

118TH CONGRESS  
1ST SESSION

# S. 945

To provide for joint reports by relevant Federal agencies to Congress regarding incidents of terrorism, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 22, 2023

Ms. HASSAN (for herself and Mr. LEE) 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 provide for joint reports by relevant Federal agencies to Congress regarding incidents of terrorism, 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 “Reporting Efficiently  
5 to Proper Officials in Response to Terrorism Act of 2023”  
6 or the “REPORT Act”.

7 **SEC. 2. DUTY TO REPORT.**

8 (a) REQUIREMENT.—

1           (1) IN GENERAL.—Whenever an act of ter-  
2           rorism occurs in the United States, the Secretary of  
3           Homeland Security, the Attorney General, the Direc-  
4           tor of the Federal Bureau of Investigation, and, as  
5           appropriate, the head of the National Counterter-  
6           rorism Center shall—

7                   (A) submit to the appropriate congres-  
8                   sional committees, by not later than 1 year  
9                   after the completion of the investigation con-  
10                  cerning such act by the primary Government  
11                  agency conducting such investigation, an un-  
12                  classified report (which may be accompanied by  
13                  a classified annex) concerning such act; and

14                   (B) make the report required under sub-  
15                  paragraph (A) available on a publicly accessible  
16                  website.

17           (2) OTHER REPORTS.—Reports required under  
18           this subsection may be combined into a quarterly re-  
19           port submitted to Congress.

20           (b) CONTENT OF REPORTS.—A report under this sec-  
21           tion shall—

22                   (1) include a statement of the facts of the act  
23                   of terrorism referred to in subsection (a), as known  
24                   at the time of the report;

1           (2) identify any gaps in homeland or national  
2 security that could be addressed to prevent future  
3 acts of terrorism; and

4           (3) include any recommendations for additional  
5 measures that could be taken to improve homeland  
6 or national security, including recommendations re-  
7 lating to potential changes in law enforcement prac-  
8 tices or changes in law, with particular attention to  
9 changes that could help prevent future acts of ter-  
10 rorism.

11 (c) EXCEPTION.—

12           (1) IN GENERAL.—If the Secretary of Home-  
13 land Security, the Attorney General, or the Director  
14 of the Federal Bureau of Investigation determines  
15 any information described in subsection (b) required  
16 to be reported in accordance with subsection (a)  
17 could jeopardize an ongoing investigation or prosecu-  
18 tion, the Secretary, Attorney General, or Director,  
19 as the case may be—

20                   (A) may withhold from reporting such in-  
21 formation; and

22                   (B) shall notify the appropriate congres-  
23 sional committees of such determination.

24           (2) SAVINGS PROVISION.—Withholding of infor-  
25 mation pursuant to a determination under para-

1 graph (1) shall not affect in any manner the respon-  
2 sibility to submit a report required under subsection  
3 (a) containing other information described in sub-  
4 section (b) not subject to such determination.

5 (d) DEFINITIONS.—In this section:

6 (1) ACT OF TERRORISM.—The term “act of ter-  
7 rorism” has the meaning given the term in section  
8 3077 of title 18, United States Code.

9 (2) APPROPRIATE CONGRESSIONAL COMMIT-  
10 TEES.—The term “appropriate congressional com-  
11 mittees” means—

12 (A) in the House of Representatives—

13 (i) the Committee on Homeland Secu-  
14 rity;

15 (ii) the Committee on the Judiciary;

16 and

17 (iii) the Permanent Select Committee  
18 on Intelligence; and

19 (B) in the Senate—

20 (i) the Committee on Homeland Secu-  
21 rity and Governmental Affairs;

22 (ii) the Committee on the Judiciary;

23 and

24 (iii) the Select Committee on Intel-  
25 ligence.

1       (e) SUNSET.—This section shall terminate on the  
2 date that is 5 years after the date of the enactment of  
3 this Act.

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