

117TH CONGRESS
1ST SESSION

H. R. 1870

IN THE SENATE OF THE UNITED STATES

JULY 21, 2021

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To require the Secretary of Homeland Security to prioritize strengthening of local transportation security capabilities by assigning certain officers and intelligence analysts to State, local, and regional fusion centers in jurisdictions with a high-risk surface transportation asset and improving the timely sharing of information regarding threats of terrorism and other threats, including targeted violence, 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 “Strengthening Local
5 Transportation Security Capabilities Act of 2021”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) DOMESTIC TERRORISM.—The term “domes-
9 tic terrorism” has the meaning given such term in
10 section 2331 of title 18, United States Code.

11 (2) INTERNATIONAL TERRORISM.—The term
12 “international terrorism” has the meaning given
13 such term in section 2331 of title 18, United States
14 Code.

15 (3) PUBLIC AND PRIVATE SECTOR STAKE-
16 HOLDERS.—The term “public and private sector
17 stakeholders” has the meaning given such term in
18 section 114(u)(1)(c) of title 49, United States Code.

19 (4) SURFACE TRANSPORTATION ASSET.—The
20 term “surface transportation asset” includes facili-
21 ties, equipment, or systems used to provide transpor-
22 tation services by—

23 (A) a public transportation agency (as
24 such term is defined in section 1402(5) of the
25 Implementing Recommendations of the 9/11

1 Commission Act of 2007 (Public Law 110–53;
2 6 U.S.C. 1131(5));

3 (B) a railroad carrier (as such term is de-
4 fined in section 20102(3) of title 49, United
5 States Code);

6 (C) an owner or operator of—

7 (i) an entity offering scheduled, fixed-
8 route transportation services by over-the-
9 road bus (as such term is defined in sec-
10 tion 1501(4) of the Implementing Rec-
11 ommendations of the 9/11 Commission Act
12 of 2007 (Public Law 110–53; 6 U.S.C.
13 1151(4)); or

14 (ii) a bus terminal; or

15 (D) other transportation facilities, equip-
16 ment, or systems, as determined by the Sec-
17 retary.

18 (5) TARGETED VIOLENCE.—The term “targeted
19 violence” means an incident of violence in which an
20 attacker selected a particular target in order to in-
21 flict mass injury or death with no discernable polit-
22 ical or ideological motivation beyond mass injury or
23 death.

24 (6) TERRORISM.—The term “terrorism” means
25 domestic terrorism and international terrorism.

1 **SEC. 3. THREAT INFORMATION SHARING.**

2 (a) **PRIORITIZATION.**—The Secretary of Homeland
3 Security shall prioritize the assignment of officers and in-
4 telligence analysts under section 210A of the Homeland
5 Security Act of 2002 (6 U.S.C. 124h) from the Transpor-
6 tation Security Administration and, as appropriate, from
7 the Office of Intelligence and Analysis of the Department
8 of Homeland Security, to locations with participating
9 State, local, and regional fusion centers in jurisdictions
10 with a high-risk surface transportation asset in order to
11 enhance the security of such assets, including by improv-
12 ing timely sharing, in a manner consistent with the protec-
13 tion of privacy rights, civil rights, and civil liberties, of
14 information regarding threats of terrorism and other
15 threats, including targeted violence.

16 (b) **INTELLIGENCE PRODUCTS.**—Officers and intel-
17 ligence analysts assigned to locations with participating
18 State, local, and regional fusion centers under this section
19 shall participate in the generation and dissemination of
20 transportation security intelligence products, with an em-
21 phasis on such products that relate to threats of terrorism
22 and other threats, including targeted violence, to surface
23 transportation assets that—

24 (1) assist State, local, and Tribal law enforce-
25 ment agencies in deploying their resources, including

1 personnel, most efficiently to help detect, prevent,
2 investigate, apprehend, and respond to such threats;

3 (2) promote more consistent and timely sharing
4 with and among jurisdictions of threat information;
5 and

6 (3) enhance the Department of Homeland Secu-
7 rity's situational awareness of such threats.

8 (c) CLEARANCES.—The Secretary of Homeland Secu-
9 rity shall make available to appropriate owners and opera-
10 tors of surface transportation assets, and to any other per-
11 son that the Secretary determines appropriate to foster
12 greater sharing of classified information relating to
13 threats of terrorism and other threats, including targeted
14 violence, to surface transportation assets, the process of
15 application for security clearances under Executive Order
16 No. 13549 (75 Fed. Reg. 162; relating to a classified na-
17 tional security information program) or any successor Ex-
18 ecutive order.

19 (d) GAO REPORT.—Not later than 2 years after the
20 date of the enactment of this Act, the Comptroller General
21 of the United States shall submit to the Committee on
22 Homeland Security of the House of Representatives and
23 the Committee on Homeland Security and Governmental
24 Affairs of the Senate a review of the implementation of
25 this section, together with any recommendations to im-

1 prove information sharing with State, local, Tribal, terri-
2 torial, and private sector entities to prevent, identify, and
3 respond to threats of terrorism and other threats, includ-
4 ing targeted violence, to surface transportation assets.

5 **SEC. 4. LOCAL LAW ENFORCEMENT SECURITY TRAINING.**

6 (a) IN GENERAL.—The Secretary of Homeland Secu-
7 rity, in consultation with public and private sector stake-
8 holders, may in a manner consistent with the protection
9 of privacy rights, civil rights, and civil liberties, develop,
10 through the Federal Law Enforcement Training Centers,
11 a training program to enhance the protection, prepared-
12 ness, and response capabilities of law enforcement agen-
13 cies with respect to threats of terrorism and other threats,
14 including targeted violence, at a surface transportation
15 asset.

16 (b) REQUIREMENTS.—If the Secretary of Homeland
17 Security develops the training program described in sub-
18 section (a), such training program shall—

19 (1) be informed by current information regard-
20 ing tactics used by terrorists and others engaging in
21 targeted violence;

22 (2) include tactical instruction tailored to the
23 diverse nature of the surface transportation asset
24 operational environment; and

1 (3) prioritize training officers from law enforce-
2 ment agencies that are eligible for or receive grants
3 under sections 2003 or 2004 of the Homeland Secu-
4 rity Act of 2002 (6 U.S.C. 604 and 605) and offi-
5 cers employed by railroad carriers that operate pas-
6 senger service, including interstate passenger service.
Passed the House of Representatives July 20, 2021.

Attest:

CHERYL L. JOHNSON,

Clerk.