

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1540
OFFERED BY MR. THOMPSON OF MISSISSIPPI**

Strike all after the enacting clause and insert the following:

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
11 Congress, by not later than one year after the completion
12 of the investigation concerning such act by the primary
13 Government agency conducting such investigation, an un-
14 classified report (which may be accompanied by a classi-
15 fied annex) concerning such act.

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

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

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

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

14 (c) EXCEPTION.—

15 (1) IN GENERAL.—If the Secretary of Home-
16 land Security, the Attorney General, the Director of
17 the Federal Bureau of Investigation, or, as appro-
18 priate, the head of the National Counterterrorism
19 Center determines any information described in sub-
20 section (b) required to be reported in accordance
21 with subsection (a) could jeopardize an ongoing in-
22 vestigation or prosecution, the Secretary, Attorney
23 General, Director, or head, as the case may be—

24 (A) may withhold from reporting such in-
25 formation; and

1 (B) shall notify Congress of such deter-
2 mination.

3 (2) SAVING PROVISION.—Withholding of infor-
4 mation pursuant to a determination under para-
5 graph (1) shall not affect in any manner the respon-
6 sibility to submit a report required under subsection
7 (a) containing other information described in sub-
8 section (b) not subject to such determination.

9 (d) DEFINITION.—In this section, the term “act of
10 terrorism” has the meaning given such term in section
11 3077 of title 18, United States Code.

