

Calendar No. 342

117TH CONGRESS
2D SESSION**H. R. 1540**

IN THE SENATE OF THE UNITED STATES

APRIL 6, 2022

Received; read twice and placed on the calendar

AN ACT

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 2021”
6 or the “REPORT Act”.

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

8 (a) IN GENERAL.—Whenever an act of terrorism oc-
9 curs in the United States, the Secretary of Homeland Se-
10 curity, the Attorney General, the Director of the Federal

1 Bureau of Investigation, and, as appropriate, the head of
2 the National Counterterrorism Center, shall submit to the
3 appropriate congressional committees, by not later than
4 one year after the completion of the investigation con-
5 cerning such act by the primary Government agency con-
6 ducting such investigation, an unclassified report (which
7 may be accompanied by a classified annex) concerning
8 such act.

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

11 (1) include a statement of the facts of the act
12 of terrorism referred to in subsection (a), as known
13 at the time of the report;

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

17 (3) include any recommendations for additional
18 measures that could be taken to improve homeland
19 or national security, including recommendations re-
20 lating to potential changes in law enforcement prac-
21 tices or changes in law, with particular attention to
22 changes that could help prevent future acts of ter-
23 rorism.

24 (c) EXCEPTION.—

1 (1) IN GENERAL.—If the Secretary of Home-
2 land Security, the Attorney General, the Director of
3 the Federal Bureau of Investigation, or, as appro-
4 priate, the head of the National Counterterrorism
5 Center determines any information described in sub-
6 section (b) required to be reported in accordance
7 with subsection (a) could jeopardize an ongoing in-
8 vestigation or prosecution, the Secretary, Attorney
9 General, Director, or head, as the case may be—

10 (A) may withhold from reporting such in-
11 formation; and

12 (B) shall notify the appropriate congres-
13 sional committees of such determination.

14 (2) SAVING PROVISION.—Withholding of infor-
15 mation pursuant to a determination under para-
16 graph (1) shall not affect in any manner the respon-
17 sibility to submit a report required under subsection
18 (a) containing other information described in sub-
19 section (b) not subject to such determination.

20 (d) DEFINITIONS.—In this section:

21 (1) ACT OF TERRORISM.—The term “act of ter-
22 rorism” has the meaning given such term in section
23 3077 of title 18, United States Code.

5 (i) the Committee on Homeland Secu-
6 rity;

9 (iii) the Permanent Select Committee
10 on Intelligence; and

(i) the Committee on Homeland Security and Governmental Affairs;

(iii) the Select Committee on Intel-
ligence.

Attest: **CHERYL L. JOHNSON,**
Clerk.

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