

108TH CONGRESS
2D SESSION

S. 3024

To establish the National Center for Transportation Solutions, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2004

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

A BILL

To establish the National Center for Transportation Solutions, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “National Center for Transportation Solutions Act of
6 2004”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings.
- Sec. 3. Establishment of National Center for Transportation Solutions.
- Sec. 4. Duties of the Center.
- Sec. 5. National Center for Transportation Solutions Board.

Sec. 6. Director of National Transportation Research.
 Sec. 7. Organization of Center.
 Sec. 8. Powers of Center.
 Sec. 9. Center personnel matters.
 Sec. 10. Regional centers for transportation solutions.
 Sec. 11. Authorization of appropriations.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Research and development are critical to de-
 4 veloping and maintaining a transportation system
 5 that meets the goals of safety, mobility, economic vi-
 6 tality, efficiency, equity, and environmental protec-
 7 tion.

8 (2) Federal investment in transportation re-
 9 search and development represents approximately 1
 10 percent of overall Government spending on transpor-
 11 tation programs.

12 (3) While Congress increased funding for over-
 13 all transportation programs by about 40 percent in
 14 the Transportation Equity Act for the 21st Century
 15 (Public Law 105–178), funding for transportation
 16 research and development remained relatively flat.

17 (4) Inadequate resources are devoted to re-
 18 search aimed at long-term transportation goals.

19 (5) The competitive, peer-reviewed award of re-
 20 search funding is best suited to address long-term,
 21 strategic research needs.

1 (6) The diversity of transportation research
2 programs that address the needs of different cus-
3 tomers poses challenges to effective regional-based
4 and university-based transportation research centers,
5 and short-term applied research and development
6 and long-term fundamental research and develop-
7 ment.

8 (7) The wide-ranging subject matter of trans-
9 portation research makes effective priority setting
10 difficult.

11 (8) In order to ensure that the United States
12 transportation system meets the goals of safety, mo-
13 bility, economic vitality, equity, and environmental
14 protection, it is in the interest of the United States
15 to—

16 (A) increase Federal investment in long-
17 range transportation planning;

18 (B) initiate and support competitive, peer-
19 reviewed research into systemic transportation
20 issues;

21 (C) better coordinate the research and de-
22 velopment programs of the Department of
23 Transportation;

1 (D) foster the interchange of transpor-
2 tation research and development data among
3 interested parties; and

4 (E) establish nationwide priorities in Fed-
5 eral transportation research and development.

6 **SEC. 3. ESTABLISHMENT OF NATIONAL CENTER FOR**
7 **TRANSPORTATION SOLUTIONS.**

8 There is hereby established as an independent agency
9 in the executive branch of government the National Center
10 for Transportation Solutions (hereafter in this Act re-
11 ferred to as the “Center”). The Center shall consist of
12 the National Center for Transportation Solutions Board
13 established under section 5 and the Director of National
14 Transportation Research appointed under section 6. Ex-
15 cept as otherwise provided in this Act, the National Center
16 for Transportation Solutions Board shall exercise the au-
17 thorities of the Center.

18 **SEC. 4. DUTIES OF THE CENTER.**

19 (a) RESEARCH AND DEVELOPMENT.—

20 (1) LONG-TERM POLICY.—The Center shall de-
21 velop and encourage the execution of a long-term na-
22 tional policy for the promotion of research and devel-
23 opment related to multimodal transportation.

1 (2) PROJECTS.—The Center shall initiate and
2 support research and development projects related to
3 multimodal transportation that—

4 (A) are of long-term significance;

5 (B) have clear public benefits and in which
6 private investment is not optimal due to the
7 failure of, or distortions in, the market; or

8 (C) are not otherwise conducted in the
9 public or private sectors.

10 (b) GRANTS.—The Center is authorized to award
11 competitive, merit-based grants to academic, public, and
12 private research institutions to support long-term, stra-
13 tegic transportation objectives.

