

117TH CONGRESS  
1ST SESSION

# H. R. 396

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 2021

Mr. GARBARINO (for himself and Mr. KATKO) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

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           (c) REPORT.—Not later than one 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 of the United States shall submit to the Committee  
12          on Homeland Security of the House of Representatives  
13          and the Committee on Homeland Security and Govern-  
14          mental Affairs of the Senate a report on the review re-  
15          quired under this section.

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

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

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