

TRANSPORTATION REPORTS ELIMINATION ACT OF 2013

DECEMBER 19, 2013.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SHUSTER, from the Committee on Transportation and Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 3628]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 3628) to eliminate certain unnecessary reporting requirements and consolidate or modify others, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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PURPOSE OF LEGISLATION

H.R. 3628 eliminates, consolidates, and modifies 27 congressionally mandated reporting requirements of Executive Branch agencies that fall within the jurisdiction of the Committee.

BACKGROUND AND NEED FOR LEGISLATION

The GPRA Modernization Act of 2010 (Public Law 111–352) requires federal agencies to identify for elimination, modification, or consolidation plans and reports that are outdated or duplicative. The Office of Management and Budget (OMB) published a list of those identified reports on its website earlier this year. The Committee on Transportation and Infrastructure reviewed this list, identifying reports in its jurisdiction that could be eliminated, modified, or consolidated. This legislation eliminates several reporting requirements that are outdated, duplicative, or no longer relevant, thereby freeing up valuable staff resources for the affected agency to perform more relevant and vital oversight and respond to Congress on other inquiries in a more efficient manner. This legislation also consolidates and modifies certain existing reporting requirements, bringing consistency across statutes and regulations, eliminating duplicative and wasteful efforts, making technical corrections, and improving the ability of Congress to conduct effective oversight. This legislation digitalizes several reporting requirements, resulting in reduced production and delivery cost, expedited delivery, and a more useful and interactive format. Additionally, the reports are publically available, enhancing transparency.

HEARINGS

No hearings were held on H.R. 3628.

LEGISLATIVE HISTORY AND CONSIDERATION

H.R. 3628 was introduced on December 2, 2013, by Chairman Bill Shuster (R–PA) and Ranking Member Nick J. Rahall, II (D–WV). On December 4, 2013, the Committee on Transportation and Infrastructure met in open session and ordered the bill reported favorably to the House by voice vote with a quorum present.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no record votes taken in connection with consideration of H.R. 3628.

COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in this report.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 3628 from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 10, 2013.

Hon. BILL SHUSTER,
*Chairman, Committee on Transportation and Infrastructure,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3628, the Transportation Reports Elimination Act of 2013.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sarah Puro.

Sincerely,

DOUGLAS ELMENDORF.

Enclosure.

H.R. 3628—Transportation Reports Elimination Act of 2013

H.R. 3628 would eliminate and modify certain reporting requirements for the Environmental Protection Agency (EPA) and several agencies within the Department of Transportation (DOT). Based on information from the affected agencies, CBO estimates that implementing the bill would have no significant impact on the federal budget. Enacting H.R. 3628 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 3628 would eliminate, consolidate, modify, or no longer require printing of 27 reports that EPA and DOT would otherwise have to submit to the Congress. Reducing the number of reports issued by EPA and DOT and eliminating the printing of others could reduce the administrative costs of those agencies. However, based on information from the agencies involved, CBO expects that any such savings over the next five years would total less than \$1 million.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local or tribal governments.

The CBO staff contacts for this estimate are Sarah Puro and Megan Carroll (for DOT) and Susanne Mehlman (for EPA). The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objectives of this legislation are to free up valuable staff resources for affected agencies to perform more relevant and vital oversight and respond to Congress on other inquiries in a more efficient manner; bring consistency to law and regulation; eliminate duplicative and wasteful efforts; make technical corrections; improve the ability of Congress to conduct effective oversight; and enhance transparency.

ADVISORY OF EARMARKS

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee is required to include a list of congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives. No provision in the bill includes an earmark, limited tax benefit, or limited tariff benefit under clause 9(e), 9(f), or 9(g) of rule XXI.

DUPLICATION OF FEDERAL PROGRAMS

Pursuant to section 3(j) of H. Res. 5, 113th Cong. (2013), the Committee finds that no provision of H.R. 3628 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program, a program that was included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139, or a program related to a program identified in the most recent Catalog of Federal Domestic Assistance.

DISCLOSURE OF DIRECTED RULE MAKINGS

Pursuant to section 3(k) of H. Res. 5, 113th Cong. (2013), the Committee estimates that enacting H.R. 3628 does not specifically direct the completion of any specific rule makings within the meaning of section 551 of title 5, United States Code.

FEDERAL MANDATE STATEMENT

The Committee adopts as its own the estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104–4).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee states that H.R. 3628 does not preempt any state, local, or tribal law.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation.

APPLICABILITY OF LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104–1).

SECTION-BY-SECTION ANALYSIS OF LEGISLATION

Section 1. Short title

This section designates the short title of the bill as the Transportation Reports Elimination Act of 2013.