14 (c) COORDINATION OF RESEARCH AND DEVELOP-
15 MENT.—The Center shall facilitate the interchange of
16 transportation research data among interested parties in
17 the United States, including by—

18 (1) serving as a clearinghouse of information
19 for individuals engaged in transportation research
20 and development in the United States;

21 (2) consulting with officials from the Depart-
22 ment of Transportation in the development of rec-
23 ommendations related to transportation research;
24 and

1 (3) coordinating scientific research programs
2 with public and private research groups.

3 (d) EVALUATION OF RESEARCH AND DEVELOPMENT
4 PROGRAMS.—The Center shall evaluate programs related
5 to transportation research and development that are con-
6 ducted by the United States Government.

7 (e) ANNUAL REPORT.—

8 (1) IN GENERAL.—Not later than January 15,
9 2006, and annually thereafter, the Director of Na-
10 tional Transportation Research shall submit to Con-
11 gress a report on activities undertaken by the Center
12 during the fiscal year ending in the previous cal-
13 endar year.

14 (2) RECOMMENDATIONS.—Each report sub-
15 mitted under paragraph (1) shall include rec-
16 ommendations on research and development related
17 to multimodal transportation, including any minority
18 views and recommendations of members of the Na-
19 tional Center for Transportation Solutions Board.

20 **SEC. 5. NATIONAL CENTER FOR TRANSPORTATION SOLU-**
21 **TIONS BOARD.**

22 (a) ESTABLISHMENT.—There is hereby established
23 the National Center for Transportation Solutions Board
24 (hereafter in this Act referred to as the “Board”).

25 (b) MEMBERSHIP.—

1 (1) COMPOSITION.—The Board shall be com-
2 posed of the Director of National Transportation
3 Research, who shall serve ex officio, and 16 voting
4 members, of whom—

5 (A) four shall be appointed by the Sec-
6 retary of Transportation;

7 (B) four shall be appointed by the Director
8 of the National Academies; and

9 (C) eight shall be appointed by the Presi-
10 dent, in consultation with the majority leader of
11 the Senate, the minority leader of the Senate,
12 the Speaker of the House of Representatives,
13 and the minority leader of the House of Rep-
14 resentatives, by and with the advice and con-
15 sent of the Senate.

16 (2) QUALIFICATIONS.—The members of the
17 Board shall—

18 (A) represent various professions and occu-
19 pations in the public and private sectors;

20 (B) to the extent practicable, represent a
21 broad range of regions of the United States;
22 and

23 (C) possess skills and experience appro-
24 priate to the functions and responsibilities of
25 the Center.

1 (c) APPOINTMENT; VACANCIES.—

2 (1) INITIAL APPOINTMENTS.—The initial mem-
3 bers of the Board shall be appointed not less than
4 90 days after the date of enactment of this Act.

5 (2) TERMS.—

6 (A) IN GENERAL.—Except as provided in
7 subparagraph (B), members shall serve for
8 terms of 6 years. No member may serve for
9 more than two consecutive terms.

10 (B) STAGGERED TERMS.—The terms of
11 the members shall be staggered, with the initial
12 members appointed for the following initial
13 terms:

14 (i) Six members shall serve for a term
15 of six years.

16 (ii) Five members shall serve for a
17 term of four years.

18 (iii) Five members shall serve for a
19 term of two years.

20 (C) NON-ELECTION YEAR EXPIRATION.—

21 The term of a member under this subsection
22 shall not expire during a calendar year in which
23 an election occurs to select the President or any
24 members of the Senate or the House of Rep-
25 resentatives (not including special elections).

1 The initial terms described under subparagraph
2 (B) may, at the discretion of the Director, be
3 extended for not to exceed one year for pur-
4 poses of complying with the requirements of
5 this subparagraph.

6 (3) VACANCIES.—Any vacancy in the Board
7 shall not affect its powers, but shall be filled in the
8 same manner as the original appointment.

9 (d) MEETINGS.—

10 (1) INITIAL MEETING.—Not later than 30 days
11 after the date on which all members of the Board
12 have been appointed, the Board shall hold its first
13 meeting.

14 (2) MEETINGS.—The Board shall meet at the
15 call of the Chair.

16 (3) QUORUM.—A majority of the members of
17 the Board shall constitute a quorum, but a lesser
18 number of members may hold hearings.

