



S. 763 Thune-Nelson (modified).

**[STAFF WORKING DRAFT]**

APRIL 3, 2017

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.**

**S. 763**

To improve surface and maritime transportation security.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Mr. THUNE (for himself and Mr. NELSON)

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Surface and Maritime Transportation Security Act”.

6 (b) **TABLE OF CONTENTS.**—The table of contents of  
7 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Surface and maritime transportation security assessment and implemen-  
tation of risk-based strategy.
- Sec. 4. Risk-based budgeting and resource allocation.
- Sec. 5. Surface and maritime transportation security management and inter-  
agency coordination review.

- Sec. 6. Transparency.
- Sec. 7. TSA counterterrorism asset deployment.
- Sec. 8. Surface Transportation Security Advisory Committee.
- Sec. 9. Review of the explosives detection canine team program.
- Sec. 10. Expansion of national explosives detection canine team program.
- Sec. 11. Explosive detection technology.
- Sec. 12. Study on security standards and best practices for passenger transportation systems.
- Sec. 13. Amtrak security upgrades.
- Sec. 14. Passenger rail vetting.
- Sec. 15. Study on surface transportation inspectors.
- Sec. 16. Security awareness program.
- Sec. 17. Authorization of appropriations.
- Sec. 18. GAO study on grants.
- Sec. 19. Voluntary use of credentialing.
- Sec. 20. Background records checks for issuance of hazmat licenses.
- Sec. 21. Cargo container scanning technology review.
- Sec. 22. Repeal of biennial reporting requirement for the Government Accountability Office relating to the Transportation Security Information sharing plan.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) ADMINISTRATOR.—The term “Adminis-  
4 trator” means the Administrator of the Transpor-  
5 tation Security Administration.

6 (2) APPROPRIATE COMMITTEES OF CON-  
7 GRESS.—The term “appropriate committees of Con-  
8 gress” means—

9 (A) the Committee on Commerce, Science,  
10 and Transportation of the Senate;

11 (B) the Committee on Homeland Security  
12 and Governmental Affairs of the Senate;

13 (C) the Committee on Homeland Security  
14 of the House of Representatives; and

15 (D) the Committee on Transportation and  
16 Infrastructure of the House of Representatives.

1           (3) DEPARTMENT.—The term “Department”  
2 means the Department of Homeland Security.

3           (4) EXPLOSIVES DETECTION CANINE TEAM.—  
4 The term “explosives detection canine team” means  
5 a canine and a canine handler that are trained to  
6 detect explosives and other threats as defined by the  
7 Secretary.

8           (5) RISK.—The term “risk” means the possi-  
9 bility that a threat will take advantage of a vulner-  
10 ability to cause harm.

11           (6) SECRETARY.—The term “Secretary” means  
12 the Secretary of Homeland Security.

13           (7) THREAT.—The term “threat” means an ad-  
14 versary that has the intent and capability to cause  
15 harm.

16           (8) VULNERABILITY.—The term “vulnerability”  
17 means a weakness in a system or facility that a  
18 threat can exploit to cause harm.

19 **SEC. 3. SURFACE AND MARITIME TRANSPORTATION SECU-**  
20 **RITY ASSESSMENT AND IMPLEMENTATION**  
21 **OF RISK-BASED STRATEGY.**

22 (a) SECURITY ASSESSMENT.—

23           (1) IN GENERAL.—Not later than 1 year after  
24 the date of enactment of this Act, the Administrator  
25 shall complete an assessment of—

1 (A) the vulnerabilities of and risks to sur-  
2 face transportation systems; and

3 (B) in coordination with the Commandant  
4 of the Coast Guard, the vulnerabilities of and  
5 risks to maritime transportation systems.

6 (2) CONSIDERATIONS.—In conducting the secu-  
7 rity assessment under paragraph (1), the Adminis-  
8 trator shall, at a minimum—

9 (A) consider appropriate intelligence;

10 (B) consider security breaches and attacks  
11 at domestic and international transportation fa-  
12 cilities;

13 (C) consider the vulnerabilities and risks  
14 associated with specific modes of surface trans-  
15 portation;

16 (D) evaluate the vetting and security train-  
17 ing of—

18 (i) employees in surface transpor-  
19 tation;

20 (ii) employees in maritime transpor-  
21 tation; and

22 (iii) other individuals with access to  
23 sensitive or secure areas of transportation  
24 networks; and

25 (E) consider input from—

1 (i) representatives of different modes  
2 of surface transportation;

3 (ii) subject to paragraph (3)—

4 (I) representatives of maritime  
5 transportation;

6 (II) critical infrastructure enti-  
7 ties; and

8 (III) the Transportation Systems  
9 Sector Coordinating Council;

10 (iii) the Commandant of the Coast  
11 Guard; and

12 (iv) the heads of other relevant Fed-  
13 eral departments or agencies.

14 (3) MARITIME FACILITIES.—The Commandant  
15 of the Coast Guard shall coordinate with the Admin-  
16 istrator to provide input and other information re-  
17 garding the vulnerabilities of and risks to maritime  
18 facilities.

19 (b) RISK-BASED SECURITY STRATEGY.—

20 (1) IN GENERAL.—Not later than 180 days  
21 after the date the security assessment under sub-  
22 section (a) is complete, the Administrator shall use  
23 the results of the assessment—

1 (A) to develop and implement a cross-cut-  
2 ting, risk-based security strategy that in-  
3 cludes—

4 (i) all surface transportation modes;

5 (ii) to the extent the Transportation  
6 Security Administration provides support  
7 in maritime transportation security efforts,  
8 maritime transportation;

9 (iii) a mitigating strategy that aligns  
10 with each vulnerability and risk identified  
11 in subsection (a);

12 (iv) a planning process to inform re-  
13 source allocation;

14 (v) priorities, milestones, and per-  
15 formance metrics to measure the effective-  
16 ness of the risk-based security strategy;  
17 and

18 (vi) processes for sharing relevant and  
19 timely intelligence threat information with  
20 appropriate stakeholders;

21 (B) to develop a management oversight  
22 strategy that—

23 (i) identifies the parties responsible  
24 for the implementation, management, and

1 oversight of the risk-based security strat-  
2 egy; and

3 (ii) includes a plan for implementing  
4 the risk-based security strategy; and

5 (C) to modify the risk-based budget and  
6 resource allocations, in accordance with section  
7 4(c), for the Transportation Security Adminis-  
8 tration.

