

Mr. Speaker, terror groups have urged their supporters to carry out acts of violence by any means necessary, including by ramming a vehicle into a crowd. In fact, both ISIS and al-Qaida have published propaganda encouraging such vehicle-based terrorist attacks.

Sadly, over the past few years, vehicle-based terrorist attacks have been carried out at home and abroad, taking the lives and injuring too many innocent people. One of the most shocking attacks was carried out on July 14, 2016, when a truck plowed into a crowd celebrating France's Independence Day, which resulted in the deaths of 86 people and injured nearly 500.

More recently, in October of 2017, a driver took the lives of eight people when he purposely careened his truck into a path in Lower Manhattan that was full of pedestrians and cyclists.

This tactic has not confined itself to one ideological group. On August 12, 2017, a self-professed neo-Nazi drove his car into a crowd of counterprotestors demonstrating the march held by alt-right activists in Charlottesville, Virginia. The attack killed Heather D. Heyer and injured 35 others.

Just this month, a former Marine Corps reservist rammed his pickup truck into a convenience store in Watson, Louisiana. Later, we learned that he mistakenly believed the store was owned by Muslims.

To address this emerging threat, H.R. 4227 would require the Department of Homeland Security to report to Congress on support provided to emergency responders and private sector partners to counter the threat of vehicle-based attacks.

Mr. Speaker, I support this timely legislation and believe that enactment would improve DHS' efforts to prevent and reduce impacts of such attacks.

Mr. Speaker, I urge my colleagues to support this measure, and I reserve the balance of my time.

Mr. ESTES of Kansas. Mr. Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. LATTA), the sponsor of the bill.

Mr. LATTA. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise today in support of my legislation, H.R. 4227, the Vehicular Terrorism Prevention Act.

This bipartisan legislation requires the Secretary of Homeland Security to assess the activities the Department is undertaking to combat the threat of vehicular terrorism and submit a strategy to Congress on its findings and recommendations.

Over the past several years, I have been alarmed with the increased frequency that terrorists in Europe and around the world have used vehicles—oftentimes, rental vans or trucks—to commit heinous acts of violence. From Paris to Barcelona and Jerusalem to London, at least 138 people have been killed and countless others injured because of these attacks.

With the October attack in New York City showing that these extremist

groups will not hesitate to carry out the same attack on American soil, it is critical that the Department of Homeland Security is doing their due diligence regarding this threat.

Mr. Speaker, this legislation would specifically require DHS to assess the activities the Department is undertaking to support emergency response providers and the private sector to prevent, mitigate, and respond to the threat of vehicular terrorism.

Within 6 months of the bill's enactment, the Department must complete this assessment and submit to Congress a strategy that includes an examination of the current threat of vehicular terrorism, methods to improve information-sharing activities with emergency first responders and the private sector, and training activities the Department can undertake to prevent and prepare to respond to these attacks. The Secretary must also include any additional activities that DHS recommends to address the threat of vehicular terrorism.

Mr. Speaker, I want to thank Chairman MCCAUL, Ranking Member THOMPSON, Representative DONOVAN, and the entire House Homeland Security Committee for their work in advancing this bill to the House floor.

Mr. Speaker, I urge my colleagues to join with me in taking the next step to addressing this dangerous threat by passing H.R. 4227.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, the emergence of lone wolves who choose to ram vehicles into innocent people to advance their violent ideologies is a modern-day homeland security challenge. As threats to our homeland continue to evolve and as violent extremists continue to exploit soft targets, the risk to innocent bystanders grows. We must do our part to ensure that first responders in our cities, towns, and all places of living throughout the country have access to the necessary resources to keep themselves safe and secure. This legislation seeks to ensure that DHS does all it can to support such efforts.

Mr. Speaker, I would also note that this bill complements H.R. 5131, which is also being considered today and which directs DHS to disseminate best practices to stakeholders regarding ways to enhance transportation security against the threat of vehicle-based attacks.

Mr. Speaker, I strongly encourage my colleagues to support H.R. 4227, and I yield back the balance of my time.

Mr. ESTES of Kansas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I would like to thank Ranking Member THOMPSON.

I once again urge my fellow colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kansas (Mr. ESTES) that the House suspend the

rules and pass the bill, H.R. 4227, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ESTES of Kansas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### DHS FIELD ENGAGEMENT ACCOUNTABILITY ACT

Mr. BACON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5079) to amend the Homeland Security Act of 2002 to require the Department of Homeland Security to develop an engagement strategy with fusion centers, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5079

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “DHS Field Engagement Accountability Act”.

