

AMENDMENT TO RULES COMMITTEE PRINT 118-

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OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle B of title XVIII, insert the following:

1 **SEC. 18__ . DUTY OF CERTAIN FEDERAL OFFICIALS TO**
2 **SUBMIT TO CONGRESS REPORTS ON ACTS OF**
3 **TERRORISM.**

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

17 (b) CONTENT OF REPORTS.—A report under this sec-
18 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 the appropriate congres-
2 sional committees of such determination.

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) DEFINITIONS.—In this section:

10 (1) The term “act of terrorism” has the mean-
11 ing given such term in section 3077 of title 18,
12 United States Code.

13 (2) The term “appropriate congressional com-
14 mittees” means—

15 (A) in the House of Representatives—

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

18 (ii) the Committee on the Judiciary;

19 and

20 (iii) the Permanent Select Committee
21 on Intelligence; and

22 (B) in the Senate—

23 (i) the Committee on Homeland Secu-
24 rity and Governmental Affairs;

1 (ii) the Committee on the Judiciary;

2 and

3 (iii) the Select Committee on Intel-

4 ligence.

5 (e) SUNSET.—The requirement to submit a report

6 under this section shall terminate on the date that is five

7 years after the date of the enactment of this Act.