9 (2) COORDINATED APPROACH.—In developing  
10 and implementing the risk-based security strategy  
11 under paragraph (1), the Administrator shall—

12 (A) coordinate with the heads of other rel-  
13 evant Federal departments or agencies, and  
14 stakeholders, as appropriate—

15 (i) to evaluate existing surface trans-  
16 portation security programs, policies, and  
17 initiatives, including the explosives detec-  
18 tion canine teams, for consistency with the  
19 risk-based security strategy and, to the ex-  
20 tent practicable, avoid any unnecessary du-  
21 plication of effort;

22 (ii) to determine the extent to which  
23 stakeholder security programs, policies,  
24 and initiatives address the vulnerabilities

1 and risks to surface transportation systems  
2 identified in subsection (a); and

3 (iii) subject to clause (ii), to mitigate  
4 each vulnerability and risk to surface  
5 transportation systems identified in sub-  
6 section (a); and

7 (B) coordinate with the Commandant of  
8 the Coast Guard—

9 (i) to evaluate existing maritime  
10 transportation security programs, policies,  
11 and initiatives for consistency with the  
12 risk-based security strategy and, to the ex-  
13 tent practicable, avoid any unnecessary du-  
14 plication of effort;

15 (ii) to ensure there are no security  
16 gaps between jurisdictional authorities that  
17 a threat can exploit to cause harm;

18 (iii) to determine the extent to which  
19 stakeholder security programs, policies,  
20 and initiatives address the vulnerabilities  
21 and risks to maritime transportation sys-  
22 tems identified in subsection (a); and

23 (iv) subject to clauses (ii) and (iii), to  
24 mitigate each vulnerability and risk to



1 maritime transportation systems identified  
2 in subsection (a).

3 (c) REPORT.—

4 (1) IN GENERAL.—Not later than 180 days  
5 after the date the security assessment under sub-  
6 section (a) is complete, the Administrator shall sub-  
7 mit to the appropriate committees of Congress and  
8 the Inspector General of the Department a report  
9 that—

10 (A) describes the process used to complete  
11 the security assessment;

12 (B) describes the process used to develop  
13 the risk-based security strategy;

14 (C) describes the risk-based security strat-  
15 egy;

16 (D) includes the management oversight  
17 strategy;

18 (E) includes—

19 (i) the findings of the security assess-  
20 ment;

21 (ii) a description of the actions rec-  
22 ommended or taken by the Administrator,  
23 the Commandant of the Coast Guard, or  
24 the head of another Federal department or

1 agency to mitigate the vulnerabilities and  
2 risks identified in subsection (a);

3 (iii) any recommendations for improv-  
4 ing the coordinated approach to mitigating  
5 vulnerabilities and risks to surface and  
6 maritime transportation systems; and

7 (iv) any recommended changes to the  
8 National Infrastructure Protection Plan,  
9 the modal annexes to such plan, or rel-  
10 evant surface or maritime transportation  
11 security programs, policies, or initiatives;  
12 and

13 (F) may contain a classified annex.

14 (2) PROTECTIONS.—In preparing the report,  
15 the Administrator shall take appropriate actions to  
16 safeguard information described by section 552(b) of  
17 title 5, United States Code, or protected from dislo-  
18 sure by any other law of the United States.

19 (d) UPDATES.—Not less frequently than semiannu-  
20 ally, the Administrator shall report to or brief the appro-  
21 priate committees of Congress on the vulnerabilities of and  
22 risks to surface and maritime transportation systems and  
23 how those vulnerabilities and risks affect the risk-based  
24 security strategy.

1 **SEC. 4. RISK-BASED BUDGETING AND RESOURCE ALLOCA-**  
2 **TION.**

3 (a) **REPORT.**—In conjunction with the submission of  
4 the Department’s annual budget request to the Office of  
5 Management and Budget, the Administrator shall submit  
6 to the appropriate committees of Congress a report that  
7 describes a risk-based budget and resource allocation plan  
8 for surface transportation sectors, within and across  
9 modes, that—

10 (1) reflects the risk-based security strategy  
11 under section 3(b); and

12 (2) is organized by appropriations account, pro-  
13 gram, project, and initiative.

14 (b) **BUDGET TRANSPARENCY.**—In submitting the an-  
15 nual budget of the United States Government under sec-  
16 tion 1105 of title 31, United States Code, the President  
17 shall clearly distinguish the resources requested for sur-  
18 face and maritime transportation security from the re-  
19 sources requested for aviation security.

20 (c) **RESOURCE REALLOCATION.**—

21 (1) **IN GENERAL.**—Not later than 15 days after  
22 the date on which the Transportation Security Ad-  
23 ministration allocates any resources or personnel, in-  
24 cluding personnel sharing, detailing, or assignment,  
25 or the use of facilities, technology systems, or vet-  
26 ting resources, for a nontransportation security pur-

1       pose or National Special Security Event (as defined  
2       in section 2001 of Homeland Security Act of 2002  
3       (6 U.S.C. 601)), the Secretary shall provide the no-  
4       tification described in paragraph (2) to the appro-  
5       priate committees of Congress.

6               (2) NOTIFICATION.—A notification described in  
7       this paragraph shall include—

8                       (A) the reason for and a justification of  
9       the resource or personnel allocation;

10                      (B) the expected end date of the resource  
11       or personnel allocation; and

12                      (C) the projected cost to the Transpor-  
13       tation Security Administration of the personnel  
14       or resource allocation.

15   **SEC. 5. SURFACE AND MARITIME TRANSPORTATION SECU-**  
16                               **RITY MANAGEMENT AND INTERAGENCY CO-**  
17                               **ORDINATION REVIEW.**

18       (a) REVIEW.—Not later than 1 year after the date  
19       of enactment of this Act, the Comptroller General of the  
20       United States shall—

21               (1) review the staffing, budget, resource, and  
22       personnel allocation, and management oversight  
23       strategy of the Transportation Security Administra-  
24       tion’s surface and maritime transportation security  
25       programs;

1           (2) review the coordination between relevant en-  
2           tities of leadership, planning, policy, inspections, and  
3           implementation of security programs relating to sur-  
4           face and maritime transportation to reduce redun-  
5           dancy and regulatory burden; and

6           (3) submit to the appropriate committees of  
7           Congress a report on the findings of the reviews  
8           under paragraphs (1) and (2), including any rec-  
9           ommendations for improving coordination between  
10          relevant entities and reducing redundancy and regu-  
11          latory burden.

