

1 “(B) Applying the analysis derived from
2 the database described in subparagraph (A)
3 with respect to the following:

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

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

19 “(8) Promoting secure information sharing of
20 sensitive material and promoting security awareness,
21 including by carrying out the following:

22 “(A) Operating and maintaining a secure
23 information sharing system that allows the
24 sharing among and between the public and pri-
25 vate sector of critical information relating to ex-

1 plosive attack tactics, techniques, and proce-
2 dures.

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

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

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

18 “(E) Working with relevant stakeholder or-
19 ganizations.

20 “(9) Providing any other assistance the Sec-
21 retary determines necessary.

22 **“SEC. 2242. COUNTERING EXPLOSIVE DEVICES TECHNICAL**
23 **ASSISTANCE.**

24 “(a) ESTABLISHMENT.—Upon request, the Secretary
25 shall, to the extent practicable, provide to the public and

1 private sector technical assistance services to support the
2 security and preparedness of such sectors, as appropriate,
3 to counter terrorist explosive threats and attacks that pose
4 a risk in certain jurisdictions, including vulnerable and
5 disadvantaged communities, to critical infrastructure fa-
6 cilities, or to special events, as appropriate.

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

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

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

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

22 “(4) make available resources to enhance deter-
23 rence, prevention, detection, protection, mitigation,
24 and response capabilities for terrorist explosive
25 threats and attacks in the United States, including

1 coordination and communication, to better integrate
2 State, local, Tribal, and territorial and private sector
3 capabilities and assets, as appropriate, with Federal
4 operations;

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

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

12 “(7) include any other assistance the Secretary
13 determines necessary.

14 **“SEC. 2243. RELATIONSHIP TO OTHER DEPARTMENT COM-**
15 **PONENTS AND FEDERAL AGENCIES.**

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

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

1 “(1) the Countering Weapons of Mass Destruc-
2 tion Office or the Assistant Secretary of the Office,
3 including with respect to any asset, function, or mis-
4 sion of the Office or the Assistant Secretary, as the
5 case may be;

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

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

16 (b) CLERICAL AMENDMENT.—The table of contents
17 in section 1(b) of the Homeland Security Act of 2002 is
18 amended by inserting after the item relating to section
19 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.”.

1 **SEC. 3. EXPLOSIVES TECHNOLOGY DEVELOPMENT.**

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

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

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

20 “(b) LEVERAGING MILITARY RESEARCH.—The Sec-
21 retary, acting through the Under Secretary for Science
22 and Technology, and in coordination with the head of the
23 Office for Bombing Prevention and the Assistant Sec-
24 retary for the Countering of Weapons of Mass Destruction
25 Office, shall consult with the Secretary of Defense and the
26 head of any other relevant Federal department or agency,

1 including Sector Risk Management Agencies, to ensure
2 that, to the maximum extent possible, military policies and
3 procedures, and research, development, testing, and eval-
4 uation activities relating to the deterrence, detection, pre-
5 vention, protection against, mitigation of, and response to
6 terrorist explosive threats and attacks in the United
7 States are adapted to nonmilitary uses.”.

8 (b) CLERICAL AMENDMENT.—The table of contents
9 in section 1(b) of the Homeland Security Act of 2002 is
10 amended by inserting after the item relating to section
11 322 the following new item:

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