

rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

TRANSIT SECURITY GRANT PROGRAM FLEXIBILITY ACT

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5943) 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, as amended.

The Clerk read the title of the bill.
The text of the bill is as follows:

H.R. 5943

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. ALLOWABLE USES OF FUNDS FOR PUBLIC TRANSPORTATION SECURITY ASSISTANCE GRANTS.

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

SEC. 3. PERIODS OF PERFORMANCE FOR PUBLIC TRANSPORTATION SECURITY ASSISTANCE GRANTS.

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

(1) by redesignating subsection (m) as subsection (n); and

(2) by inserting after subsection (1) the following new subsection:

“(m) PERIODS OF PERFORMANCE.—

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

“(2) EXCEPTION.—Funds provided pursuant to a grant awarded under this section for a use specified in subparagraph (M) or (N) of subsection (b)(1) shall remain available for use by a grant recipient for a period of not fewer than 55 months.”.

SEC. 4. GAO REVIEW.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the transit security grant program under section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135; Public Law 110-53).

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

(1) An assessment of the type of projects funded under the transit security grant program.

(2) An assessment of the manner in which such projects address threats to transportation infrastructure.

(3) An assessment of the impact, if any, of this Act (including the amendments made by this Act) on types of projects funded under the transit security grant program.

(4) An assessment of the management and administration of transit security grant program funds by grantees.

(5) Recommendations to improve the manner in which transit security grant program

funds address vulnerabilities in transportation infrastructure.

(6) Recommendations to improve the management and administration of the transit security grant program.

(c) REPORT.—Not later than one year after the date of the enactment of this Act and again not later than five years after such date of enactment, the Comptroller General shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the review required under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

We know that terrorists have an interest in and a track record of targeting mass transit. We saw it in London, Madrid, and Brussels, and recently, again, when a terrorist left a backpack of IEDs at a train station in Elizabeth, New Jersey. We must ensure that our first responders and transit agencies have the tools they need to secure our transit systems.

That is why I introduced H.R. 5943, the Transit Security Grant Program Flexibility Act. This bill addresses concerns that were raised during a June 21 field hearing that the Subcommittee on Emergency Preparedness, Response, and Communications held in Ranking Member PAYNE’s district on preparedness for incidents that impact surface transportation. As chairman of the subcommittee, I introduced this legislation to ensure action follows our subcommittee’s oversight.

Witnesses at this field hearing testified about the importance of the Transit Security Grant Program but found that the period of performance was a challenging time frame to meet, especially for completing vital, large-scale capital security projects. H.R. 5943 addresses this challenge by codifying the period of performance for Transit Security Grant Program awards at 36 months for the majority of eligible projects and by extending the period of performance for large-scale capital security projects to 55 months. Additionally, Transit Security Grant Program awards can be used to provide personnel with security training.

Unfortunately, the recipients of these awards are not allowed to use Transit Security Grant Program funds to pay for backfilling personnel who attend such training. In some cases, that

extra cost at the transit agency has resulted in an inability to send staff for security training. My bill will permit Transit Security Grant Program funds to be used for this purpose, which is consistent with other Homeland Security grant programs.

With more than 10 billion riders using surface transportation annually, it is vital that the Transit Security Grant Program provide flexible solutions for grant recipients. I am proud to sponsor this bipartisan legislation, which passed out of the Committee on Homeland Security earlier this month. I urge all Members to join me in supporting H.R. 5943.

I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5943, the Transit Security Grant Program Flexibility Act.

Following the March 2016 attacks on mass transit facilities in Brussels, the Committee on Homeland Security’s Emergency Preparedness, Response, and Communications Subcommittee held a hearing in my district at New Jersey City University to learn more about efforts to secure mass transit domestically. The subcommittee heard from Amtrak, New Jersey Transit, the Port Authority of New York and New Jersey, and MTA about what they are doing to keep passengers safe and how the Federal Government can help.

Witnesses lamented the drastic reduction in Transit Security Grant funding from upwards of \$385 million in 2008 to only \$100 million in 2016. Unfortunately, in the current fiscal environment, prospects for restoring this critical funding are not great. Witnesses also testified that the 36-month period of performance limits the ability of transit owners to invest in important security-hardening projects that cannot be completed within that window of time. Fortunately, we can address that problem.

H.R. 5943 is a bipartisan bill that would extend the period of performance for transit grant activities that are related to infrastructure hardening to 55 months and would give grantees the flexibility to use the grant money for expenses that are related to covering the costs of staffing backfill for when responders are sent to security training.

The threats to our transit infrastructure are real, Mr. Speaker. Two weeks ago, we had a close call outside a train station in Elizabeth, New Jersey, when a backpack containing a bomb was discovered by two citizens. Fortunately, they notified law enforcement; and although there was an explosion, no one was injured. Police found four other devices in the vicinity. H.R. 5943 will help transit owners and operators better address the threats to our critical transportation systems. As such, I strongly encourage my colleagues to support this legislation.

I reserve the balance of my time.

Mr. DONOVAN. Mr. Speaker, I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, H.R. 5943 was unanimously approved by the committee on Homeland Security on September 13. It recognizes that Transit Security Grant Program grantees can spend their money better and smarter when they have the time necessary to do so.

I congratulate my colleague, Mr. DONOVAN, on this legislation, and I urge all of my colleagues to support H.R. 5943.