#### SEC. 2. ENGAGEMENT STRATEGY WITH FUSION CENTERS.

Section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h) is amended by—

(1) redesigning subsections (j) and (k) as subsections (k) and (l), respectively; and

(2) inserting after subsection (i) the following new subsection:

“(j) FUSION CENTER INFORMATION SHARING STRATEGY.—Not later than one year after the date of the enactment of this subsection, the Secretary shall develop and update at least once every five years a strategy for Department engagement with fusion centers. Such strategy shall be developed and updated in consultation with the heads of intelligence components of the Department, the Chief Privacy Officer of the Department, the Officer for Civil Rights and Civil Liberties of the Department, officials of fusion centers, officers designated as Homeland Security Advisors, and the heads of other relevant agencies, as appropriate. Such strategy shall include the following:

“(1) Specific goals and objectives for sharing information and engaging with fusion centers—

“(A) through the direct deployment of personnel from intelligence components of the Department;

“(B) through the use of Department unclassified and classified information sharing systems, including the Homeland Security Information Sharing Network and the Homeland Secure Data Network, or any successor systems; and

“(C) through any additional means.

“(2) The performance metrics to be used to measure success in achieving the goals and objectives referred to in paragraph (1).

“(3) A five-year plan for continued engagement with fusion centers.”.

#### SEC. 3. OFFICE OF INTELLIGENCE AND ANALYSIS FIELD PERSONNEL SUPPORT TO FUSION CENTERS.

(a) PERFORMANCE METRICS.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary for Intelligence and Analysis of the Department of Homeland Security shall—

(1) consider the effectiveness of existing processes to identify and prepare field personnel for deployment to support fusion centers and internal mechanisms to ensure oversight and accountability of such field personnel, including field personnel assigned to one center and field personnel assigned to multiple centers; and

(2) publish and disseminate performance metrics, taking into account, as appropriate, regional and threat diversity, for—

(A) field personnel from the Office of Intelligence and Analysis assigned to an individual fusion center;

(B) field personnel from the Office of Intelligence and Analysis assigned to multiple fusion centers; and

(C) regional Directors of the Office of Intelligence and Analysis to ensure accountability for monitoring all field personnel under the supervision of such Regional Directors.

(b) **TRAINING.**—In consultation with the Chief Information Officer of the Department of Homeland Security, the Under Secretary for Intelligence and Analysis of the Department shall develop and implement a formalized training module for fusion center personnel regarding the classified Homeland Secure Data Network of the Department, or any successor system.

(c) **FUSION CENTER DEFINED.**—In this section, the term “fusion center” has the meaning given such term in section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h).

#### **SEC. 4. DHS COMPONENT USAGE OF THE HOMELAND SECURITY INFORMATION NETWORK.**

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Chief Intelligence Officer of the Department of Homeland Security, in consultation with the Chief Information Officer of the Department, shall—

(1) develop policies and metrics to ensure effective use by components of the Department of the Department's unclassified Homeland Security Information Sharing Network, or any successor system; and

(2) develop policies for posting unclassified products on the Homeland Security Information Sharing Network, or any successor system.

(b) **TECHNICAL ENHANCEMENTS.**—The Chief Information Officer of the Department of Homeland Security, in consultation with the Chief Intelligence Officer of the Department, shall assess and implement, as appropriate, technical enhancements to the Homeland Security Information Sharing Network (HSIN) to improve usability, including search functionality, data analysis, and collaboration capabilities.

#### **SEC. 5. REPORT.**

Not later than 18 months after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the Committee on Homeland Security and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Select Committee on Intelligence of the Senate a report on the implementation of the following:

(1) The fusion center information sharing strategy required under subsection (j) of section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h), as added by section 2 of this Act, based on performance metrics developed pursuant to such strategy.

(2) Field personnel deployed to fusion centers (as such term is defined in section 210A of the Homeland Security Act of 2002 (6 U.S.C. 124h)) in accordance with section 3, based on performance metrics developed pursuant to such section.

(3) Policies that seek to ensure the effective use of the Homeland Security Information Sharing Network in accordance with section 4, based on the metrics developed pursuant to such section.

The **SPEAKER** pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BACON) and the gentleman from New Jersey (Mrs. WATSON COLEMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska.

#### **GENERAL LEAVE**

Mr. BACON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BACON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5079, the DHS Field Engagement Accountability Act. The sharing of counterterrorism and other homeland security information with State and local officials is vital in our efforts to protect the homeland.

Fusion centers as hubs for information sharing and analysis play a critical role in the domestic homeland security information-sharing environment. Over the years, there have been vast improvements in DHS' support for these key stakeholders, including the Nebraska Information Analysis Center, known as NIAC, in my home State of Nebraska.

