

117TH CONGRESS 2D SESSION

H.R. 1540

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-
- ${\it 2\ tives\ of\ the\ United\ States\ of\ America\ in\ Congress\ assembled},$

SECTION 1. SHORT TITLE.

- 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
- of terrorism referred to in subsection (a), as known
- at the time of the report;
- 22 (2) identify any gaps in homeland or national
- 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

or national security, including recommendations relating to potential changes in law enforcement practices or changes in law, with particular attention to changes that could help prevent future acts of terrorism.

(c) Exception.—

- (1) In General.—If the Secretary of Homeland Security, the Attorney General, the Director of the Federal Bureau of Investigation, or, as appropriate, the head of the National Counterterrorism Center determines any information described in subsection (b) required to be reported in accordance with subsection (a) could jeopardize an ongoing investigation or prosecution, the Secretary, Attorney General, Director, or head, as the case may be—
 - (A) may withhold from reporting such information; and
 - (B) shall notify the appropriate congressional committees of such determination.
- (2) SAVING PROVISION.—Withholding of information pursuant to a determination under paragraph (1) shall not affect in any manner the responsibility to submit a report required under subsection (a) containing other information described in subsection (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

1	(iii) the Select Committee on Intel-
2	ligence.
	Passed the House of Representatives April 5, 2022
	Attest:

Clerk.

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