Section 2. Elimination of certain reporting requirements

This section eliminates certain reporting requirements under the jurisdiction of the Committee.

Subsection (a) eliminates certain reports of the Department of Transportation.

Paragraph (1) eliminates reports of the Air Traffic Services Committee required by section 106(p)(7)(H) of title 49, United States Code. The Air Traffic Services Committee was originally created in AIR–21 (Public Law 106–181) in 2000 and reauthorized in Vision 100 (Public Law 108–176) in 2003. While the Air Traffic Services Committee continues to exist in law, there has not been a committee meeting for more than two years. As such, the Air Traffic Services Committee annual report has not been submitted to Congress in that time period. Additionally, since its reauthorization in 2003, many other committees and boards have been created that address the same issues, and the report is no longer needed.

Paragraph (2) eliminates the Annual Summaries of Financial Reports required by section 47107(k) of title 49, United States Code. This report required the Secretary of Transportation to submit annual summaries of airport financial reports provided to the Secretary. This is a redundant requirement and is no longer needed.

Paragraph (3) eliminates the Pipeline Safety Information Grants to Communities Annual Report required by section 60130 of title 49, United States Code. This report was recommended for elimination by OMB. Information is available online in a more timely manner.

Paragraph (4) eliminates the Pilot Program for Innovative Financing of Air Traffic Control Equipment Annual Report required by section 182(e) of Vision 100 (Public Law 108–176). The report was required to supplement innovative air traffic control systems being tested nine years ago. The tests have long since been completed and no further report is required.

Paragraph (5) eliminates the Justification for Air Defense Identification Zone report required by section 602 of Vision 100 (Public Law 108–176). In 2002 and 2003, when Vision 100 was being considered and ultimately enacted, the Federal Aviation Administration (FAA) established the Washington, D.C. Metropolitan Area Air Defense Identification Zone (DC ADIZ) as a “temporary” flight restriction area in the run-up to the invasion of Iraq. In 2008, the FAA made the DC ADIZ permanent. In the FAA Modernization and Reform Act of 2012 (Public Law 112–95), Congress requires the FAA to develop a plan that outlines specific changes to the D.C. Special Flight Rules Area to decrease operational impacts and im-

prove general aviation access to airports in the region. The report required by Vision 100 every 60 days is no longer necessary.

Paragraph (6) eliminates the Standings for Aircraft and Aircraft Engines to Reduce Noise Levels Annual Report required by section 726(c) of AIR-21 (Public Law 106-181). In 2000, Congress required an annual report on the implementation of new technologies to decrease aircraft noise levels. Since then, the FAA has updated noise requirements to meet Stage IV standards. Additionally, in the FAA Modernization and Reform Act of 2012 (Public Law 112-95), Congress included a number of provisions to address aircraft and airport noise issues. Therefore this report is no longer needed.

Subsection (b) eliminates certain reports of the Environmental Protection Agency (EPA).

Paragraph (1) eliminates the Great Lakes Management Comprehensive Report required by section 118(c) of the Clean Water Act (33 U.S.C. 1251 et seq.). This report was recommended for elimination by OMB. Eliminating this report requirement will eliminate multiple reporting requirements for the Great Lakes. EPA already has other equivalent Great Lakes water quality reporting requirements in place, including annual reporting under the Great Lakes Restoration Initiative, which makes this report redundant.

Paragraph (2) eliminates the General Assistance Report to Congress required by section 4368(b) of title 42, United States Code. This report was recommended for elimination by OMB. Eliminating the Indian Environmental General Assistance Program Act's requirement for EPA report annually on the status of EPA's Tribal General Assistance Program (GAP) will eliminate a formal reporting requirement that EPA already fulfills through its annual performance report and through its dedicated GAP portal on its website.

Paragraph (3) eliminates the Research Program Respecting Ocean Dumping and Other Methods of Waste Disposal Report required by section 204 of the Marine Protection, Research, and Sanctuaries Act of 1972 (Public Law 92-532). This report was recommended for elimination by OMB. This action will eliminate an outdated and unnecessary reporting requirement because the targeted ocean dumping activities have been prohibited or severely restricted under more recent amendments to federal law. Removing this requirement would reflect these changes to Federal law.

Section 3. Consolidation or modification of certain reports

This section consolidates or modifies certain reporting requirements under the jurisdiction of the Committee.

Subsection (a) consolidates certain reports under the jurisdiction of the Committee.

Specifically, paragraph (1) consolidates the Marine Safety Reports to Congress. These reports were recommended for consolidation by OMB. The provision would consolidate two reports required by section 2116(d)(2)(B) of title 46, United States Code, and section 57 of title 14, United States Code, respectively. The reports focus on marine safety, and the Coast Guard is currently required to provide both reports to the Committee on an annual basis. Consolidation of these reports improves Congressional oversight of the Coast

Guard's marine safety mission and produces administrative efficiencies.

