

Calendar No. 626

116TH CONGRESS
2D SESSION**H. R. 1313****[Report No. 116-323]**

IN THE SENATE OF THE UNITED STATES

MAY 15, 2019

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

DECEMBER 14, 2020

Reported by Mr. JOHNSON, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to clarify certain allowable uses of funds for public transportation security assistance grants and establish periods of performance for such grants, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Transit Security Grant
5 ~~Program Flexibility Act~~”.

1 **SEC. 2. ALLOWABLE USES OF FUNDS FOR PUBLIC TRANS-**
 2 **PORTATION SECURITY ASSISTANCE GRANTS.**

3 Subparagraph (A) of section 1406(b)(2) of the Imple-
 4 menting Recommendations of the 9/11 Commission Act of
 5 2007 (6 U.S.C. 1135(b)(2); Public Law 110-53) is
 6 amended by inserting “and associated backfill” after “se-
 7 curity training”.

8 **SEC. 3. PERIODS OF PERFORMANCE FOR PUBLIC TRANS-**
 9 **PORTATION SECURITY ASSISTANCE GRANTS.**

10 Section 1406 of the Implementing Recommendations
 11 of the 9/11 Commission Act of 2007 (6 U.S.C. 1135; Pub-
 12 lic Law 110-53) is amended—

13 (1) by redesignating subsection (m) as sub-
 14 section (n); and

15 (2) by inserting after subsection (l) the fol-
 16 lowing new subsection:

17 “(m) PERIODS OF PERFORMANCE.—

18 “(1) IN GENERAL.—Except as provided in para-
 19 graph (2), funds provided pursuant to a grant
 20 awarded under this section for a use specified in
 21 subsection (b) shall remain available for use by a
 22 grant recipient for a period of not fewer than 36
 23 months.

24 “(2) EXCEPTION.—Funds provided pursuant to
 25 a grant awarded under this section for a use speci-
 26 fied in subparagraph (M) or (N) of subsection (b)(1)

1 shall remain available for use by a grant recipient
2 for a period of not fewer than 55 months.”.

3 **SEC. 4. GAO REVIEW.**

4 (a) **IN GENERAL.**—The Comptroller General of the
5 United States shall conduct a review of the public trans-
6 portation security assistance grant program under section
7 1406 of the Implementing Recommendations of the 9/11
8 Commission Act of 2007 (6 U.S.C. 1135; Public Law
9 110–53).

10 (b) **SCOPE.**—The review required under paragraph
11 (1) shall include the following:

12 (1) An assessment of the type of projects fund-
13 ed under the public transportation security grant
14 program referred to in such paragraph.

15 (2) An assessment of the manner in which such
16 projects address threats to public transportation in-
17 frastructure.

18 (3) An assessment of the impact, if any, of this
19 Act (including the amendments made by this Act) on
20 types of projects funded under the public transpor-
21 tation security assistance grant program.

22 (4) An assessment of the management and ad-
23 ministration of public transportation security assist-
24 ance grant program funds by grantees.

1 (5) Recommendations to improve the manner in
2 which public transportation security assistance grant
3 program funds address vulnerabilities in public
4 transportation infrastructure.

5 (6) Recommendations to improve the manage-
6 ment and administration of the public transportation
7 security assistance grant program.

8 (e) REPORT.—Not later than 1 year after the date
9 of the enactment of this Act and again not later than five
10 years after such date of enactment, the Comptroller Gen-
11 eral shall submit to the Committee on Homeland Security
12 of the House of Representatives and the Committee on
13 Homeland Security and Governmental Affairs of the Sen-
14 ate a report on the review required under this section.

