

Suspend the Rules and Pass the Bill, H.R. 1540, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

117TH CONGRESS
1ST SESSION

H. R. 1540

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

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2021

Mr. AGUILAR (for himself, Ms. CLARKE of New York, Mr. PAYNE, Miss RICE of New York, Mrs. LURIA, Mr. CORREA, Mrs. NAPOLITANO, Mrs. FLETCHER, Mr. LIEU, Mr. PANETTA, Mrs. HAYES, Mr. CARBAJAL, Mr. VARGAS, Mr. MOULTON, Ms. BLUNT ROCHESTER, Mr. KILMER, Mr. RYAN, Mr. CARSON, Mr. COOPER, Mr. LEVIN of California, Mr. KAHELE, Ms. MENG, Mr. LANGEVIN, and Ms. SCANLON) introduced the following bill; which was referred to the Committee on Homeland Security

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Reporting Efficiently
3 to Proper Officials in Response to Terrorism Act of 2021”
4 or the “REPORT Act”.

5 **SEC. 2. DUTY TO REPORT.**

6 (a) IN GENERAL.—Whenever an act of terrorism oc-
7 curs in the United States, the Secretary of Homeland Se-
8 curity, the Attorney General, the Director of the Federal
9 Bureau of Investigation, and, as appropriate, the head of
10 the National Counterterrorism Center, shall submit to the
11 appropriate congressional committees, by not later than
12 one year after the completion of the investigation con-
13 cerning such act by the primary Government agency con-
14 ducting such investigation, an unclassified report (which
15 may be accompanied by a classified annex) concerning
16 such act.

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

19 (1) include a statement of the facts of the act
20 of terrorism referred to in subsection (a), as known
21 at the time of the report;

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

25 (3) include any recommendations for additional
26 measures that could be taken to improve homeland

1 or national security, including recommendations re-
2 lating to potential changes in law enforcement prac-
3 tices or changes in law, with particular attention to
4 changes that could help prevent future acts of ter-
5 rorism.

6 (c) EXCEPTION.—

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

16 (A) may withhold from reporting such in-
17 formation; and

18 (B) shall notify the appropriate congres-
19 sional committees of such determination.

20 (2) SAVING PROVISION.—Withholding of infor-
21 mation pursuant to a determination under para-
22 graph (1) shall not affect in any manner the respon-
23 sibility to submit a report required under subsection
24 (a) containing other information described in sub-
25 section (b) not subject to such determination.

1 (d) DEFINITIONS.—In this section:

2 (1) ACT OF TERRORISM.—The term “act of ter-
3 rorism” has the meaning given such term in section
4 3077 of title 18, United States Code.

5 (2) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term “appropriate congressional com-
7 mittees” means—

8 (A) in the House of Representatives—

9 (i) the Committee on Homeland Secu-
10 rity;

11 (ii) the Committee on the Judiciary;

12 and

13 (iii) the Permanent Select Committee
14 on Intelligence; and

15 (B) in the Senate—

16 (i) the Committee on Homeland Secu-
17 rity and Governmental Affairs;

18 (ii) the Committee on the Judiciary;

19 and

20 (iii) the Select Committee on Intel-
21 ligence.