12          (b) **DEFINITION OF RELEVANT ENTITIES.**—In this  
13          section, the term “relevant entities” means—

14           (1) the Transportation Security Administration;

15           (2) the Coast Guard;

16           (3) other Federal, State, or local departments  
17          or agencies with jurisdiction over a mode of surface  
18          or maritime transportation;

19           (4) critical infrastructure entities;

20           (5) the Transportation Systems Sector Coordi-  
21          nating Council; and

22           (6) relevant stakeholders.

23          **SEC. 6. TRANSPARENCY.**

24           (a) **REGULATIONS.**—

1           (1) IN GENERAL.—Not later than 180 days  
2 after the date of enactment of this Act, and every  
3 180 days thereafter, the Administrator shall publish  
4 on a public website information regarding the status  
5 of each regulation relating to surface transportation  
6 security that is directed by law to be issued and that  
7 has not been issued if not less than 2 years have  
8 passed since the date of enactment of the law.

9           (2) CONTENTS.—The information published  
10 under paragraph (1) shall include—

11                 (A) an updated rulemaking schedule for  
12 the outstanding regulation;

13                 (B) current staff allocations;

14                 (C) data collection or research relating to  
15 the development of the rulemaking;

16                 (D) current efforts, if any, with security  
17 experts, advisory committees, and other stake-  
18 holders; and

19                 (E) other relevant details associated with  
20 the development of the rulemaking that impact  
21 the progress of the rulemaking.

22           (b) INSPECTOR GENERAL REVIEW.—Not later than  
23 180 days after the date of enactment of this Act, and  
24 every 2 years thereafter until all of the requirements under  
25 titles XIII, XIV, and XV of the Implementing Rec-

1 ommendations of the 9/11 Commission Act of 2007 (6  
2 U.S.C. 1111 et seq.) and under this Act have been fully  
3 implemented, the Inspector General of the Department  
4 shall submit to the appropriate committees of Congress  
5 a report that—

6 (1) identifies the requirements under such titles  
7 of that Act and under this Act that have not been  
8 fully implemented;

9 (2) describes what, if any, additional action is  
10 necessary; and

11 (3) includes recommendations regarding wheth-  
12 er any of the requirements under such titles of that  
13 Act or this Act should be amended or repealed.

14 **SEC. 7. TSA COUNTERTERRORISM ASSET DEPLOYMENT.**

15 (a) **IN GENERAL.**—If the Transportation Security  
16 Administration deploys any counterterrorism personnel or  
17 resource, such as explosive detection sweeps, random bag  
18 inspections, or patrols by Visible Intermodal Prevention  
19 and Response teams, to enhance security at a surface  
20 transportation system or surface transportation facility for  
21 a period of not less than 180 consecutive days, the Admin-  
22 istrator shall provide sufficient notification to the system  
23 or facility operator, as applicable, not less than 14 days  
24 prior to terminating the deployment.

1 (b) EXCEPTION.—This section shall not apply if the  
2 Administrator—

3 (1) determines there is an urgent security need  
4 for the personnel or resource described in subsection  
5 (a); and

6 (2) notifies the appropriate committees of Con-  
7 gress of the determination under paragraph (1).

8 **SEC. 8. SURFACE TRANSPORTATION SECURITY ADVISORY**  
9 **COMMITTEE.**

10 (a) IN GENERAL.—Subtitle A of title IV of the  
11 Homeland Security Act of 2002 (6 U.S.C. 201 et seq.)  
12 is amended by adding at the end the following:

13 **“SEC. 404. SURFACE TRANSPORTATION SECURITY ADVI-**  
14 **SORY COMMITTEE.**

15 “(a) ESTABLISHMENT.—The Administrator of the  
16 Transportation Security Administration (referred to in  
17 this section as ‘Administrator’) shall establish within the  
18 Transportation Security Administration the Surface  
19 Transportation Security Advisory Committee (referred to  
20 in this section as the ‘Advisory Committee’).

21 “(b) DUTIES.—

22 “(1) IN GENERAL.—The Advisory Committee  
23 may advise, consult with, report to, and make rec-  
24 ommendations to the Administrator on surface  
25 transportation security matters, including the devel-



1       opment, refinement, and implementation of policies,  
2       programs, initiatives, rulemakings, and security di-  
3       rectives pertaining to surface transportation secu-  
4       rity.

5               “(2) RISK-BASED SECURITY.—The Advisory  
6       Committee shall consider risk-based security ap-  
7       proaches in the performance of its duties.

8       “(c) MEMBERSHIP.—

9               “(1) COMPOSITION.—The Advisory Committee  
10       shall be composed of—

11               “(A) voting members appointed by the Ad-  
12       ministrators under paragraph (2); and

13               “(B) nonvoting members, serving in an ad-  
14       visory capacity, who shall be designated by—

15               “(i) the Transportation Security Ad-  
16       ministration;

17               “(ii) the Department of Transpor-  
18       tation;

19               “(iii) the Coast Guard; and

20               “(iv) such other Federal department  
21       or agency as the Administrator considers  
22       appropriate.

23               “(2) APPOINTMENT.—The Administrator shall  
24       appoint voting members from among stakeholders  
25       representing each mode of surface transportation,

1 such as passenger rail, freight rail, mass transit,  
2 pipelines, highways, over-the-road bus, school bus in-  
3 dustry, and trucking, including representatives  
4 from—

5 “(A) associations representing such modes  
6 of surface transportation;

7 “(B) labor organizations representing such  
8 modes of surface transportation;

9 “(C) groups representing the users of such  
10 modes of surface transportation, including asset  
11 manufacturers, as appropriate;

12 “(D) relevant law enforcement, first re-  
13 sponders, and security experts; and

14 “(E) such other groups as the Adminis-  
15 trator considers appropriate.

16 “(3) CHAIRPERSON.—The Advisory Committee  
17 shall select a chairperson from among its voting  
18 members.

19 “(4) TERM OF OFFICE.—

20 “(A) TERMS.—

21 “(i) IN GENERAL.—The term of each  
22 voting member of the Advisory Committee  
23 shall be 2 years, but a voting member may  
24 continue to serve until the Administrator  
25 appoints a successor.

1                   “(ii) REAPPOINTMENT.—A voting  
2                   member of the Advisory Committee may be  
3                   reappointed.

4                   “(B) REMOVAL.—

5                   “(i) IN GENERAL.—The Administrator  
6                   may review the participation of a member  
7                   of the Advisory Committee and remove  
8                   such member for cause at any time.