Paragraph (2) consolidates the Maritime Transportation Security Annual Reports. These reports were recommended for consolidation by OMB. This provision would consolidate two reports required by section 70103 and the note for section 70101 of title 46, United States Code, respectively, on maritime security that the Coast Guard is required to provide to the Committee on an annual basis. Consolidation of these reports improves congressional oversight of the Coast Guard's ports, waterways, and coastal security mission and produces administrative.

Subsection (b) modifies certain reports under the jurisdiction of the Committee.

Paragraph (1) modifies the Infrastructure Investment Needs Report required by section 503(b)(8)(A) of title 23, United States Code. This paragraph makes a technical correction to this U.S. Code section by aligning this existing highways report and the existing transit report in paragraph (3) to the same due date.

Paragraph (2) modifies the Reports to Congress required by section 609 of title 23, United States Code. This paragraph makes a technical correction to MAP-21 by correcting a report due date that had already passed as of the date of enactment.

Paragraph (3) modifies the Public Mass Transportation Systems Report required by section 308(e)(1) of title 49, United States Code. This paragraph makes a technical correction to this U.S. Code section by aligning the existing highways report in paragraph (1) and this existing transit report to the same due date.

Paragraph (4) modifies the Evaluation and Audit of National Transportation Safety Board report required by section 1138(a) of title 49, United States Code. The report requires the Comptroller General to audit the National Transportation Safety Board's (NTSB) programs, operations, and activities at least annually. In the ensuing years, the NTSB has addressed the overwhelming majority of the issues they were experiencing when the requirement was added to law. An annual report is therefore no longer needed. With the modification to this requirement, the Government Accountability Office (GAO) will be able to audit the NTSB whenever it or Congress believes it is warranted but will not be required to conduct such an audit on an annual basis.

Paragraph (5) modifies the briefings required by section 20017(b)(6) of MAP-21. This paragraph makes a technical correction to MAP-21. The law currently requires briefings to the Senate, but due to an error omitted the same requirement for briefings to the House of Representatives. This provision restores Congressional intent by adding the Committee on Transportation and Infrastructure as a committee that must also receive briefings under this MAP-21 section.

Section 4. Paperless reports

This section changes certain reporting requirements from a paper to a digital format, making them publically available, which enhances transparency. However, the Committee directs each relevant agency to notify the Committee prior to the information being made available on the internet. The reports covered in this section are:

- Railway-Highway Crossings Annual Report (required by title 23 U.S.C. 130(g));
- National Bridge and Tunnel Inventory Report (required by title 23 U.S.C. 144(d)(1)(B));
- Surface Transportation Project Delivery Program Report (required by title 23 U.S.C. 327);
- Highway Safety Programs Biennial Report (required by title 23 U.S.C. 402(n));
- In-Vehicle Alcohol Detection Device Research Reports (required by title 23 U.S.C. 403(h)(4));
- National ITS Program Plan Reporting (required by title 23 U.S.C. 512(b));
- Advisory Committee Report (required by title 23 U.S.C. 515(h)(4));
- National Ferry Database Update Report (section 1801(e)(3) of SAFETEA-LU (Public Law 109–59));
- High-Risk Roads Best Practices Report (required by section 1112(b)(2)(A) of MAP–21 (P.L. 112–141));
- Completion Time Assessment Report (required by section 1323(a)(2) of MAP–21 (P.L. 112–141)); and
- Additional Report (required by section 1323(b) of MAP–21 (P.L. 112–141)).

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

TITLE 49, UNITED STATES CODE

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SUBTITLE I—DEPARTMENT OF TRANSPORTATION

* * * * *

CHAPTER 1—ORGANIZATION

* * * * *

§ 106. Federal Aviation Administration

(a) * * *

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(p) MANAGEMENT ADVISORY COUNCIL AND AIR TRAFFIC SERVICES BOARD.—

(1) * * *

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(7) AIR TRAFFIC SERVICES COMMITTEE.—

(A) * * *

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[(H) REPORTS.—

[(i) ANNUAL.—The Committee shall each year report with respect to the conduct of its responsibilities under this title to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

[(ii) ADDITIONAL REPORT.—If a determination by the Committee under subparagraph (D)(i) that the organization and operation of the air traffic control system are not allowing the Administration to carry out its mission, the Committee shall report such determination to the Secretary, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

[(iii) ACTION OF ADMINISTRATOR ON REPORT.—Not later than 60 days after the date of a report of the Committee under this subparagraph, the Administrator shall take action with respect to such report. If the Administrator overturns a recommendation of the Committee, the Administrator shall report such action to the President, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

[(iv) COMPTROLLER GENERAL'S REPORT.—Not later than April 30, 2003, the Comptroller General of the United States shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the success of the Committee in improving the performance of the air traffic control system.]

