



**CONGRESSIONAL BUDGET OFFICE  
COST ESTIMATE**

September 19, 2016

**H.R. 5943  
Transit Security Grant Program Flexibility Act**

As ordered reported by the House Committee on Homeland Security  
on September 13, 2016

H.R. 5943 would amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to stipulate the length of time that grants for security improvements to public transit systems made to public transportation agencies by the Federal Emergency Management Agency (FEMA) must remain available. Under the bill grants that are made specifically for improvements to public transit systems under construction or for improvements to public transit infrastructure would have to remain available to the recipient for at least 55 months. All other such grants would have to remain available to the recipient for at least 36 months.

Under current law, FEMA has the authority to determine and subsequently extend the length of time, known as the Period of Performance (POP), that a grantee has to complete a project on a case by case basis and no minimum amount of time is required. If the POP is exceeded before the grant is used and no extension is provided, FEMA revokes the remainder of the grant funds and returns them to the Treasury.

Enacting this bill could extend the POP for some grants that would have otherwise expired under current law. CBO estimates that such extensions could increase direct spending of grant funding that has already been appropriated; therefore, pay-as-you-go procedures apply. However, based on information from FEMA about the amount and frequency of grant funds that expire, CBO estimates that any such increase would be insignificant in any year over the 2017-2026 period. Enacting the bill would not affect revenues.

The bill also would require the Government Accountability Office (GAO) to conduct a review of the FEMA transit security grant program and to submit a report to the Congress on their findings within one year of the bill's enactment. Based on information from GAO about the amount of effort required to complete the review and report, CBO estimates that implementing H.R. 5943 would cost about \$1 million in 2017 and a negligible amount over the remainder of the 5-year period. Any such spending would be subject to the availability of appropriated funds.

CBO estimates that enacting H.R. 5943 would not increase net direct spending or on-budget deficits by more than \$5 billion in any of the four consecutive 10-year periods beginning in 2027.

H.R. 5943 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would benefit public transit systems and agencies by providing greater flexibility in the use of federal transit security grants.

The CBO staff contact for this estimate is Robert Reese. The estimate was approved by Theresa Gullo, Assistant Director for Budget Analysis.