9                   “(ii) ACCESS TO INFORMATION.—The  
10                  Administrator may remove any member of  
11                  the Advisory Committee that the Adminis-  
12                  trator determines should be restricted from  
13                  reviewing, discussing, or possessing classi-  
14                  fied information or sensitive security infor-  
15                  mation.

16                  “(5) PROHIBITION ON COMPENSATION.—The  
17                  members of the Advisory Committee shall not re-  
18                  ceive any compensation from the Government by  
19                  reason of their service on the Advisory Committee.

20                  “(6) MEETINGS.—

21                  “(A) IN GENERAL.—The Administrator  
22                  shall require the Advisory Committee to meet at  
23                  least semiannually in person or through web  
24                  conferencing and may convene additional meet-  
25                  ings as necessary.

1           “(B) PUBLIC MEETINGS.—At least 1 of  
2           the meetings of the Advisory Committee each  
3           year shall be—

4                   “(i) announced in the Federal Reg-  
5           ister;

6                   “(ii) announced on a public website;  
7           and

8                   “(iii) open to the public.

9           “(C) ATTENDANCE.—The Advisory Com-  
10          mittee shall maintain a record of the persons  
11          present at each meeting.

12          “(D) MINUTES.—

13                   “(i) IN GENERAL.—Unless otherwise  
14          prohibited by other Federal law, minutes  
15          of the meetings shall be published on the  
16          public website under subsection (e)(5).

17                   “(ii) PROTECTION OF CLASSIFIED  
18          AND SENSITIVE INFORMATION.—The Advi-  
19          sory Committee may redact or summarize,  
20          as necessary, minutes of the meetings to  
21          protect classified or other sensitive infor-  
22          mation in accordance with law.

23          “(7) VOTING MEMBER ACCESS TO CLASSIFIED  
24          AND SENSITIVE SECURITY INFORMATION.—

1           “(A) DETERMINATIONS.—Not later than  
2           60 days after the date on which a voting mem-  
3           ber is appointed to the Advisory Committee and  
4           before that voting member may be granted any  
5           access to classified information or sensitive se-  
6           curity information, the Administrator shall de-  
7           termine if the voting member should be re-  
8           stricted from reviewing, discussing, or pos-  
9           sessing classified information or sensitive secu-  
10          rity information.

11          “(B) ACCESS.—

12                 “(i) SENSITIVE SECURITY INFORMA-  
13                 TION.—If a voting member is not re-  
14                 stricted from reviewing, discussing, or pos-  
15                 sessing sensitive security information  
16                 under subparagraph (A) and voluntarily  
17                 signs a nondisclosure agreement, the vot-  
18                 ing member may be granted access to sen-  
19                 sitive security information that is relevant  
20                 to the voting member’s service on the Advi-  
21                 sory Committee.

22                 “(ii) CLASSIFIED INFORMATION.—Ac-  
23                 cess to classified materials shall be man-  
24                 aged in accordance with Executive Order  
25                 13526 of December 29, 2009 (75 Fed.

1           Reg. 707), or any subsequent cor-  
2           responding executive order.

3           “(C) PROTECTIONS.—

4                 “(i) SENSITIVE SECURITY INFORMA-  
5           TION.—Voting members shall protect sen-  
6           sitive security information in accordance  
7           with part 1520 of title 49, Code of Federal  
8           Regulations.

9                 “(ii) CLASSIFIED INFORMATION.—  
10          Voting members shall protect classified in-  
11          formation in accordance with the applica-  
12          ble requirements for the particular level of  
13          classification.

14          “(8) JOINT COMMITTEE MEETINGS.—The Advi-  
15          sory Committee may meet with 1 or more of the fol-  
16          lowing advisory committees to discuss multimodal  
17          security issues and other security-related issues of  
18          common concern:

19                 “(A) Aviation Security Advisory Com-  
20          mittee established under section 44946 of title  
21          49, United States Code.

22                 “(B) Maritime Security Advisory Com-  
23          mittee established under section 70112 of title  
24          46, United States Code.

1           “(C) Railroad Safety Advisory Committee  
2           established by the Federal Railroad Administra-  
3           tion.

4           “(9) SUBJECT MATTER EXPERTS.—The Advi-  
5           sory Committee may request the assistance of sub-  
6           ject matter experts with expertise related to the ju-  
7           risdiction of the Advisory Committee.

8           “(d) REPORTS.—

9           “(1) PERIODIC REPORTS.—The Advisory Com-  
10          mittee shall periodically submit reports to the Ad-  
11          ministrators on matters requested by the Adminis-  
12          trator or by a majority of the members of the Advi-  
13          sory Committee.

14          “(2) ANNUAL REPORT.—

15          “(A) SUBMISSION.—The Advisory Com-  
16          mittee shall submit to the Administrator and  
17          the appropriate congressional committees an  
18          annual report that provides information on the  
19          activities, findings, and recommendations of the  
20          Advisory Committee during the preceding year.

21          “(B) PUBLICATION.—Not later than 6  
22          months after the date that the Administrator  
23          receives an annual report under subparagraph  
24          (A), the Administrator shall publish a public

1 version of the report, in accordance with section  
2 552a(b) of title 5, United States Code.

3 “(e) ADMINISTRATION RESPONSE.—

4 “(1) CONSIDERATION.—The Administrator  
5 shall consider the information, advice, and rec-  
6 ommendations of the Advisory Committee in formu-  
7 lating policies, programs, initiatives, rulemakings,  
8 and security directives pertaining to surface trans-  
9 portation security and to the support of maritime  
10 transportation security efforts.

11 “(2) FEEDBACK.—Not later than 90 days after  
12 the date that the Administrator receives a rec-  
13 ommendation from the Advisory Committee under  
14 subsection (d)(2), the Administrator shall submit to  
15 the Advisory Committee written feedback on the rec-  
16 ommendation, including—

17 “(A) if the Administrator agrees with the  
18 recommendation, a plan describing the actions  
19 that the Administrator has taken, will take, or  
20 recommends that the head of another Federal  
21 department or agency take to implement the  
22 recommendation; or

23 “(B) if the Administrator disagrees with  
24 the recommendation, a justification for that de-  
25 termination.



1           “(3) NOTICES.—Not later than 30 days after  
2 the date the Administrator submits feedback under  
3 paragraph (2), the Administrator shall—

4           “(A) notify the appropriate congressional  
5 committees of the feedback, including the deter-  
6 mination under subparagraph (A) or subpara-  
7 graph (B) of that paragraph, as applicable; and

8           “(B) provide the appropriate congressional  
9 committees with a briefing upon request.