[(I) (H) AUTHORIZATION.—There are authorized to be appropriated to the Committee such sums as may be necessary for the Committee to carry out its activities.

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CHAPTER 3—GENERAL DUTIES AND POWERS

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SUBCHAPTER I—DUTIES OF THE SECRETARY OF TRANSPORTATION

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§ 308. Reports

(a) * * *

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(e)(1) The Secretary shall submit to Congress in [March 1998, and in March] *July 2014, and in July* of each even-numbered year thereafter, a report of estimates by the Secretary on the current performance and condition of public mass transportation systems

with recommendations for necessary administrative or legislative changes.

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SUBTITLE II—OTHER GOVERNMENT AGENCIES

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CHAPTER 11—NATIONAL TRANSPORTATION SAFETY BOARD

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SUBCHAPTER III—AUTHORITY

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§ 1138. Evaluation and audit of National Transportation Safety Board

(a) IN GENERAL.—To promote economy, efficiency, and effectiveness in the administration of the programs, operations, and activities of the National Transportation Safety Board, the Comptroller General of the United States shall evaluate and audit the programs and expenditures of the National Transportation Safety Board. Such evaluation and audit shall be conducted [at least annually, but may be conducted] as determined necessary by the Comptroller General or the appropriate congressional committees.

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SUBTITLE VII—AVIATION PROGRAMS

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PART B—AIRPORT DEVELOPMENT AND NOISE

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CHAPTER 471—AIRPORT DEVELOPMENT

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SUBCHAPTER I—AIRPORT IMPROVEMENT

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§ 47107. Project grant application approval conditioned on assurances about airport operations

(a) * * *

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[(k) ANNUAL SUMMARIES OF FINANCIAL REPORTS.—The Secretary shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an annual summary of the reports submitted to the Secretary under subsection (a)(19)]

of this section and under section 111(b) of the Federal Aviation Administration Authorization Act of 1994.】

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SUBTITLE VIII—PIPELINES

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CHAPTER 601—SAFETY

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§ 60130. Pipeline safety information grants to communities

(a) * * *

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【(c) ANNUAL REPORT.—

【(1) IN GENERAL.—Not later than 90 days after the last day of each fiscal year for which grants are made by the Secretary under this section, the Secretary shall report to the Committees on Commerce, Science, and Transportation and Energy and Natural Resources of the Senate and the Committees on Transportation and Infrastructure and Energy and Commerce of the House of Representatives on grants made under this section in the preceding fiscal year.

【(2) CONTENTS.—The report shall include—

【(A) a listing of the identity and location of each recipient of a grant under this section in the preceding fiscal year and the amount received by the recipient;

【(B) a description of the purpose for which each grant was made; and

【(C) a description of how each grant was used by the recipient.】

【(d)】 (c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Transportation for carrying out this section \$1,500,000 for each of fiscal years 2012 through 2015. Such amounts shall not be derived from user fees collected under section 60301.

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MAP-21

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DIVISION A—FEDERAL-AID HIGHWAYS AND HIGHWAY SAFETY CONSTRUCTION PROGRAMS

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorizations and Programs

* * * * *

SEC. 1112. HIGHWAY SAFETY IMPROVEMENT PROGRAM.

(a) * * *

(b) STUDY OF HIGH-RISK RURAL ROADS BEST PRACTICES.—

(1) * * *

(2) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall [submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives] *make available to the public on the Web site of the Department* a report on the results of the study.

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Subtitle C—Acceleration of Project Delivery

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SEC. 1323. REVIEW OF FEDERAL PROJECT AND PROGRAM DELIVERY.

(a) COMPLETION TIME ASSESSMENTS AND REPORTS.—

(1) * * *

(2) REPORT.—The Secretary shall [submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate] *make available to the public on the Web site of the Department*—

(A) * * *

* * * * *

(b) ADDITIONAL REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall [submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate] *make available to the public on the Web site of the Department* a report on the types and justification for the additional categorical exclusions granted under the authority provided under sections 1316 and 1317.

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DIVISION B—PUBLIC TRANSPORTATION

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SEC. 20017. PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM.

