

TO DIRECT THE SECRETARY OF TRANSPORTATION TO PROVIDE TO THE  
APPROPRIATE COMMITTEES OF CONGRESS ADVANCE NOTICE OF CER-  
TAIN ANNOUNCEMENTS, AND FOR OTHER PURPOSES

SEPTEMBER 19, 2016.—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. 5977]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom  
was referred the bill (H.R. 5977) to direct the Secretary of Trans-  
portation to provide to the appropriate committees of Congress ad-  
vance notice of certain announcements, 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. 5977 directs the Secretary of Transportation to provide to the appropriate committees of Congress advance notice of certain announcements.

## BACKGROUND AND NEED FOR LEGISLATION

H.R. 5977 requires the Secretary of Transportation to provide the Committee on Transportation and Infrastructure (Committee) and certain Senate committees with at least three days' notice prior to announcing grant awards and credit assistance for certain transportation projects. The Secretary is further required to provide notification to the Committee and the Committee on Environment and Public Works of the Senate for any quick release of funds from the Emergency Relief program concurrent with such release.

The Committee authorizes funding for federal transportation programs, which in turn provide funding and credit assistance for transportation projects across the country. However, the Committee does not consistently receive notice from the Secretary prior to the announcement of grant awards and credit assistance for transportation projects.<sup>1</sup> H.R. 5977 improves transparency and enhances oversight of the Department of Transportation by ensuring that Congress is properly notified of such announcements.

## HEARINGS

No hearings were held on H.R. 5977.

## LEGISLATIVE HISTORY AND CONSIDERATION

On September 9, 2016, Committee on Transportation and Infrastructure Chairman Bill Shuster (R-PA) and Ranking Member Peter DeFazio (D-OR) introduced H.R. 5977, a bill to direct the Secretary of Transportation to provide to the appropriate committees of Congress advance notice of certain announcements.

On September 14, 2016, the Committee on Transportation and Infrastructure met in open session to consider H.R. 5977. The Committee ordered the bill reported favorably to the House of Representatives 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. 5977.

## 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.

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<sup>1</sup>Section 1531 of MAP-21 (P.L. 112-141) included a similar notification procedure, which has since expired.

## 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. 5977 from the Director of the Congressional Budget Office:

SEPTEMBER 15, 2016.

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. 5977, a bill to direct the Secretary of Transportation to provide to the appropriate committees of Congress advance notice of certain announcements, and for other purposes.

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

Sincerely,

KEITH HALL.

Enclosure.

*H.R. 5977—A bill to direct the Secretary of Transportation to provide to the appropriate committees of Congress advance notice of certain announcements, and for other purposes*

H.R. 5977 would require the Department of Transportation (DOT) to notify certain Congressional committees at least three days before announcing the award of certain funds to grantees. Under current practice, DOT already informs other committees of Congress about such grants and awards. As a result, CBO estimates that any additional communications costs incurred by the department would not be significant.

Enacting H.R. 5977 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 5977 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

H.R. 5977 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 contact for this estimate is Sarah Puro. The estimate was approved by H. Samuel Papenfuss, 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 goal and objective of this legislation is to enhance transparency and oversight of the Department of Transportation by improving its Congressional notification procedures.

## 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 H.R. 5977 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(g) of H. Res. 5, 114th Cong. (2015), the Committee finds that no provision of H.R. 5977 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(i) of H. Res. 5, 114th Cong. (2015), the Committee finds that enacting H.R. 5977 does not direct the completion of a specific rule making 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. 5977 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, AS AMENDED

*Section 1. Congressional notification requirements*

This section requires the Secretary of Transportation to provide the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works, the Committee on Commerce, Science and Transportation, and the Committee on Banking, Housing, Urban Affairs of the Senate with at least three days' notice prior to announcing grant awards and credit assistance for certain transportation projects. It also requires the Secretary to provide notification to the Committee on Transportation and Infrastructure and the Committee on Environment and Public Works of a quick release of funds from the Emergency Relief program concurrent with such release. Finally, the section ensures that notification procedures existing under current law are not affected by the requirements of this bill.

*Section 2. Definitions*

This section defines certain terms used in the bill.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 5977 makes no changes in existing law.