10          “(4) UPDATES.—Not later than 90 days after  
11 the date the Administrator receives a recommenda-  
12 tion from the Advisory Committee under subsection  
13 (d)(2) that the Administrator agrees with, and quar-  
14 terly thereafter until the recommendation is fully im-  
15 plemented, the Administrator shall submit a report  
16 to the appropriate congressional committees or post  
17 on the public website under paragraph (5) an update  
18 on the status of the recommendation.

19          “(5) WEBSITE.—The Administrator shall main-  
20 tain a public website that—

21           “(A) lists the members of the Advisory  
22 Committee; and

23           “(B) provides the contact information for  
24 the Advisory Committee.

1       “(f) NONAPPLICABILITY OF FACA.—The Federal  
2 Advisory Committee Act (5 U.S.C. App.) shall not apply  
3 to the Advisory Committee or any subcommittee estab-  
4 lished under this section.”.

5       (b) ADVISORY COMMITTEE MEMBERS.—

6           (1) VOTING MEMBERS.—Not later than 180  
7 days after the date of enactment of this Act, the Ad-  
8 ministrator shall appoint the voting members of the  
9 Surface Transportation Security Advisory Com-  
10 mittee established under section 404 of the Home-  
11 land Security Act of 2002, as added by subsection  
12 (a) of this section.

13           (2) NONVOTING MEMBERS.—Not later than 90  
14 days after the date of enactment of this Act, each  
15 Federal Government department and agency with  
16 regulatory authority over a mode of surface or mari-  
17 time transportation, as the Administrator considers  
18 appropriate, shall designate an appropriate rep-  
19 resentative to serve as a nonvoting member of the  
20 Surface Transportation Security Advisory Com-  
21 mittee.

22       (c) TABLE OF CONTENTS.—The table of contents in  
23 section 1(b) of the Homeland Security Act of 2002 (Public  
24 Law 107–296; 116 Stat. 2135) is amended by inserting  
25 after the item relating to section 403 the following:

“Sec. 404. Surface Transportation Security Advisory Committee.”.

1 **SEC. 9. REVIEW OF THE EXPLOSIVES DETECTION CANINE**  
2 **TEAM PROGRAM.**

3 (a) IN GENERAL.—Not later than 90 days after the  
4 date that the Inspector General of the Department re-  
5 ceives the report under section 3(c), the Inspector General  
6 of the Department shall—

7 (1) review the explosives detection canine team  
8 program, including—

9 (A) the development by the Transportation  
10 Security Administration of a deployment strat-  
11 egy for explosives detection canine teams;

12 (B) the national explosives detection canine  
13 team training program, including canine train-  
14 ing, handler training, refresher training, and  
15 updates to such training; and

16 (C) the use of the canine assets during an  
17 urgent security need, including the reallocation  
18 of such program resources outside the transpor-  
19 tation systems sector during an urgent security  
20 need; and

21 (2) submit to the appropriate committees of  
22 Congress a report on the review, including any rec-  
23 ommendations.

24 (b) CONSIDERATIONS.—In conducting the review of  
25 the deployment strategy under subsection (a)(1)(A), the  
26 Inspector General shall consider whether the Transpor-

1 tation Security Administration's method to analyze the  
2 risk to transportation facilities and transportation systems  
3 is appropriate.

4 **SEC. 10. EXPANSION OF NATIONAL EXPLOSIVES DETEC-**  
5 **TION CANINE TEAM PROGRAM.**

6 (a) IN GENERAL.—The Secretary, where appropriate,  
7 shall encourage State, local, and tribal governments and  
8 private owners of high-risk transportation facilities to  
9 strengthen security through the use of explosives detection  
10 canine teams.

11 (b) INCREASED CAPACITY.—

12 (1) IN GENERAL.—Before the date the Inspec-  
13 tor General of the Department submits the report  
14 under section 9, the Administrator may increase the  
15 number of State and local surface and maritime  
16 transportation canines by not more than 70 explo-  
17 sives detection canine teams.

18 (2) ADDITIONAL TEAMS.—Beginning on the  
19 date the Inspector General of the Department sub-  
20 mits the report under section 9, the Secretary may  
21 increase the State and local surface and maritime  
22 transportation canines up to 200 explosives detection  
23 canine teams unless more are identified in the risk-  
24 based security strategy under section 3, consistent  
25 with section 4 or with the President's most recent

1 budget submitted under section 1105 of title 31,  
2 United States Code.

3 (3) RECOMMENDATIONS.—Before initiating any  
4 increase in the number of explosives detection teams  
5 under paragraph (2), the Secretary shall consider  
6 any recommendations in the report under section 9  
7 on the efficacy and management of the explosives  
8 detection canine program.

9 (c) DEPLOYMENT.—The Secretary shall—

10 (1) use the additional explosives detection ca-  
11 nine teams, as described in subsection (b)(1), as  
12 part of the Department’s efforts to strengthen secu-  
13 rity across the Nation’s surface and maritime trans-  
14 portation networks;

15 (2) make available explosives detection canine  
16 teams to all modes of transportation, subject to the  
17 requirements under section 7, to address specific  
18 vulnerabilities or risks, on an as-needed basis and as  
19 otherwise determined appropriate by the Secretary;  
20 and

21 (3) consider specific needs and training require-  
22 ments for explosives detection canine teams to be de-  
23 ployed across the Nation’s surface and maritime  
24 transportation networks, including in venues of mul-

1       tiple modes of transportation, as the Secretary con-  
2       siders appropriate.

3       (d) AUTHORIZATION.—There are authorized to be ap-  
4       propriated to the Secretary such sums as may be nec-  
5       essary to carry out this section for each of fiscal years  
6       2018 through 2021.

7       **SEC. 11. EXPLOSIVE DETECTION TECHNOLOGY.**

8       The Secretary, in coordination with the Director of  
9       the National Institute of Standards and Technology and  
10      the head of each relevant Federal department or agency  
11      researching explosive detection systems, shall research and  
12      facilitate next generation technologies to detect explosives  
13      in transportation systems and transportation facilities.

