

## Union Calendar No. 84

117<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 4089

[Report No. 117-119]

To direct the Secretary of Homeland Security to develop and disseminate best practices for rental companies and dealers to report suspicious behavior to law enforcement agencies at the point of sale of a covered rental vehicle to prevent and mitigate acts of terrorism using motor vehicles, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2021

Mr. GOTTHEIMER (for himself and Mr. FITZPATRICK) introduced the following bill; which was referred to the Committee on Homeland Security

SEPTEMBER 14, 2021

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on June 23, 2021]

# **A BILL**

To direct the Secretary of Homeland Security to develop and disseminate best practices for rental companies and dealers to report suspicious behavior to law enforcement agencies at the point of sale of a covered rental vehicle to prevent and mitigate acts of terrorism using motor vehicles, 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 “Darren Drake Act”.*

5 **SEC. 2. BEST PRACTICES RELATED TO CERTAIN INFORMA-**  
6 **TION COLLECTED BY RENTAL COMPANIES**  
7 **AND DEALERS.**

8 *(a) DEVELOPMENT AND DISSEMINATION.—*

9 *(1) IN GENERAL.—Not later than one year after*  
10 *the date of the enactment of this Act, the Secretary of*  
11 *Homeland Security shall develop and disseminate best*  
12 *practices for rental companies and dealers to report*  
13 *suspicious behavior to law enforcement agencies at the*  
14 *point of sale of a covered rental vehicle.*

15 *(2) CONSULTATION; UPDATES.—The Secretary*  
16 *shall develop and, as necessary, update the best prac-*  
17 *tices described in paragraph (1) after consultation*  
18 *with Federal, State, local, and Tribal law enforce-*  
19 *ment agencies and relevant transportation security*  
20 *stakeholders.*

21 *(3) GUIDANCE ON SUSPICIOUS BEHAVIOR.—The*  
22 *Secretary shall include, in the best practices developed*  
23 *under paragraph (1), guidance on defining and iden-*  
24 *tifying suspicious behavior in a manner that protects*  
25 *civil rights and civil liberties.*

1       **(b) REPORT TO CONGRESS.**—*Not later than one year*  
2 *after the date of the enactment of this Act, the Secretary*  
3 *of Homeland Security shall submit to Congress a report on*  
4 *the implementation of this section, including an assessment*  
5 *of—*

6           (1) *the impact of the best practices described in*  
7 *subsection (a) on efforts to protect the United States*  
8 *against terrorist attacks; and*

9           (2) *ways to improve and expand cooperation*  
10 *and engagement between—*

11               (A) *the Department of Homeland Security;*

12               (B) *Federal, State, local, and Tribal law*  
13 *enforcement agencies; and*

14               (C) *rental companies, dealers, and other rel-*  
15 *evant rental industry stakeholders.*

16       **(c) DEFINITIONS.**—*In this section:*

17           (1) *The terms “dealer” and “rental company”*  
18 *have the meanings given those terms in section 30102*  
19 *of title 49, United States Code.*

20           (2) *The term “covered rental vehicle” means a*  
21 *motor vehicle that—*

22               (A) *is rented without a driver for an initial*  
23 *term of less than 4 months; and*

1                    *(B) is part of a motor vehicle fleet of 35 or*  
2                    *more motor vehicles that are used for rental pur-*  
3                    *poses by a rental company.*

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