15 **SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.**

16 The budgetary effects of this Act, for the purpose of
17 complying with the Statutory Pay-As-You-Go Act of 2010,
18 shall be determined by reference to the latest statement
19 titled “Budgetary Effects of PAYGO Legislation” for this
20 Act, submitted for printing in the Congressional Record
21 by the Chairman of the Committee on the Budget of the
22 House of Representatives, provided that such statement
23 has been submitted prior to the vote on passage.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Transit Security Grant*
 3 *Program Flexibility Act”.*

4 **SEC. 2. ALLOWABLE USES OF FUNDS FOR PUBLIC TRANS-**
 5 **PORTATION SECURITY ASSISTANCE GRANTS.**

6 *Section 1406(b)(2)(A) of the Implementing Rec-*
 7 *ommendations of the 9/11 Commission Act of 2007 (6*
 8 *U.S.C. 1135(b)(2)(A)) is amended by inserting “and associ-*
 9 *ated backfill” after “security training”.*

10 **SEC. 3. PERIODS OF PERFORMANCE FOR PUBLIC TRANS-**
 11 **PORTATION SECURITY ASSISTANCE GRANTS.**

12 *Section 1406 of the Implementing Recommendations*
 13 *of the 9/11 Commission Act of 2007 (6 U.S.C. 1135) is*
 14 *amended—*

15 *(1) by redesignating subsection (m) as subsection*
 16 *(n); and*

17 *(2) by inserting after subsection (l) the following:*
 18 *“(m) PERIODS OF PERFORMANCE.—*

19 *“(1) IN GENERAL.—Except as provided in para-*
 20 *graph (2), funds provided pursuant to a grant*
 21 *awarded under this section for a use specified in sub-*
 22 *section (b) shall remain available for use by a grant*
 23 *recipient for a period of not fewer than 36 months.*

24 *“(2) EXCEPTION.—Funds provided pursuant to*
 25 *a grant awarded under this section for a use specified*
 26 *in subparagraph (M) or (N) of subsection (b)(1) shall*

1 *remain available for use by a grant recipient for a*
2 *period of not fewer than 48 months.”.*

3 **SEC. 4. GAO REVIEW.**

4 *(a) IN GENERAL.—The Comptroller General of the*
5 *United States shall conduct a review of the public transpor-*
6 *tation security assistance grant program under section*
7 *1406 of the Implementing Recommendations of the 9/11*
8 *Commission Act of 2007 (6 U.S.C. 1135).*

9 *(b) SCOPE.—The review required under subsection (a)*
10 *shall include the following:*

11 *(1) An assessment of the type of projects funded*
12 *under the public transportation security assistance*
13 *grant program referred to in such subsection.*

14 *(2) An assessment of the manner in which such*
15 *projects address threats to public transportation in-*
16 *frastructure.*

17 *(3) An assessment of the impact, if any, of this*
18 *Act (including the amendments made by this Act) on*
19 *the types of projects funded under the public trans-*
20 *portation security assistance grant program.*

21 *(4) An assessment of the management and ad-*
22 *ministration of public transportation security assist-*
23 *ance grant program funds by grantees.*

24 *(5) Recommendations to improve the manner in*
25 *which public transportation security assistance grant*

1 *program funds address vulnerabilities in public*
2 *transportation infrastructure.*

3 (6) *Recommendations to improve the manage-*
4 *ment and administration of the public transportation*
5 *security assistance grant program.*

6 (c) *REPORT.—Not later than 1 year after the date of*
7 *enactment of this Act and again not later than 5 years after*
8 *such date of enactment, the Comptroller General shall sub-*
9 *mit to the Committee on Homeland Security and Govern-*
10 *mental Affairs of the Senate and the Committee on Home-*
11 *land Security of the House of Representatives a report on*
12 *the review required under this section.*

13 **SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.**

14 *The budgetary effects of this Act, for the purpose of*
15 *complying with the Statutory Pay-As-You-Go-Act of 2010,*
16 *shall be determined by reference to the latest statement titled*
17 *“Budgetary Effects of PAYGO Legislation” for this Act,*
18 *submitted for printing in the Congressional Record by the*
19 *Chairman of the Senate Budget Committee, provided that*
20 *such statement has been submitted prior to the vote on pas-*
21 *sage.*

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