H.R. 5079, the DHS Field Engagement Accountability Act, builds on ongoing efforts to hold DHS more accountable for supporting fusion centers and fully utilizing them as a resource to the Federal Government.

First, it requires DHS to develop a strategy for engagement with fusion centers. With the maturation of the national network, many fusion centers have adopted an all-threats, all-hazards mission to ensure they are keeping pace with the changing threat environment. A strategy that incorporates all the components of the Department will ensure DHS is supporting and leveraging fusion centers effectively and efficiently.

Second, this bill mandates performance metrics to hold DHS personnel in the field accountable. Among other responsibilities, these personnel serve as ambassadors of the Department and are integral in shaping and strengthening the relationship between fusion centers and DHS. As such, the Department must have appropriate performance objectives and metrics in place to ensure greater transparency in the expectations of these officers and accountability when issues arise.

Finally, this bill requires additional training and improvements for both the classified and unclassified information-sharing systems that the Department makes available to fusion centers and other law enforcement agencies.

While DHS has made strides in facilitating fusion center access to information and information systems, there are gaps in the Department's efforts to ensure these partners are adequately trained to utilize these systems.

So, for example, while all fusion centers now have access to DHS' classified HSDN, many fusion center personnel are not proficient in this system, and DHS does not currently provide any standardized, in-person HSDN training. Granting the appropriate clearances and credentials to access DHS systems is just as important as ensuring competency when using these systems.

Additionally, I have learned that many DHS components do not routinely share analytic products on the Homeland Security Information Network-Intelligence portal, and many documents are not posted on a timely basis.

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It is incumbent on the Department to ensure the appropriate policies and metrics are in place to incentivize component use of this critical information-sharing program.

In that regard, I am pleased to report that, as of this month, both the Federal Protective Service and the United States Coast Guard have started participating on the HSIN-Intel Partner Products page. I encourage other components of the Department that do not participate to follow suit. This is a commonsense bill with bipartisan support that will enhance DHS' relationship with State and local fusion centers across the country.

In short, we have learned many lessons this past year in analyzing and studying fusion centers. This bill fixes the multiple problems that we have encountered.

Mr. Speaker, I reserve the balance of my time.

Mrs. WATSON COLEMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 5079, the DHS Field Engagement Accountability Act.

H.R. 5079 would require the Department of Homeland Security to develop a fusion center engagement strategy. One of the tragic lessons of the September 11 attacks was what can happen when information is not shared at all levels of law enforcement.

Since 2006, the committee has supported the Department's efforts to deploy intelligence analysts to many of the 79 fusion centers across the country. These fusion centers are charged with connecting the dots at the State or local level to prevent terrorist or extremist violence. H.R. 5079 continues in this vein by directing DHS to focus on strengthening its relationship with the fusion centers.

At a time when violent attacks in Florida, New York, Las Vegas, and Charlottesville are tragically all too much a part of our new normal, we need this improved relationship between the Department and fusion centers more than ever.

In addition to requiring an engagement strategy, the bill requires DHS to have metrics in place to hold the personnel it deploys to fusion centers accountable for their performance.

Finally, this legislation seeks to encourage use of the Department's intelligence and document-sharing systems to promote greater engagement among the Department and fusion centers across the country.

Specifically, H.R. 5079 would create policies for information sharing via Department networks that are developed and updated in consultation with the Department's experts on privacy, civil rights, and civil liberties.

Mr. Speaker, I urge my colleagues to support this measure.

In closing, with the emergence of lone wolves and small terrorist cells, the decentralized terrorist threat in the United States poses serious threats to local communities across our country from big cities to small towns. Whether the target is a church in South Carolina, a Sikh temple in Wisconsin, a mosque in Illinois, a synagogue in New York, a concert venue in Las Vegas, or a school in Florida, State and local law enforcement need a clear line of communication with Federal agencies. As such, DHS must ensure that fusion centers throughout the country have access to the resources—including personnel, training, and access to information—necessary to keep the U.S. homeland safe and secure.

H.R. 5079 directs DHS to do just that by requiring the Department to have a strategy to enhance engagement with fusion centers and provide fusion center personnel. Additionally, H.R. 5079 would ensure that DHS' information-sharing policies include strong privacy and civil liberty safeguards. I, therefore, encourage my colleagues to support H.R. 5079.

Mr. Speaker, I yield back the balance of my time.

Mr. BACON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I want to thank the gentlewoman from New Jersey for her comments and her support making this bill a bipartisan bill. Part of the work that we are doing is we are going to improve 70 different fusion centers with this bill and standardize the performance of all of them.