(a) * * *

(b) MEMORANDUM OF AGREEMENT.—

(1) * * *

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(6) BRIEFINGS.—

(A) INITIAL BRIEFING.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation and the Secretary of Homeland Security shall jointly brief the Committee on Banking, Housing, and Urban Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate *and the Committee on Transportation and Infrastructure of the House of Representatives* on the memorandum of agreement required under paragraph (2).

(B) QUARTERLY BRIEFINGS.—Each quarter of the 1-year period beginning on the date on which the Secretary of Transportation and the Secretary of Homeland Security enter into the memorandum of agreement required under paragraph (2), the Secretary of Transportation and the Secretary of Homeland Security shall jointly brief the Committee on Banking, Housing, and Urban Affairs and the Committee on Homeland Security and Governmental Affairs of the Senate *and the Committee on Transportation and Infrastructure of the House of Representatives* on the implementation of the memorandum of agreement.

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VISION 100—CENTURY OF AVIATION REAUTHORIZATION ACT

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) * * *

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

Sec. 1. Short title; table of contents.

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TITLE VI—AVIATION SECURITY

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[Sec. 602. Justification for air defense identification zone.]

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TITLE I—AIRPORT AND AIRWAY IMPROVEMENTS

Subtitle D—Miscellaneous

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SEC. 182. PILOT PROGRAM FOR INNOVATIVE FINANCING OF AIR TRAF- FIC CONTROL EQUIPMENT.

(a) * * *

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[(e) ANNUAL REPORTS.—At the end of each fiscal year during the term of the pilot program, the Administrator shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on how the Administrator has implemented in such fiscal year the pilot program, the number and types of contracts or contract amendments that are entered into under the program, and the program’s cost effectiveness.]

[(f)] (e) FUNDING.—Out of amounts appropriated under section 48101 for fiscal year 2004, such sums as may be necessary shall be available to carry out this section.

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TITLE VI—AVIATION SECURITY

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[SEC. 602. JUSTIFICATION FOR AIR DEFENSE IDENTIFICATION ZONE.

[(a) IN GENERAL.—If the Administrator of the Federal Aviation Administration establishes an Air Defense Identification Zone (in this section referred as an “ADIZ”), the Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, not later than 60 days after the date of establishing the ADIZ, a report containing an explanation of the need for the ADIZ. The Administrator also shall transmit to the Committees updates of the report every 60 days until the ADIZ is rescinded. The reports and updates shall be transmitted in classified form.

[(b) EXISTING ADIZ.—If an ADIZ is in effect on the date of enactment of this Act, the Administrator shall transmit an initial report under subsection (a) not later than 30 days after such date of enactment.

[(c) DESCRIPTION OF CHANGES TO IMPROVE OPERATIONS.—A report transmitted by the Administrator under this section shall include a description of any changes in procedures or requirements that could improve operational efficiency or minimize operational impacts of the ADIZ on pilots and controllers. This portion of the report may be transmitted in classified or unclassified form.

[(d) DEFINITION.—In this section, the terms “Air Defense Identification Zone” and “ADIZ” each mean a zone established by the Administrator with respect to airspace under 18,000 feet in approxi-

mately a 15- to 38-mile radius around Washington, District of Columbia, for which security measures are extended beyond the existing 15-mile no-fly zone around Washington and in which general aviation aircraft are required to adhere to certain procedures issued by the Administrator.】

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WENDELL H. FORD AVIATION INVESTMENT AND REFORM ACT FOR THE 21ST CENTURY

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TITLE VII—MISCELLANEOUS PROVISIONS

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SEC. 726. STANDARDS FOR AIRCRAFT AND AIRCRAFT ENGINES TO REDUCE NOISE LEVELS.

(a) * * *

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【(c) ANNUAL REPORT.—Not later than July 1, 2000, and annually thereafter, the Secretary shall transmit to Congress a report regarding the application of new standards or technologies to reduce aircraft noise levels.】

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FEDERAL WATER POLLUTION CONTROL ACT

TITLE I—RESEARCH AND RELATED PROGRAMS

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SEC. 118. GREAT LAKES.

(a) * * *

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(c) GREAT LAKES MANAGEMENT.—

(1) * * *

* * * * *

【(10) COMPREHENSIVE REPORT.—Within 90 days after the end of each fiscal year, the Administrator shall submit to Congress a comprehensive report which—

【(A) describes the achievements in the preceding fiscal year in implementing the Great Lakes Water Quality Agreement of 1978 and shows by categories (including judicial enforcement, research, State cooperative efforts, and general administration) the amounts expended on Great Lakes water quality initiatives in such preceding fiscal year;

【(B) describes the progress made in such preceding fiscal year in implementing the system of surveillance of the water quality in the Great Lakes System, including the

monitoring of groundwater and sediment, with particular reference to toxic pollutants;

[(C) describes the long-term prospects for improving the condition of the Great Lakes; and

[(D) provides a comprehensive assessment of the planned efforts to be pursued in the succeeding fiscal year for implementing the Great Lakes Water Quality Agreement of 1978, which assessment shall—

[(i) show by categories (including judicial enforcement, research, State cooperative efforts, and general administration) the amount anticipated to be expended on Great Lakes water quality initiatives in the fiscal year to which the assessment relates; and

[(ii) include a report of current programs administered by other Federal agencies which make available resources to the Great Lakes water quality management efforts.]