14      **SEC. 12. STUDY ON SECURITY STANDARDS AND BEST PRAC-**  
15                   **TICES FOR PASSENGER TRANSPORTATION**  
16                   **SYSTEMS.**

17      (a) SECURITY STANDARDS AND BEST PRACTICES  
18      FOR UNITED STATES AND FOREIGN PASSENGER TRANS-  
19      PORTATION SYSTEMS.—The Comptroller General of the  
20      United States shall conduct a study of how the Transpor-  
21      tation Security Administration—

22              (1) identifies and compares—

23                      (A) United States and foreign passenger  
24              transportation security standards; and

1 (B) best practices for protecting passenger  
2 transportation systems, including shared ter-  
3 minal facilities, and cyber systems; and

4 (2) disseminates the findings under paragraph  
5 (1) to stakeholders.

6 (b) REPORT.—Not later than 18 months after the  
7 date of enactment of this Act, the Comptroller General  
8 shall issue a report that contains—

9 (1) the findings of the study conducted under  
10 subsection (a); and

11 (2) any recommendations for improving the rel-  
12 evant processes or procedures.

13 **SEC. 13. AMTRAK SECURITY UPGRADES.**

14 (a) RAILROAD SECURITY ASSISTANCE.—Section  
15 1513(b) of the Implementing Recommendations of the 9/  
16 11 Commission Act of 2007 (6 U.S.C. 1163(b)) is amend-  
17 ed—

18 (1) in paragraph (1), by striking the period at  
19 the end and inserting “, including communications  
20 interoperability where appropriate with relevant out-  
21 side agencies and entities.”;

22 (2) in paragraph (5), by striking “security of”  
23 and inserting “security and preparedness of”;

24 (3) in paragraph (7), by striking “security  
25 threats” and inserting “security threats and pre-

1       paredness, including connectivity to the National  
2       Terrorist Screening Center”; and

3             (4) in paragraph (9), by striking “and security  
4       officers” and inserting “, security, and preparedness  
5       officers”.

6       (b) SPECIFIC PROJECTS.—Section 1514(a)(3) of the  
7       Implementing Recommendations of the 9/11 Commission  
8       Act of 2007 (6 U.S.C. 1164(a)(3)) is amended—

9             (1) in subparagraph (D) by inserting “, or to  
10       connect to the National Terrorism Screening Center  
11       watchlist” after “Secretary”;

12            (2) in subparagraph (G), by striking “; and” at  
13       the end and inserting a semicolon;

14            (3) in subparagraph (H) by striking the period  
15       at the end and inserting a semicolon; and

16            (4) by adding at the end the following:

17                   “(I) for improvements to passenger  
18       verification systems;

19                   “(J) for improvements to employee and  
20       contractor verification systems, including iden-  
21       tity verification technology; or

22                   “(K) for improvements to the security of  
23       Amtrak computer systems, including  
24       cybersecurity assessments and programs.”.



1 **SEC. 14. PASSENGER RAIL VETTING.**

2 (a) IN GENERAL.—Not later than 180 days after the  
3 date on which the Amtrak Board of Directors submits a  
4 request to the Administrator, the Administrator shall  
5 issue a decision on the use by Amtrak of the Transpor-  
6 tation Security Administration’s Secure Flight Program  
7 or a similar passenger vetting system to enhance pas-  
8 senger rail security.

9 (b) STRATEGIC PLAN.—If the Administrator decides  
10 to grant the request by Amtrak under subsection (a), the  
11 decision shall include a strategic plan for working with rail  
12 stakeholders to enhance passenger rail security by vetting  
13 passengers using terrorist watch lists maintained by the  
14 Federal Government or a similar passenger vetting system  
15 maintained by the Transportation Security Administra-  
16 tion.

17 (c) NOTICES.—The Administrator shall notify the ap-  
18 propriate committees of Congress of any decision made  
19 under subsection (a) and the details of the strategic plan  
20 under subsection (b).

21 (d) RULE OF CONSTRUCTION.—Nothing in this sec-  
22 tion shall be construed to limit the Administrator’s au-  
23 thority to set the access to, or terms and conditions of  
24 using, the Secure Flight Program or a similar passenger  
25 vetting system.

1 **SEC. 15. STUDY ON SURFACE TRANSPORTATION INSPEC-**  
2 **TORS.**

3 Not later than 180 days after the date of enactment  
4 of this Act, the Comptroller General of the United States  
5 shall submit to the appropriate committees of Congress  
6 a report that—

7 (1) identifies the roles and responsibilities of  
8 surface transportation security inspectors authorized  
9 under section 1304 of the Implementing Rec-  
10 ommendations of the 9/11 Commission Act of 2007  
11 (6 U.S.C. 1113);

12 (2) determines whether surface transportation  
13 security inspectors—

14 (A) have appropriate qualifications to help  
15 secure and inspect surface transportation sys-  
16 tems; and

17 (B) have adequate experience and training  
18 to perform the responsibilities identified under  
19 paragraph (1);

20 (3) evaluates feedback from surface transpor-  
21 tation industry stakeholders on the effectiveness of  
22 surface transportation security inspectors and in-  
23 spection programs to the overall security of the sur-  
24 face transportation systems of such stakeholders;

1 (4) evaluates the consistency of surface trans-  
2 portation inspections, recommendations, and regu-  
3 latory enforcement, where applicable;

4 (5) identifies any duplication or redundancy be-  
5 tween the Transportation Security Administration  
6 and the Department of Transportation relating to  
7 surface transportation security inspections or over-  
8 sight; and

9 (6) provides recommendations, if any, relating  
10 to—

11 (A) improvements to the surface transpor-  
12 tation security inspectors program, including—

13 (i) changes in organizational and su-  
14 pervisory structures;

15 (ii) coordination procedures to en-  
16 hance consistency; and

17 (iii) effectiveness in inspection and  
18 compliance activities; and

19 (B) whether each transportation mode  
20 needs inspectors trained and qualified for that  
21 specific mode.

22 **SEC. 16. SECURITY AWARENESS PROGRAM.**

23 (a) **ESTABLISHMENT.**—The Administrator shall es-  
24 tablish a program to promote surface transportation secu-  
25 rity through the training of surface transportation opera-

1 tors and frontline employees on each of the skills identified  
2 in subsection (c).

3 (b) APPLICATION.—The program established under  
4 subsection (a) shall apply to all modes of surface transpor-  
5 tation, including public transportation, rail, highway,  
6 motor carrier, and pipeline.

7 (c) TRAINING.—The program established under sub-  
8 section (a) shall cover, at a minimum, the skills necessary  
9 to recognize, assess, and respond to suspicious items or  
10 actions that could indicate a threat to transportation.

11 (d) ASSESSMENT.—

12 (1) IN GENERAL.—The Administrator shall con-  
13 duct an assessment of current training programs for  
14 surface transportation operators and frontline em-  
15 ployees.

