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 subsequent 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—

(1) departmental efforts to finalize rulemaking; and

(2) recommendations, as necessary, to ensure implementation of the regulations referred to in such subsection.

SEC. 6. RESEARCH AND DEVELOPMENT.

(a) EMERGING ISSUES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Under Secretary for Science and Technology of the Department of Homeland Security and in coordination with the Administrator of the Transportation Security Administration, shall submit to the appropriate congressional committees a feasibility assessment of modifying the security of surface transportation assets by—

(1) introducing next generation technologies to be integrated into systems of surface transportation assets to detect explosives, including through the deployment of mobile explosives detection technologies to conduct risk-based passenger and property screening at such systems;

(2) providing surface transportation asset operators with access to the Transportation Security Administration's Secure Flight Program or a similar passenger vetting system maintained by the Transportation Security Administration;

(3) deploying a credential authentication technology or other means of identification document inspection to high-risk surface transportation assets to assist operators conducting passenger vetting; and

(4) deploying scalable, cost-effective technology solutions to detect chemical, biological, radiological, nuclear, or explosive threats within high-risk surface transportation assets that are capable of passive, continuous, and real-time sensing and detection of, and alerting passengers and operating personnel to, the presence of such a threat.

(b) CONSIDERATIONS.—In carrying out the assessment required under subsection (a), the Secretary of Homeland Security, acting through the Under Secretary for Science and Technology of the Department of Homeland Security and in coordination with the Administrator of the Transportation Security Administration, shall address the technological, privacy, operational, passenger facilitation, and public acceptance considerations involved with each security measure contemplated in such assessment.

SEC. 7. BEST PRACTICES TO SECURE AGAINST VEHICLE-BASED ATTACKS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security shall disseminate best practices to public and private sector stakeholders regarding how to enhance transportation security against the threat of a vehicle-based terrorist attack.

SEC. 8. SURFACE TRANSPORTATION STAKEHOLDER SURVEY.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Homeland Security shall begin conducting a survey of public and private stakeholders responsible for securing surface transportation assets regarding resource challenges, including the availability of Federal funding, associated with securing such assets that provides an opportunity for respondents to set forth information on specific unmet needs.

(b) REPORT.—Not later than 120 days after beginning the survey required under subsection (a), the Secretary of Homeland Security shall report to the appropriate congressional committees regarding the results of such survey and the Department of Homeland Security's efforts to address any identified security vulnerabilities.

SEC. 9. INNOVATIVE TECHNOLOGIES AND CAPABILITIES.

(a) IN GENERAL.—The Administrator of the Transportation Security Administration may establish a task force to collaborate with public and private sector stakeholders to identify and develop an innovative technology or capability with the potential to enhance transportation security, including by—

(1) conducting a field demonstration of such a technology or capability in an operational environment;

(2) gathering performance data from such a demonstration to inform the acquisition process; and

(3) to the extent practicable, providing funding and promoting efforts to enable participation in a demonstration by a small business that has an innovative technology or capability but does not have adequate resources to participate in a field demonstration under paragraph (1).

(b) COMPOSITION.—The task force authorized under subsection (a) shall be chaired by the Administrator of the Transportation Security Administration's designee and comprised of representatives appointed by the Administrator, in consultation with the Chairperson of the Aviation Security Advisory Committee (established pursuant to section 44946 of title 49, United States Code).

(c) ACTIVITIES.—The chair of the task force shall—

(1) evaluate technologies and capabilities for field demonstrations with potential to enhance surface transportation security, in addition to technologies and capabilities with potential to enhance aviation security;

(2) coordinate with the Science and Technology Directorate of the Department of Homeland Security to leverage such technologies and capabilities; and

(3) submit to the Secretary of Homeland Security an annual report regarding the task force's activities that identifies, for each such technology or capability, what mode of transportation could be enhanced by the integration of such technology or capability into security operations and, as appropriate, plans for deploying such technology or capability.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall require the Administrator of the Transportation Security Administration to acquire an innovative technology or capability.

(e) NON-APPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the task force.