[(11)] (10) CONFINED DISPOSAL FACILITIES.—(A) * * *

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[(12)] (11) REMEDIATION OF SEDIMENT CONTAMINATION IN AREAS OF CONCERN.—

(A) * * *

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[(13)] (12) PUBLIC INFORMATION PROGRAM.—

(A) * * *

* * * * *

INDIAN ENVIRONMENTAL GENERAL ASSISTANCE PROGRAM ACT OF 1992

SEC. 502. GENERAL ASSISTANCE PROGRAM.

(a) SHORT TITLE.—This section may be cited as the “Indian Environmental General Assistance Program Act of 1992”.

* * * * *

[(i) REPORT TO CONGRESS.—The Administrator shall transmit an annual report to the appropriate Committees of the Congress with jurisdiction over the applicable environmental laws and Indian tribes describing which Indian tribes or intertribal consortia have been granted approval by the Administrator pursuant to law to enforce certain environmental laws and the effectiveness of any such enforcement.]

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MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT OF 1972

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TITLE II—COMPREHENSIVE RESEARCH ON OCEAN DUMPING

* * * * *

ANNUAL REPORT

SEC. 204. (a) * * *

[(b) In March of each year, the Administrator shall report to the Congress on his activities during the previous fiscal year under section 203.]

[(c)] (b) On October 31 of each year, the Under Secretary shall report to the Congress the specific programs that the National Oceanic and Atmospheric Administration and the Environmental Protection Agency carried out pursuant to this title in the previous fiscal year, specifically listing the amount of funds allocated to those specific programs in the previous fiscal year.

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TITLE 46, UNITED STATES CODE

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SUBTITLE II—VESSELS AND SEAMEN

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CHAPTER 21—GENERAL

* * * * *

PART A—GENERAL PROVISIONS

§ 2116. Marine safety strategy, goals, and performance assessments

(a) * * *

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(d) ACHIEVEMENT OF GOALS.—

(1) * * *

(2) REPORT TO CONGRESS.—The Secretary shall report annually to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

(A) * * *

(B) on the program's mission performance in achieving numerical measurable goals established [under subsection (b); and] *under subsection (b), which shall include an identification of—*

(i) the number of civilian and military Coast Guard personnel assigned to marine safety positions; and

(ii) marine safety positions that are understaffed for purposes of facilitating the strategy and achieving the goals described in subsection (a); and

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Subtitle VII—Security and Drug Enforcement

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CHAPTER 701—PORT SECURITY

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SUBCHAPTER I—GENERAL

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§ 70103. Maritime transportation security plans

(a) * * *

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(e) **ESPECIALLY HAZARDOUS CARGO.**—

(1) * * *

[(2) RESOURCE DEFICIENCY REPORTING.—

[(A) IN GENERAL.—When the Secretary submits the annual budget request for a fiscal year for the department in which the Coast Guard is operating to the Office of Management and Budget, the Secretary shall provide to the Committees on Homeland Security and Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

[(i) for the last full fiscal year preceding the report, a statement of the number of security zones established for especially hazardous cargo shipments;

[(ii) for the last full fiscal year preceding the report, a statement of the number of especially hazardous cargo shipments provided a waterborne security escort, subdivided by Federal, State, local, or private security; and

[(iii) an assessment as to any additional vessels, personnel, infrastructure, and other resources necessary to provide waterborne escorts to those especially hazardous cargo shipments for which a security zone is established.

[(B) ESPECIALLY HAZARDOUS CARGO DEFINED.—In this subsection, the term “especially hazardous cargo” means anhydrous ammonia, ammonium nitrate, chlorine, liquefied natural gas, liquefied petroleum gas, and any other substance, material, or group or class of material, in a particular amount and form that the Secretary determines by regulation poses a significant risk of creating a transportation security incident while being transported in maritime commerce.】

(2) ESPECIALLY HAZARDOUS CARGO DEFINED.—In this subsection and subsection (f), the term “especially hazardous cargo” means anhydrous ammonia, ammonium nitrate, chlorine, liquefied natural gas, liquefied petroleum gas, and any other substance, material, or group or class of material, in a particular amount and form that the Secretary determines by regulation poses a significant risk of creating a transportation security incident while being transported in maritime commerce.