16 (2) CONTENTS.—The assessment shall iden-  
17 tify—

18 (A) whether other training is being pro-  
19 vided, either voluntarily or in response to other  
20 Federal requirements; and

21 (B) whether there are any gaps in existing  
22 training.

23 (e) UPDATES.—The Administrator shall ensure the  
24 program established under subsection (a) is updated as  
25 necessary to address changes in risk and terrorist methods

1 and to close any gaps identified in the assessment under  
2 subsection (d).

3 (f) SUSPICIOUS ACTIVITY REPORTING.—

4 (1) IN GENERAL.—The Administrator shall  
5 maintain a national telephone number for an indi-  
6 vidual to use to report suspicious activity under this  
7 section to the Administration.

8 (2) PROCEDURES.—The Administrator shall es-  
9 tablish procedures for the Administration—

10 (A) to review and follow-up, as necessary,  
11 on each report received under paragraph (1);  
12 and

13 (B) to share, as necessary and in accord-  
14 ance with law, the report with appropriate Fed-  
15 eral, State, local, and tribal entities.

16 (3) RULE OF CONSTRUCTION.—Nothing in this  
17 section may be construed to replace or affect in any  
18 way the use of 9–1–1 services in an emergency.

19 (g) DEFINITION OF FRONTLINE EMPLOYEE.—In this  
20 section, the term “frontline employee” includes—

21 (1) an employee of a public transportation  
22 agency who is a transit vehicle driver or operator,  
23 dispatcher, maintenance and maintenance support  
24 employee, station attendant, customer service em-  
25 ployee, security employee, or transit police, or any

1 other employee who has direct contact with riders on  
2 a regular basis, and any other employee of a public  
3 transportation agency that the Administrator deter-  
4 mines should receive security training under this  
5 section or that is receiving security training under  
6 other law;

7 (2) over-the-road bus drivers, security per-  
8 sonnel, dispatchers, maintenance and maintenance  
9 support personnel, ticket agents, other terminal em-  
10 ployees, and other employees of an over-the-road bus  
11 operator or terminal owner or operator that the Ad-  
12 ministrator determines should receive security train-  
13 ing under this section or that is receiving security  
14 training under other law; or

15 (3) security personnel, dispatchers, locomotive  
16 engineers, conductors, trainmen, other onboard em-  
17 ployees, maintenance and maintenance support per-  
18 sonnel, bridge tenders, and any other employees of  
19 railroad carriers that the Administrator determines  
20 should receive security training under this section or  
21 that is receiving security training under other law.

22 **SEC. 17. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—Subject to subsection (c), there  
24 are authorized to be appropriated to the Secretary to  
25 award surface transportation preparedness grants—

1 (1) \$250,000,000 for fiscal year 2018:

2 (2) \$275,000,000 for fiscal year 2019:

3 (3) \$300,000,000 for fiscal year 2020: and

4 (4) \$325,000,000 for fiscal year 2021.

5 (b) ADDITIONAL AUTHORIZATION OF APPROPRIA-  
6 TIONS.—

7 (1) IN GENERAL.—Subject to subsection (c)  
8 and in addition to the sums authorized to be appro-  
9 priated under subsection (a), if the certification de-  
10 scribed in paragraph (2) is made during a fiscal year  
11 there is authorized to be appropriated to the Sec-  
12 retary for the purpose described in subsection (a) for  
13 that fiscal year an additional amount as follows:

14 (A) \$250,000,000 for fiscal year 2018.

15 (B) \$300,000,000 for fiscal year 2019.

16 (C) \$350,000,000 for fiscal year 2020.

17 (D) \$400,000,000 for fiscal year 2021.

18 (2) CERTIFICATIONS.—A certification described  
19 in this paragraph is a certification made by the Sec-  
20 retary, in coordination with the Administrator, and  
21 submitted to the appropriate committees of Congress  
22 that the Secretary—

23 (A) has reviewed the criteria and selection  
24 process for each surface transportation pre-  
25 paredness grants program;

1 (B) has determined whether the criteria  
2 and selection process adequately reflect the re-  
3 sults of the risk-based assessment and risk-  
4 based strategy of the applicable transportation  
5 system under section 3; and

6 (C) is in compliance with this paragraph  
7 and paragraph (3).

8 (3) GAO STUDY.—Prior to submitting a certifi-  
9 cation under paragraph (2), the Secretary shall re-  
10 view the report under section 18 and take action on  
11 each recommendation described in subsection (c)(2)  
12 of that section.

13 (c) USE OF FUNDS.—Half of the amounts made  
14 available under subsections (a) and (b)(1) for a fiscal year  
15 shall be used by the Secretary to award grants under the  
16 Port Security Grant Program.

17 (d) DEFINITION OF SURFACE TRANSPORTATION  
18 PREPAREDNESS GRANTS.—In this section, the term “sur-  
19 face transportation preparedness grants” means grants  
20 awarded under—

21 (1) the Intercity Passenger Rail Security Grant  
22 Program;

23 (2) the Intercity Bus Security Grant Program;

24 (3) the Rail Grant Program;

25 (4) the Transit Security Grant Program; and



1 (5) the Port Security Grant Program.

2 **SEC. 18. GAO STUDY ON GRANTS.**

3 (a) IN GENERAL.—Not later than 90 days after the  
4 date of enactment of this Act, the Comptroller General  
5 of the United States shall study the management and ef-  
6 fectiveness of the programs administering surface trans-  
7 portation preparedness grants (as defined in section 17).

8 (b) CONSIDERATIONS.—In conducting the study  
9 under subsection (a), the Comptroller General shall con-  
10 sider for each applicable program whether—

11 (1) the Transportation Security Administra-  
12 tion's criteria for surface transportation prepared-  
13 ness grants reflects the risk-based strategy under  
14 section 3;

15 (2) the Department's grant selection process  
16 and implementation decisions reflect the risk-based  
17 strategy under section 3;

18 (3) the applicable program's effectiveness at de-  
19 creasing vulnerability can be and has been assessed;  
20 and

21 (4) the Department is providing sufficient over-  
22 sight of the applicable program to ensure the grant  
23 funds are used for the purpose described in the  
24 grant application.

1 (c) REPORT.—Not later than 180 days after the date  
2 of enactment of this Act, the Comptroller General shall  
3 submit to the appropriate committees of Congress a report  
4 on the study under subsection (a), including—

5 (1) the findings of the study; and

6 (2) any recommendations for improving the ap-  
7 plicable programs.