SEC. 10. SECURITY TECHNOLOGIES TIED TO FOREIGN THREAT COUNTRIES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Under Secretary for Intelligence and Analysis of the Department of Homeland Security, in consultation with the Under Secretary for the National Protection and Programs Directorate of the Department, shall submit to the appropriate congressional committees an assessment of terrorist and other threats to the transportation sector, including surface transportation assets, posed by the use of security technologies, including software and networked technologies, developed or manufactured by firms that are owned or closely linked to the governments of countries that are known to pose a cyber or homeland security threat.

SEC. 11. SURFACE TRANSPORTATION SECURITY INSPECTORS.

(a) STRATEGY.—Not later than 180 days after the date of the enactment of this Act, the Administrator of the Transportation Security Administration shall submit to the appropriate congressional committees and the Comptroller General of the United States a strategy to guide operations of surface transportation security inspectors that addresses the following:

(1) Any limitations in data systems for such inspectors, as identified by the Comptroller General.

(2) Alignment of operations with risk assessment findings, including an approach to identifying and prioritizing entities and locations for inspections.

(3) Measurable objectives for the surface transportation security inspectors program.

(b) COMPTROLLER GENERAL REVIEW.—Not later than 180 days after the submission of the strategy required under subsection (b), the Comptroller General of the United States shall review such strategy and, as appropriate, issue recommendations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. BACON) and the gentlewoman 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 have 5 legislative days within which to revise and extend their remarks and include any 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 today in support of H.R. 5131, the Surface Transportation Security Improvement Act of 2018, as amended.

As you may be aware, TSA was created in response to the terrorist attacks on September 11. While the impetus behind its creation was the threat to aviation security, TSA is responsible for securing all transportation modes, including surface transportation assets such as railroads, mass transit, pipelines, buses, and ports. Given the persistent threats facing aviation in the post-9/11 era, TSA's main focus has been securing the aviation sector. However, in recent years, threats emanating against surface transportation modes, especially mass transit hubs, have steadily increased.

Attacks against these surface targets often require less sophistication than attacks against aviation, making them especially attractive to lone wolves or homegrown violent extremists.

Surface transportation systems are also a very attractive target due to their large volume of daily ridership and open infrastructure. The most recent example of an attack targeting surface is the attempted suicide bombing in December 2017 at New York City's Port Authority Bus Terminal.

Given the current threat environment, a review of TSA's approach to securing all transportation modes and an assessment of the degree to which surface transportation security should be prioritized is certainly warranted. Specifically, this bill mandates a GAO review of the national strategy for transportation security, the development of risk-based priorities for all

transportation modes, and a feasibility assessment of utilizing security technologies for surface transportation assets.

Furthermore, the bill requires TSA to disseminate best practices for enhancing security against vehicle-based terrorist attacks and authorizes a surface-focused Innovation Task Force.

Finally, the bill requires a threat assessment of certain security technologies tied to foreign countries and a strategy for TSA's surface transportation inspectors. In the face of emerging threats, it is imperative that Congress ensure TSA is adequately executing its mission to protect all transportation modes, not just aviation.

I thank the ranking member of the Subcommittee on Transportation and Protective Security, Mrs. WATSON COLEMAN, for authoring this legislation, as well as the chairman of the subcommittee, Mr. KATKO, for his support and leadership on this issue.

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 strong support of H.R. 5131, the Surface Transportation Security Improvement Act of 2018.

Mr. Speaker, the Nation's surface transportation systems are central to Americans' daily life. Subways, buses, trains, and pipelines move millions of people and goods every day. Given their criticality, it is no surprise that terrorists have targeted these systems for attack. In recent years, attacks overseas have proven lethal, even more so, on average, than attacks against aviation. In December 2017, the threat against these systems hit home when a would-be attacker detonated a bomb within New York City's Port Authority Bus Terminal subway station.

My bill, H.R. 5131, would require the Department of Homeland Security to take meaningful steps to address this emerging threat. First, it would require TSA to take a more comprehensive approach to transportation threats when it comes to assessing risk and setting strategies and priorities. Second, it would require TSA to take a hard look at integrating new technologies and security measures into mass transit and other surface transportation systems.

