

109TH CONGRESS
1ST SESSION

S. 1032

To improve seaport security.

IN THE SENATE OF THE UNITED STATES

MAY 12, 2005

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To improve seaport security.

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 “United States Seaport
5 Multiyear Security Enhancement Act”.

6 **SEC. 2. SEAPORT SECURITY IMPROVEMENT PROJECTS.**

7 (a) GRANT AUTHORITY.—Subject to the require-
8 ments of this section, the Transportation Security Admin-
9 istration may make grants to seaports to enhance security.

10 (b) APPLICATIONS.—A seaport seeking a grant under
11 this section shall submit to the Administration an applica-

1 tion in such form and containing such information as the
2 Administration prescribes.

3 (c) GRANT AWARDS.—

4 (1) IN GENERAL.—The Administration, after
5 consultation with the Secretary of Transportation,
6 may approve an application of a seaport for a grant
7 under this section only if the Administration deter-
8 mines that the project will improve security at a sea-
9 port or improve the efficiency of the seaport without
10 lessening security.

11 (2) PRIORITY.—The Administration shall give
12 priority in awarding grants under this section to
13 seaports that the Administration considers will im-
14 pact or enhance the Nation's seaport security.

15 (d) MATCHING REQUIREMENTS.—

16 (1) 75-PERCENT FEDERAL FUNDING.—Except
17 as provided in paragraph (2), Federal funds for any
18 eligible project under this section shall not exceed 75
19 percent of the total cost of such project.

20 (2) EXCEPTIONS.—

21 (A) SMALL PROJECTS.—A seaport with a
22 project under subsection (a) that costs less than
23 \$25,000 shall not be required to match Federal
24 funds.

1 (B) HIGHER LEVEL OF SUPPORT RE-
2 QUIRED.—If the Administration determines
3 that a proposed project merits support and can-
4 not be undertaken without a higher rate of
5 Federal support, the Administration may ap-
6 prove grants under this section with a matching
7 requirement other than that specified in para-
8 graph (1).

9 (e) LETTERS OF INTENT.—

10 (1) ISSUANCE.—The Administration may issue
11 a letter of intent to a seaport committing to obligate
12 from future budget authority an amount, not more
13 than the Federal Government's share of the project's
14 cost, for a seaport security improvement project (in-
15 cluding interest costs and costs of formulating the
16 project).

17 (2) SCHEDULE.—A letter of intent under this
18 subsection shall establish a schedule under which the
19 Administration will reimburse the seaport for the
20 Government's share of the project's costs, as
21 amounts become available, if the seaport, after the
22 Administration issues the letter, carries out the
23 project without receiving amounts under this section.

24 (3) NOTICE TO ADMINISTRATION.—A seaport
25 that has been issued a letter of intent under this

1 subsection shall notify the Administration of the sea-
2 port's intent to carry out a project before the project
3 begins.

4 (4) NOTICE TO CONGRESS.—The Administra-
5 tion shall transmit to the Committees on Appropria-
6 tions and Transportation and Infrastructure of the
7 House of Representatives and the Committees on
8 Appropriations and Commerce, Science, and Trans-
9 portation of the Senate a written notification at
10 least 3 days before the issuance of a letter of intent
11 under this section.

12 (5) LIMITATIONS.—A letter of intent issued
13 under this subsection is not an obligation of the
14 Government under section 1501 of title 31, and the
15 letter is not deemed to be an administrative commit-
16 ment for financing. An obligation or administrative
17 commitment may be made only as amounts are pro-
18 vided in authorization and appropriations laws.

19 (6) STATUTORY CONSTRUCTION.—Nothing in
20 this subsection shall be construed to prohibit the ob-
21 ligation of amounts pursuant to a letter of intent
22 under this subsection in the same fiscal year as the
23 letter of intent is issued.

24 (f) APPLICATION OF ADDITIONAL REQUIREMENTS.—
25 The Administration may require as a condition for

1 issuance of a letter of intent such reasonable administra-
2 tive requirements as necessary to carry out the provisions
3 of this Act.

4 (g) NOTIFICATION TO COMMITTEE.—The Adminis-
5 tration shall notify the appropriate committees of Con-
6 gress when a grant is made under this section.

7 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
8 authorized to be appropriated to carry out this section
9 \$800,000,000 for each of fiscal years 2006 through 2010.
10 Such sums shall remain available until expended.

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