8 **SEC. 19. VOLUNTARY USE OF CREDENTIALING.**

9 (a) IN GENERAL.—An individual who is subject to  
10 credentialing or a background investigation may satisfy  
11 that requirement by obtaining a valid transportation secu-  
12 rity card issued under section 70105 of title 46, United  
13 States Code.

14 (b) ISSUANCE OF CARDS.—The Secretary of Home-  
15 land Security—

16 (1) shall expand the transportation security  
17 card program, consistent with section 70105 of title  
18 46, United States Code, to allow an individual who  
19 is subject to credentialing or a background investiga-  
20 tion to apply for a transportation security card; and

21 (2) may charge reasonable fees, in accordance  
22 with section 520(a) of the Department of Homeland  
23 Security Appropriations Act, 2004 (6 U.S.C.  
24 469(a)), for providing the necessary credentialing  
25 and background investigation.

1 (c) DEFINITION.—In this section, the term “indi-  
2 vidual who is subject to credentialing or a background in-  
3 vestigation” means an individual who—

4 (1) because of employment is regulated by the  
5 Transportation Security Administration, Department  
6 of Transportation, or Coast Guard and is required  
7 to have a background records check to obtain a haz-  
8 ardous materials endorsement on a commercial driv-  
9 er’s license issued by a State under section 5103a of  
10 title 49, United States Code; or

11 (2) is required to have a credential and back-  
12 ground records check under section 2102(d)(2) of  
13 the Homeland Security Act of 2002 (6 U.S.C.  
14 622(d)(2)) at a facility with activities that are regu-  
15 lated by the Transportation Security Administration,  
16 Department of Transportation, or Coast Guard.

17 **SEC. 20. BACKGROUND RECORDS CHECKS FOR ISSUANCE**  
18 **OF HAZMAT LICENSES.**

19 Section 5103a(d) of title 49, United States Code, is  
20 amended by adding at the end the following:

21 “(3) TRANSPORTATION SECURITY CARDS.—An  
22 individual who holds a valid transportation security  
23 card issued by the Secretary of the department in  
24 which the Coast Guard is operating under section  
25 70105 of title 46 shall be deemed to have met the

1 background records check required under this sub-  
2 section.”.

3 **SEC. 21. CARGO CONTAINER SCANNING TECHNOLOGY RE-**  
4 **VIEW.**

5 (a) DESIGNATIONS.—

6 (1) IN GENERAL.—Not later than 1 year after  
7 the date of enactment of this Act, and not less fre-  
8 quently than once every 5 years thereafter until the  
9 date of full-scale implementation of 100 percent  
10 screening of cargo containers and 100 percent scan-  
11 ning of high-risk containers required under section  
12 232 of the SAFE Port Act (6 U.S.C. 982), the Sec-  
13 retary shall solicit proposals for scanning tech-  
14 nologies, consistent with the standards under sub-  
15 section (b)(8) of that section, to improve scanning of  
16 cargo at domestic ports.

17 (2) EVALUATION.—In soliciting proposals under  
18 paragraph (1), the Secretary shall establish meas-  
19 ures to assess the performance of the proposed scan-  
20 ning technologies, including—

21 (A) the rate of false positives;

22 (B) the delays in processing times; and

23 (C) the impact on the supply chain.

24 (b) PILOT PROGRAM.—

1           (1) ESTABLISHMENT.—The Secretary may es-  
2           tablish a pilot program to determine the efficacy of  
3           a scanning technology referred to in subsection (a).

4           (2) APPLICATION PROCESS.—In carrying out  
5           the pilot program under this subsection, the Sec-  
6           retary shall—

7                   (A) solicit applications from domestic  
8                   ports;

9                   (B) select up to 4 domestic ports to par-  
10                  ticipate in the pilot program; and

11                  (C) select ports with unique features and  
12                  differing levels of trade volume.

13           (3) REPORT.—Not later than 1 year after initi-  
14           ating a pilot program under paragraph (1), the Sec-  
15           retary shall submit to the appropriate committees of  
16           Congress a report on the pilot program, including—

17                   (A) an evaluation of the scanning tech-  
18                   nologies proposed to improve security at domes-  
19                   tic ports and to meet the full-scale implementa-  
20                   tion requirement;

21                   (B) the costs to implement a pilot pro-  
22                   gram;

23                   (C) the benefits of the proposed scanning  
24                   technologies;

1 (D) the impact of the pilot program on the  
2 supply chain; and

3 (E) recommendations for implementation  
4 of advanced cargo scanning technologies at do-  
5 mestic ports.

6 (4) SHARING PILOT PROGRAM TESTING RE-  
7 SULTS.—The results of the pilot testing of advanced  
8 cargo scanning technologies shall be shared, as ap-  
9 propriate, with government agencies and private  
10 stakeholders whose responsibilities encompass the se-  
11 cure transport of cargo.

12 **SEC. 22. REPEAL OF BIENNIAL REPORTING REQUIREMENT**  
13 **FOR THE GOVERNMENT ACCOUNTABILITY**  
14 **OFFICE RELATING TO THE TRANSPORTATION**  
15 **SECURITY INFORMATION SHARING PLAN.**

16 (a) IN GENERAL.—Section 114 of title 49, United  
17 States Code, is amended—

18 (1) by redesignating subsections (u), (v), and  
19 (w) as subsections (t), (u), and (v), respectively; and

20 (2) in subsection (t), as redesignated—

21 (A) in paragraph (1)(A), by striking “sub-  
22 section (t)” and inserting “subsection (s)”;

23 (B) by striking paragraph (7); and

24 (C) by redesignating paragraphs (8) and  
25 (9) as paragraphs (7) and (8), respectively.

1 (b) TECHNICAL AND CONFORMING AMENDMENTS.—

2 (1) TRANSPORTATION SECURITY STRATEGIC  
3 PLANNING.—Section 114(s)(3)(B) of title 49, United  
4 States Code, is amended by striking “2007” and in-  
5 serting “2007”).

6 (2) CONGRESSIONAL OVERSIGHT OF SECURITY  
7 ASSURANCE FOR PUBLIC AND PRIVATE STAKE-  
8 HOLDERS.—Section 1203(b)(1)(B) of the Imple-  
9 menting Recommendations of the 9/11 Commission  
10 Act of 2007 (49 U.S.C. 114 note) is amended by  
11 striking “, under section 114(u)(7) of title 49,  
12 United States Code, as added by this section, or oth-  
13 erwise,”.