I yield back the balance of my time.

Mr. DONOVAN. Mr. Speaker, once again, I urge my colleagues to support H.R. 5943.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. DONOVAN) that the House suspend the rules and pass the bill, H.R. 5943, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FIRST RESPONDER ACCESS TO INNOVATIVE TECHNOLOGIES ACT

Mr. DONOVAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5460) to amend the Homeland Security Act of 2002 to establish a review process to review applications for certain grants to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5460

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “First Responder Access to Innovative Technologies Act”.

SEC. 2. APPROVAL OF CERTAIN EQUIPMENT.

(a) IN GENERAL.—Subsection (f) of section 2008 of the Homeland Security Act of 2002 (6 U.S.C. 609) is amended—

(1) by striking “If an applicant” and inserting the following:

“(1) APPLICATION REQUIREMENT.—If an applicant”; and

(2) by adding at the end the following new paragraphs:

“(2) REVIEW PROCESS.—The Administrator shall implement a uniform process for reviewing applications that, in accordance with paragraph (1), contain explanations to use grants provided under section 2003 or 2004 to purchase equipment or systems that do not meet or exceed any applicable national voluntary consensus standards developed under section 647 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 747).

“(3) FACTORS.—In carrying out the review process under paragraph (2), the Administrator shall consider the following:

“(A) Current or past use of proposed equipment or systems by Federal agencies or the Armed Forces.

“(B) The absence of a national voluntary consensus standard for such equipment or systems.

“(C) The existence of an international consensus standard for such equipment or systems, and whether such equipment or systems meets such standard.

“(D) The nature of the capability gap identified by the applicant and how such equipment or systems will address such gap.

“(E) The degree to which such equipment or systems will serve the needs of the applicant better than equipment or systems that meet or exceed existing consensus standards.

“(F) Any other factor determined appropriate by the Administrator.”.

(b) INSPECTOR GENERAL REPORT.—Not later than three years after the date of the enactment of this Act, the Inspector General of the Department of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report assessing the implementation of the review process established under paragraph (2) of subsection (f) of section 2008 of the Homeland Security Act of 2002 (as added by subsection (a) of this section), including information on the following:

(1) The number of requests to purchase equipment or systems that do not meet or exceed any applicable consensus standard evaluated under such review process.

(2) The capability gaps identified by applicants and the number of such requests granted or denied.

(3) The processing time for the review of such requests.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. DONOVAN) and the gentleman from New Jersey (Mr. PAYNE) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. DONOVAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and to include any extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DONOVAN. Mr. Speaker, I yield myself such time as I may consume.

As chairman of the Subcommittee on Emergency Preparedness, Response, and Communications, I rise in support of H.R. 5460, the First Responder Access to Innovative Technologies Act, which passed out of my subcommittee with bipartisan support on June 16 and was reported favorably by the Committee on Homeland Security earlier this month.

With threats consistently evolving, it is reassuring to see new technology being developed to ensure the safety of our communities and first responders.

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However, emerging technology is frequently developed faster than voluntary consensus standards can be implemented.

Recipients of grants under FEMA’s State Homeland Security Grant Program and the Urban Areas Security Initiative must procure equipment that meets these standards. Unfortunately, if emerging technology or equipment

does not have a voluntary consensus standard and a grant recipient would like to use those funds to purchase such technology, FEMA does not have a uniform review process to consider applications for that equipment. This legislation requires FEMA to develop such a process for reviewing these requests.

I want to thank the subcommittee’s ranking member, Representative PAYNE, for introducing this common-sense bill. I am proud to be an original cosponsor of H.R. 5460 because it will ensure first responders have the ability to purchase equipment and emerging technology needed to effectively adapt to the current threat landscape.

First responders in multiple jurisdictions in New York and New Jersey were recently called upon to respond to a series of improvised explosive devices. It is clear that the threat to our communities is not going away; and we, as Members of Congress, must ensure our first responders can easily access emerging technology without being hampered by unnecessary bureaucracy.

I urge all Members to join me in supporting this bill.

I reserve the balance of my time.

Mr. PAYNE. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 5460, the First Responder Access to Innovative Technologies Act.

Mr. Speaker, a week ago, after we observed the fifteenth anniversary of the September 11 attacks this month, a disturbed man planted bombs in New York City, in Seaside Park, New Jersey, and in Elizabeth, New Jersey. Local law enforcement in my district ultimately apprehended the suspect, but not before a shootout injured two brave officers, Officer Hammer and Officer Padilla of the Linden Police Department.

In our Nation’s darkest hours, the bravest among us rush into situations everyone else tries to escape. Those heroes need the best, most modern technology on the market to do their jobs better and safer.

With the help of the private sector, we have made significant strides in developing first responder technology. Nevertheless, first responders cannot use their Homeland Security grant dollars to purchase the latest technology unless it meets or exceeds voluntary industry standards, which take years to develop. To ensure that our brave first responders have access to the most modern equipment, the First Responder Access to Innovative Technologies Act directs the Federal Emergency Management Agency to develop a transparent process to review requests to purchase equipment for which voluntary industry standards do not exist.

H.R. 5460 has the support of the Securities Industry Association and was approved by the full committee by voice vote.

Mr. Speaker, our first responders are our heroes. Time and time again, they