Mr. Speaker, once again, I urge my colleagues to support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. BACON) that the House suspend the rules and pass the bill, H.R. 5079, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## SURFACE TRANSPORTATION SECURITY IMPROVEMENT ACT OF 2018

Mr. BACON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5131) to improve the effectiveness of Federal efforts to identify and address homeland security risks to surface transportation, secure against vehicle-based attacks, and conduct a feasibility assessment of introducing new security technologies and measures, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5131

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Surface Transportation Security Improvement Act of 2018".

### SEC. 2. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "appropriate congressional committees" means the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(2) **PUBLIC AND PRIVATE SECTOR STAKEHOLDERS.**—The term "public and private sector stakeholders" has the meaning given such term in section 114(u)(1)(C) of title 49, United States Code.

(3) **SURFACE TRANSPORTATION ASSET.**—The term "surface transportation asset" includes facilities, equipment, or systems used to provide transportation services by—

(A) a public transportation agency (as such term is defined in section 1402(5) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53; 6 U.S.C. 1131(5)));

(B) a railroad carrier (as such term is defined in section 20102(3) of title 49, United States Code);

(C) an owner or operator of—

(i) an entity offering scheduled, fixed-route transportation services by over-the-road bus (as such term is defined in section 1501(4) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53; 6 U.S.C. 1151(4))); or

(ii) a bus terminal; or

(D) other transportation facilities, equipment, or systems, as determined by the Secretary.

### SEC. 3. NATIONAL STRATEGY FOR TRANSPORTATION SECURITY REVIEW.

Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall evaluate the degree to which the 2016 Biennial National Strategy for Transportation Security, as required pursuant to section 114(s) of title 49, United States Code, that was issued on August 11, 2016, by the Administrator of the Transportation Security Administration, is reflected in Federal transportation security programs, budgets, research, staffing levels, and related efforts and, in carrying out such evaluation, shall consider the degree to which—

(1) such strategy is sufficiently forward-looking to guide future Federal efforts relating to transportation security;

(2) Federal transportation security programs, budgets, research, staffing levels, and related efforts for fiscal year 2018 and beyond are guided by such strategy; and

(3) the annual progress reports submitted to Congress pursuant to such section subse-

quent to the issuance of such strategy provide information on the degree to which such strategy guides Federal efforts relating to transportation security.

### SEC. 4. RISK SCENARIOS.

(a) **IN GENERAL.**—The Secretary of Homeland Security shall annually develop, consistent with the transportation modal security plans required under section 114(s) of title 49, United States Code, risk-based priorities based on risk assessments conducted or received by the Secretary across all transportation modes that consider threats, vulnerabilities, and consequences.

(b) **SCENARIOS.**—The Secretary of Homeland Security shall ensure that the risk-based priorities identified pursuant to subsection (a) are informed by an analysis of terrorist attack scenarios for each transportation mode, including cyber attack scenarios and intelligence and open source information about current and evolving threats.

(c) **REPORT.**—Not later than 120 days after each development of risk-based priorities under subsection (a), the Secretary of Homeland Security shall provide to the appropriate congressional committees a report that includes the following:

(1) Copies of the risk assessments for each transportation mode.

(2) A summary that ranks the risks within and across modes.

(3) A description of the risk-based priorities for securing the transportation sector that identifies and prioritizes the greatest security needs of such transportation sector, both across and within modes, in the order that such priorities should be addressed.

(4) Information on the underlying methodologies used to assess risks across and within each transportation mode and the basis for any assumptions regarding threats, vulnerabilities, and consequences made in assessing and prioritizing risks within each such mode and across modes.

(d) **CLASSIFICATION.**—The information provided under subsection (c) may be submitted in a classified format or unclassified format, as appropriate.

### SEC. 5. ASSESSMENTS AND SECURITY PLANS; FRONTLINE EMPLOYEE SECURITY TRAINING.

(a) **REPORT.**—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security shall submit to the appropriate congressional committees and the Inspector General of the Department of Homeland Security a report on—

(1) the status of regulations requiring assessments and security plans as specified in sections 1405, 1512, and 1531 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1134, 1162, and 1181) that includes a timeline for the issuance of a final rulemaking subsequent to the December 16, 2016, publication in the Federal Register of an advance notice of proposed rulemaking; and

(2) the status of regulations for a security training program to prepare transportation employees for potential security threats and conditions as specified in sections 1408, 1517, and 1534 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1137, 1167, and 1184) that includes a timeline for the issuance of a final rulemaking subsequent to the December 16, 2016, publication in the Federal Register of a notice of proposed rulemaking.

(b) **INSPECTOR GENERAL REVIEW.**—Not later than 120 days after submission of the report under subsection (a), the Inspector General of the Department of Homeland Security shall submit to the appropriate congressional committees a review of such report that includes information on—