

AMENDMENT TO RULES COMM. PRINT 119–33
OFFERED BY MR. AGUILAR OF CALIFORNIA

Add at the end of subtitle A of title XVII the following:

1 SEC. 17 ____ . DUTY TO REPORT ON ACTS OF TERRORISM.

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

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

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

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

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

11 (c) EXCEPTION.—

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

21 (A) may withhold from reporting such in-
22 formation; and

23 (B) shall notify the appropriate congres-
24 sional committees of such determination.

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

7 (d) DEFINITIONS.—In this section:

8 (1) ACT OF TERRORISM.—The term “act of ter-
9 rorism” has the meaning given such term in section
10 3077 of title 18, United States Code.

11 (2) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—The term “appropriate congressional com-
13 mittees” means—

14 (A) in the House of Representatives—

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

17 (ii) the Committee on the Judiciary;

18 and

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

21 (B) in the Senate—

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

24 (ii) the Committee on the Judiciary;

25 and

1 (iii) the Select Committee on Intel-
2 ligence.

3 (e) SUNSET.—This section shall terminate on the
4 date that is five years after the date of the enactment of
5 this Act.