19 (e) CHAIRMAN AND VICE CHAIRMAN.—

20 (1) SELECTION.—The Board shall select a
21 Chairman and Vice Chairman from among its mem-
22 bers.

23 (2) TERMS.—The Chairman and Vice Chair-
24 man shall serve for 2-year terms. An individual may

1 not serve for more than two consecutive terms as
2 Chairman.

3 **SEC. 6. DIRECTOR OF NATIONAL TRANSPORTATION RE-**
4 **SEARCH.**

5 (a) DIRECTOR.—There shall be a Director of Na-
6 tional Transportation Research who shall be appointed by
7 the President, by and with the consent of the Senate
8 (hereafter in this Act referred to as the “Director”). The
9 Board shall have an opportunity to make recommenda-
10 tions to the President with respect to the appointment of
11 the Director.

12 (b) DUTIES.—The Director—

13 (1) shall serve as the chief executive office of
14 the Center;

15 (2) is authorized to carry out the authorities
16 and powers of the Center; and

17 (3) shall serve as a nonvoting, ex officio mem-
18 ber of the Board.

19 (c) TERM.—The Director shall serve for a term of
20 six years unless earlier removed by the President.

21 (d) SALARY.—The rate of pay for the Director may
22 not exceed the rate payable for level V of the Executive
23 Schedule under section 5316 of title 5, United States
24 Code.

1 **SEC. 7. ORGANIZATION OF CENTER.**

2 (a) DIVISIONS.—Subject to the discretion of the
3 Board, the Center shall be organized into the following
4 divisions:

5 (1) The Division of Transportation Safety.

6 (2) The Division of Environmental, Energy,
7 and Land Use Planning.

8 (3) The Division of Infrastructure.

9 (4) The Division of Intermodal Connections.

10 (5) The Division of Transportation Economics
11 and Financial Policy.

12 (6) Such other divisions as the Board deter-
13 mines appropriate.

14 (b) DIVISION COMMITTEES.—

15 (1) IN GENERAL.—Each division under sub-
16 section (a) shall have a committee that shall make
17 recommendations to, consult with, and advise the
18 Board and the Director with respect to the issues
19 covered by such division.

20 (2) COMPOSITION.—Each division committee
21 shall be composed of not less than five members who
22 may be, but need not be, members of the Board.

23 (3) TERMS.—Members of the division commit-
24 tees shall serve for terms of two years.

25 (4) CHAIRMEN.—Each division committee shall
26 annually elect a Chairman from among its members.

1 (5) PROCEDURES.—Each division committee
2 shall prescribe its own rules of procedure, subject to
3 such restrictions as may be prescribed by the Board.

4 **SEC. 8. POWERS OF CENTER.**

5 (a) HEARINGS.—The Board and each division com-
6 mittee may hold such hearings, sit and act at such times
7 and places, take such testimony, and receive such evidence
8 as the Board or such division committee considers advis-
9 able to carry out this Act.

10 (b) INFORMATION FROM FEDERAL AGENCIES.—The
11 Board and each division committee may secure directly
12 from any Federal department or agency such information
13 as the Board or such division committee considers nec-
14 essary to carry out this Act. Upon request of the Chair-
15 man of the Board or the Chairman of a division com-
16 mittee, the head of such department or agency shall fur-
17 nish such information to the Board or the division com-
18 mittee, as the case may be.

19 (c) CONTRACTS.—The Board is authorized to enter
20 into contracts and cooperative agreements to carry out the
21 purposes of this Act, including sole source agreements
22 with the National Academy of Sciences and other entities
23 to provide studies to assist the Board in developing poli-
24 cies and strategies.

1 (d) POSTAL SERVICES.—The Board and the division
2 committees may use the United States mails in the same
3 manner and under the same conditions as other depart-
4 ments and agencies of the Federal Government.

5 (e) GIFTS.—The Board and the division committees
6 may accept, use, and dispose of gifts or donations of serv-
7 ices or property.

8 (f) PUBLICATION OF RESEARCH.—The Center may
9 publish the results of its research.

