

116TH CONGRESS  
2D SESSION

# S. 3467

To direct the Secretary of Homeland Security to share with State, local, and regional fusion centers release information from a Federal correctional facility, including name, charging date, and expected place and date of release, of certain individuals who may pose a terrorist threat, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 12, 2020

Mr. KENNEDY introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To direct the Secretary of Homeland Security to share with State, local, and regional fusion centers release information from a Federal correctional facility, including name, charging date, and expected place and date of release, of certain individuals who may pose a terrorist threat, 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 “Terrorist Release An-  
5       nouncements to Counter Extremist Recidivism Act” or the  
6       “TRACER Act”.

1 **SEC. 2. TERROR INMATE INFORMATION SHARING.**

2 (a) IN GENERAL.—The Secretary of Homeland Secu-  
3 rity, in coordination with the Attorney General and in con-  
4 sultation with other appropriate Federal officials, shall, as  
5 appropriate, share with State, local, and regional fusion  
6 centers through the Department of Homeland Security  
7 State, Local, and Regional Fusion Center Initiative under  
8 section 210A of the Homeland Security Act of 2002 (6  
9 U.S.C. 124h), as well as other relevant law enforcement  
10 entities, release information from a Federal correctional  
11 facility, including the name, charging date, and expected  
12 place and date of release, of certain individuals who may  
13 pose a terrorist threat.

14 (b) SCOPE.—The information shared pursuant to  
15 subsection (a) shall be—

16 (1) for homeland security purposes; and

17 (2) regarding individuals convicted of a Federal  
18 crime that is or is related to an act of terrorism (as  
19 such term is defined in section 3077 of title 18,  
20 United States Code).

21 (c) PERIODIC THREAT ASSESSMENTS.—Consistent  
22 with the protection of classified information and controlled  
23 unclassified information, the Secretary of Homeland Secu-  
24 rity shall coordinate with appropriate Federal officials to  
25 provide State, local, and regional fusion centers described  
26 in subsection (a) with periodic assessments regarding the

1 overall threat from known or suspected terrorists currently  
2 incarcerated in a Federal correctional facility, including  
3 the assessed risks of such populations engaging in ter-  
4 rorist activity upon release.

5 (d) PRIVACY PROTECTION.—Prior to affecting the in-  
6 formation sharing described in subsection (a), the Sec-  
7 retary of Homeland Security shall receive input and advice  
8 regarding appropriate measures to protect personal pri-  
9 vacy and potential disclosure implications from the Officer  
10 for Civil Rights and Civil Liberties, the Chief Privacy Offi-  
11 cer, the Chief Intelligence Officer of the Department of  
12 Homeland Security, and the Attorney General shall re-  
13 ceive input and advice from the Department of Justice  
14 Chief Privacy and Civil Liberties Officer.

15 (e) RULE OF CONSTRUCTION.—Nothing in this sec-  
16 tion may be construed as requiring the establishment of  
17 a list or registry of individuals convicted of terrorism.

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