(f) ANNUAL REPORT.—On the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Homeland Security and the Com-

mittee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) with respect to the last full fiscal year preceding the report—

(A) a summary of—

(i) security standards established pursuant to this section; and

(ii) the level of compliance and steps taken to ensure compliance by ports, terminals, vessel operators, and shippers with respect to security standards established pursuant to this section; and

(B) a statement of the number of—

(i) security zones established for vessels containing especially hazardous cargo; and

(ii) vessels containing especially hazardous cargo provided a waterborne security escort, subdivided by Federal, State, local, or private security provider; and

(2) an assessment of any additional vessels, personnel, infrastructure, or other resources that may be necessary to provide waterborne escorts to vessels containing especially hazardous cargo for which a security zone is established.

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TITLE 14, UNITED STATES CODE

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PART I—REGULAR COAST GUARD

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CHAPTER 3—COMPOSITION AND ORGANIZATION

* * * * *

§ 57. Prevention and response workforces

(a) * * *

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[(e) ASSESSMENT OF ADEQUACY OF MARINE SAFETY WORKFORCE.—

[(1) REPORT.—The Secretary, acting through the Commandant, shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate by December 1 of each year on the adequacy of the current marine safety workforce to meet that anticipated workload.

[(2) CONTENTS.—The report shall specify the number of civilian and military Coast Guard personnel currently assigned to marine safety positions and shall identify positions that are understaffed to meet the anticipated marine safety workload.]

[(f)] (e) SECTOR CHIEF OF PREVENTION.—There shall be in each Coast Guard sector a Chief of Prevention who shall be at least a

Lieutenant Commander or civilian employee within the grade GS-13 of the General Schedule, and who shall be a—

(1) * * *

* * * * *

[(g)] (f) SIGNATORIES OF LETTER OF QUALIFICATION FOR CERTAIN PREVENTION PERSONNEL.—Each individual signing a letter of qualification for marine safety personnel must hold a letter of qualification for the type being certified.

[(h)] (g) SECTOR CHIEF OF RESPONSE.—There shall be in each Coast Guard sector a Chief of Response who shall be at least a Lieutenant Commander or civilian employee within the grade GS-13 of the General Schedule in each Coast Guard sector.

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SECTION 809 OF THE COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2004

SEC. 809. VESSEL AND INTERMODAL SECURITY REPORTS.

(a) **IN GENERAL.**—Within 180 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit the reports and plan required under subsections (b), (c), (e), (f), **[and (j)]** and (i) to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

* * * * *

[(i) COMPLIANCE WITH SECURITY STANDARDS ESTABLISHED PURSUANT TO MARITIME TRANSPORTATION SECURITY PLANS.—Within 180 days after the date of the enactment of this Act and annually thereafter, the Secretary of the department in which the Coast Guard is operating shall prepare a report on compliance and steps taken to ensure compliance by ports, terminals, vessel operators, and shippers with security standards established pursuant to section 70103 of title 46, United States Code. The reports shall also include a summary of security standards established pursuant to such section during the previous year. The Secretary shall submit the reports to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.]

[(j)] (i) EMPTY CONTAINERS.—The Secretary of the department in which the Coast Guard is operating shall prepare a report on the practice and policies in place at United States ports to secure shipment of empty containers and trailers. The Secretary shall include in the report recommendations with respect to whether additional Federal actions are necessary to ensure the safe and secure delivery of cargo and to prevent potential acts of terrorism involving such containers and trailers.

[(k)] (j) REPORT AND PLAN FORMATS.—The Secretary and the Inspector General of the department in which the Coast Guard is operating may submit any plan or report required by this section in both classified and redacted formats, if the Secretary determines that it is appropriate or necessary.

TITLE 23, UNITED STATES CODE
CHAPTER 1—FEDERAL-AID HIGHWAYS

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§ 130. Railway-highway crossings

(a) * * *

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(g) **ANNUAL REPORT.**—Each State shall report to the Secretary not later than December 30 of each year on the progress being made to implement the railway-highway crossings program authorized by this section and the effectiveness of such improvements. Each State report shall contain an assessment of the costs of the various treatments employed and subsequent accident experience at improved locations. **【The Secretary shall submit a report to the Committee on Environment and Public Works and the Committee on Commerce, Science, and Transportation, of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives, not later than April 1, 2006, and every 2 years thereafter,, on the progress being made by the State in implementing projects to improve railway-highway crossings.】** *The Secretary shall make available to the public on the Web site of the Department of Transportation, not later than April 1, 2014, and every 2 years thereafter, a report on the progress being made by the State in implementing projects to improve railway-highway crossings.* The report shall include, but not be limited to, the number of projects undertaken, their distribution by cost range, road system, nature of treatment, and subsequent accident experience at improved locations. In addition, the Secretary's report shall analyze and evaluate each State program, identify any State found not to be in compliance with the schedule of improvements required by subsection (d) and include recommendations for future implementation of the railroad highway crossings program.