Importantly, H.R. 5131 also would require DHS to assess cyber threats posed by foreign technologies and to disseminate best practices for securing transportation systems against vehicle-based attacks, such as the truck attack we witnessed in New York City last October.

Finally, it would require TSA to develop a risk-based strategy for its surface inspectors and answer to Congress for its failure to issue long overdue regulations that are required by the Implementing Recommendations of the 9/11 Commission Act of 2007.

Consideration of H.R. 5131 today is timely, given the cuts to surface transportation security programs proposed by the President in both the fiscal year 2018 and 2019 budgets.

Mr. Speaker, I urge my colleagues to support this measure to improve surface transportation security.

In closing, as we have seen around the world, the threats to surface transportation systems are real and evolving. A major attack on any one system could be devastating and result in significant loss of life. My bill will push TSA to increase and enhance its efforts to secure these critical systems.

Mr. Speaker, I strongly encourage my colleagues to support this. I appreciate the support from my colleague and the support from Mr. KATKO.

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, again, I want to commend the gentlewoman from New Jersey's work on this bill and Mr. KATKO, the chairman of the subcommittee.

This is obviously very important. Airports aren't the only target. We have bus transportation, we have seen those targeted in Europe; our rail centers are also targets. We have seen that in Europe, and we have seen indications of those attacks being planned here as well.

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

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 5131, the ''Surface Transportation Security Improvement Act of 2018,'' which would increase the nation's readiness to deal with national security threats.

H.R. 5131 requires the Government Accountability Office to review the effectiveness of the Transportation Security Administration's Biennial National Strategy for Transportation Security.

H.R. 5131 would also require the Department of Homeland Security to develop risk-based priorities across all transportation modes.

This would be informed by analysis of terrorist attack scenarios for each mode of transportation.

The work directly under this will also include cyber-attack scenarios, which poses an increasing threat to the well-being of our public and private infrastructures.

H.R. 5131 requires DHS to explain overdue surface transportation security rulemakings and the Inspector General to review DHS's explanations, and report on its findings.

It directs DHS to conduct a feasibility assessment of introducing next generation technologies to detect threats to surface transportation systems.

DHS would also disseminate best practices for enhancing transportation security against the threat of vehicle-based attacks.

The bill also requires DHS to conduct and report to Congress on a survey of surface transportation stakeholders regarding resource challenges, including the availability of Federal funding and specific unmet needs.

It authorizes a TSA task force to identify and develop innovative technologies and capabilities to enhance transportation security, including surface transportation security.

It also directs DHS to assess the threats posed by the use of security technologies developed or manufactured by firms owned or closely linked to the governments of countries known to pose cyber or homeland security threats.

This is extremely important given the ongoing threats to our democracy from a rising number of malevolent global actors, including North Korea and Russia.

Finally, the bill requires the TSA to develop a strategy to guide surface transportation security inspector operations, which would be subject to GAO review.

In sum, H.R. 5131 enhances TSA's surface transportation security operations across a range of activities, while taking into consideration the role of computers in the modernization of our nation's transportation systems.

I urge my colleagues to join me in voting for this measure.

The SPEAKER pro tempore (Mr. ESTES of Kansas). 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. 5131, 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. BACON. 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.

STRENGTHENING AVIATION SECURITY ACT OF 2018

Mr. BACON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4467) to require the Federal Air Marshal Service to utilize risk-based strategies, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4467

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 ''Strengthening Aviation Security Act of 2018''.

SEC. 2. USE OF RISK-BASED STRATEGIES BY FEDERAL AIR MARSHAL SERVICE.

(a) IN GENERAL.—Subsection (a) of section 44917 of title 49, United States Code, is amended—

(1) in paragraph (7), by striking ''and'' after the semicolon at the end;

(2) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(9) shall require the Federal Air Marshal Service to utilize a risk-based strategy when allocating resources between international and domestic flight coverage, including when initially setting its annual target numbers of average daily international and domestic flights to cover;

''(10) shall require the Federal Air Marshal Service to utilize a risk-based strategy to support domestic allocation decisions;

''(11) shall require the Federal Air Marshal Service to utilize a risk-based strategy to