10 **SEC. 9. CENTER PERSONNEL MATTERS.**

11 (a) STAFF.—

12 (1) IN GENERAL.—The Director may, without
13 regard to civil service laws and regulations, appoint
14 and terminate such personnel from among personnel
15 of the Department of Transportation and the Na-
16 tional Academies as may be necessary to enable the
17 Center to perform its duties.

18 (2) RESPONSIBILITIES.—The staff of the Cen-
19 ter appointed under paragraph (1) shall, at the dis-
20 cretion of the Director, carry out the following re-
21 sponsibilities:

22 (A) Submit to the Board a multiyear stra-
23 tegic plan and annual plans for the Center.

24 (B) Develop an annual budget for the Cen-
25 ter.

1 (C) Administer the programs of the Cen-
2 ter, including through oversight of the grant
3 program under section 4(b).

4 (D) Provide staff support to the Board.

5 (E) Report periodically to the Board on
6 the progress of the programs of the Center.

7 (F) Coordinate with personnel from the
8 Department of Transportation, the National
9 Science Foundation, the Transportation Re-
10 search Board, and other independent organiza-
11 tions that focus on transportation issues in
12 order to leverage intellectual and other re-
13 sources.

14 (3) COMPENSATION.—The Director may fix the
15 compensation of Center personnel without regard to
16 chapter 51 and subchapter III of chapter 53 of title
17 5, United States Code, relating to classification of
18 positions and General Schedule pay rates, except
19 that the rate of pay for personnel may not exceed
20 the rate payable for level V of the Executive Sched-
21 ule under section 5316 of such title.

22 (4) DETAIL OF GOVERNMENT EMPLOYEES.—
23 Any Federal Government employee may be detailed
24 to the Center without reimbursement, and such de-

1 tail shall be without interruption or loss of civil serv-
2 ice status or privilege.

3 (5) PROCUREMENT OF TEMPORARY AND INTER-
4 MITTENT SERVICES.—The Director may procure
5 temporary and intermittent services under section
6 3109(b) of title 5, United States Code, at rates for
7 individuals which do not exceed the daily equivalent
8 of the annual rate of basic pay prescribed for level
9 V of the Executive Schedule under section 5316 of
10 such title.

11 (6) ACCEPTANCE OF VOLUNTEER SERVICES.—
12 The Director may accept volunteer services to carry
13 out activities under this Act without regard to sec-
14 tion 1342 of title 31, United States Code.

15 **SEC. 10. REGIONAL CENTERS FOR TRANSPORTATION SOLU-**
16 **TIONS.**

17 (a) IN GENERAL.—Not later than September 30,
18 2005, the Director shall award grants to establish regional
19 centers for transportation solutions. One regional center
20 shall be located in each of 4 regions established by the
21 Board for the northeast, northwest, southeast, and south-
22 west regions of the United States.

23 (b) RESEARCH.—The regional centers established
24 under this section shall initiate and support research

1 projects into regional multimodal transportation issues
 2 that—

3 (1) are of long-term significance;

4 (2) have clear public benefits and in which pri-
 5 vate investment is not optional due to the failure of,
 6 or distortions in, the market; or

7 (3) are not otherwise conducted in the public or
 8 private sectors.

9 (c) NORTHEAST REGIONAL CENTER.—The location
 10 of the regional center established under this section for
 11 the northeast region of the United States shall be located
 12 in a State that—

13 (1) is one of the 5 States with the highest levels
 14 of traffic congestion in the United States, based on
 15 the ratio of annual vehicle miles traveled on Na-
 16 tional Highway System roads that are located in the
 17 State to the number of National Highway System
 18 lane miles that are located in such State; and

19 (2) is one of the 10 States with the highest lev-
 20 els of traffic congestion in the United States, based
 21 on the ratio of miles of National Highway System
 22 roads that are located in urban areas in the State
 23 to the number of National Highway System lane
 24 miles that are located in urban areas in such State.

1 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated from the
3 Highway Trust Fund the following sums to carry out the
4 purposes of this Act:

- 5 (1) In fiscal year 2006, \$50,000,000.
6 (2) In fiscal year 2007, \$100,000,000.
7 (3) In fiscal year 2008, \$150,000,000.
8 (4) In fiscal year 2009, \$200,000,000.
9 (5) In fiscal year 2010, \$250,000,000.

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