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§ 144. National bridge and tunnel inventory and inspection standards

(a) * * *

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(d) **INVENTORY UPDATES AND REPORTS.**—

(1) **IN GENERAL.**—The Secretary shall—

(A) * * *

(B) **【submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate】** *make available to the public on the Web site of the Department of Transportation a report on the inventories.*

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CHAPTER 3—GENERAL PROVISIONS

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§ 327. Surface transportation project delivery program

(a) * * *

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[(i) REPORT TO CONGRESS.—The Secretary shall submit to Congress an annual report that describes the administration of the program.]

(i) *REPORT.—The Secretary shall make available to the public on the Web site of the Department of Transportation an annual report that describes the administration of the program.*

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CHAPTER 4—HIGHWAY SAFETY

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§ 402. Highway safety programs

(a) * * *

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(n) BIENNIAL REPORT [TO CONGRESS].—Not later than October 1, 2015, and biennially thereafter, the Secretary shall [submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate] *make available to the public on the Web site of the Department of Transportation a report that contains—*

(1) * * *

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§ 403. Highway safety research and development

(a) * * *

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(h) IN-VEHICLE ALCOHOL DETECTION DEVICE RESEARCH.—

(1) * * *

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(4) REPORTS.—If the Administrator conducts the research authorized under paragraph (1), the Administrator shall [submit an annual report to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and Committee on Science, Space, and Technology of the House of Representatives] *make available to the public on the Web site of the Department of Transportation an annual report that—*

(A) * * *

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CHAPTER 5—RESEARCH, TECHNOLOGY, AND EDUCATION

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§ 503. Research and technology development and deployment

(a) * * *

(b) HIGHWAY RESEARCH AND DEVELOPMENT PROGRAM.—

(1) * * *

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(8) INFRASTRUCTURE INVESTMENT NEEDS REPORT.—

(A) IN GENERAL.—Not later than **July 31, 2013**, and **July 31** *July 31, 2014, and July 31* of every second year thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that describes estimates of the future highway and bridge needs of the United States and the backlog of current highway and bridge needs.

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§ 512. National ITS program plan

(a) * * *

(b) REPORTING.—The National ITS program plan shall be **submitted and biennially updated as part of the transportation research and development strategic plan developed under section 508.** *made available to the public, and updated biennially, on the Web site of the Department of Transportation.*

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§ 515. General authorities and requirements

(a) * * *

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(h) ADVISORY COMMITTEE.—

(1) * * *

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(4) REPORT.—Not later than February 1 **of each year after the date of enactment of the Transportation Research and Innovative Technology Act of 2012,** *2014, and biennially thereafter*, the Secretary shall **submit to Congress** *make available to the public on the Web site of the Department of Transportation* a report that includes—

(A) all recommendations made by the Advisory Committee during the preceding **calendar year** *2 calendar years*;

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CHAPTER 6—INFRASTRUCTURE FINANCE

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§ 609. Reports to Congress

(a) IN GENERAL.—On **June 1, 2012,** *June 1, 2014*, and every 2 years thereafter, the Secretary shall submit to Congress a report summarizing the financial performance of the projects that are re-

ceiving, or have received, assistance under this chapter (other than section 610), including a recommendation as to whether the objectives of this chapter (other than section 610) are best served by—

(1) * * *

* * * * *

(b) APPLICATION PROCESS REPORT.—

(1) IN GENERAL.—Not later than [December 1, 2012,] *December 1, 2014*, and annually thereafter, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report that includes a list of all of the letters of interest and applications received from project sponsors for assistance under this chapter (other than section 610) during the preceding fiscal year.

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SAFETEA-LU

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TITLE I—FEDERAL-AID HIGHWAYS

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Subtitle H—Environment

SEC. 1801. CONSTRUCTION OF FERRY BOATS AND FERRY TERMINAL FACILITIES.

(a) * * *

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(e) NATIONAL FERRY DATABASE.—

(1) * * *

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(3) UPDATE REPORT.—Using information collected through the database, the Secretary shall periodically modify as appropriate the report submitted under section 1207(c) of the Transportation Equity Act for the 21st Century (23 U.S.C. 129 note; 112 Stat. 185–186) *and shall make any such modified report available to the public on the Web site of the Department.*

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