

“(D) hardware, systems, devices, software, or services that include embedded or incidental information technology.

“(3) COVERED PROCUREMENT.—The term ‘covered procurement’ means—

“(A) a source selection for a covered article involving either a performance specification, as provided in subsection (a)(3)(B) of section 3306 of this title, or an evaluation factor, as provided in subsection (b)(1)(A) of such section, relating to a supply chain risk, or where supply chain risk considerations are included in the agency’s determination of whether a source is a responsible source as defined in section 113 of this title;

“(B) the consideration of proposals for and issuance of a task or delivery order for a covered article, as provided in section 4106(d)(3) of this title, where the task or delivery order contract includes a contract clause establishing a requirement relating to a supply chain risk;

“(C) any contract action involving a contract for a covered article where the contract includes a clause establishing requirements relating to a supply chain risk; or

“(D) any other procurement in a category of procurements determined appropriate by the Federal Acquisition Regulatory Council, with the advice of the Federal Acquisition Security Council.

“(4) COVERED PROCUREMENT ACTION.—The term ‘covered procurement action’ means any of the following actions, if the action takes place in the course of conducting a covered procurement:

“(A) The exclusion of a source that fails to meet qualification requirements established under section 3311 of this title for the purpose of reducing supply chain risk in the acquisition or use of covered articles.

“(B) The exclusion of a source that fails to achieve an acceptable rating with regard to an evaluation factor providing for the consideration of supply chain risk in the evaluation of proposals for the award of a contract or the issuance of a task or delivery order.

“(C) The determination that a source is not a responsible source as defined in section 113 of this title based on considerations of supply chain risk.

“(D) The decision to withhold consent for a contractor to subcontract with a particular source or to direct a contractor to exclude a particular source from consideration for a subcontract under the contract.

“(5) INFORMATION AND COMMUNICATIONS TECHNOLOGY.—The term ‘information and communications technology’ means—

“(A) information technology, as defined in section 11101 of title 40;

“(B) information systems, as defined in section 3502 of title 44; and

“(C) telecommunications equipment and telecommunications services, as those terms are defined in section 3 of the Communications Act of 1934 (47 U.S.C. 153).

“(6) SUPPLY CHAIN RISK.—The term ‘supply chain risk’ means the risk that any person may sabotage, maliciously introduce unwanted function, extract data, or otherwise manipulate the design, integrity, manufacturing, production, distribution, installation, operation, maintenance, disposition, or retirement of covered articles so as to surveil, deny, disrupt, or otherwise manipulate the function, use, or operation of the covered articles or information stored or transmitted on the covered articles.

“(7) EXECUTIVE AGENCY.—Notwithstanding section 3101(c)(1), this section applies to the Department of Defense, the Coast Guard, and the National Aeronautics and Space Administration.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 47 of such title is amended by adding at the end the following new item:

“Sec. 4713. Authorities relating to mitigating supply chain risks in the procurement of covered articles.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 90 days after the date of the enactment of this Act and shall apply to contracts that are awarded before, on, or after that date.

#### SEC. 4. FEDERAL INFORMATION SECURITY MODERNIZATION ACT.

(a) IN GENERAL.—Title 44, United States Code, is amended—

(1) in section 3553(a)(5), by inserting “and section 1326 of title 41” after “compliance with the requirements of this subchapter”; and

(2) in section 3554(a)(1)(B)—

(A) by inserting “, subchapter III of chapter 13 of title 41,” after “complying with the requirements of this subchapter”; and

(B) in clause (iv), by striking “; and” and inserting a semicolon; and

(C) by adding at the end the following new clause:

“(vi) responsibilities relating to assessing and avoiding, mitigating, transferring, or accepting supply chain risks under section 1326 of title 41, and complying with exclusion and removal orders issued under section 1323 of such title; and”.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to alter or impede any authority or responsibility under section 3553 of title 44, United States Code.

#### SEC. 5. EFFECTIVE DATE.

This Act shall take effect on the date that is 90 days after the date of the enactment of this Act.

The bill (S. 3085), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### DEPARTMENT OF TRANSPORTATION REPORTS HARMONIZATION ACT

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 677, S. 3367.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3367) to amend certain transportation-related reporting requirements to improve congressional oversight, reduce reporting burdens, and promote transparency, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Transportation Reports Harmonization Act”.

#### SEC. 2. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this Act takes effect on the date of enactment of this Act.

(b) DELAYED EFFECTIVE DATES.—Sections 6, 8, and 12 of this Act, and the amendments made by those sections, take effect on January 1, 2019.

#### SEC. 3. PUBLIC AVAILABILITY OF CHARGES AND FEES FOR ATTENDANCE AT UNITED STATES MERCHANT MARINE ACADEMY.

Section 51314 of title 46, United States Code, is amended by striking “shall notify Congress of”

and inserting “shall present at the next meeting of the Board of Visitors, and post on a publicly available website.”.

#### SEC. 4. PUBLIC AVAILABILITY OF INFORMATION ON ALIGNING FEDERAL ENVIRONMENTAL REVIEWS.

Section 310(f)(1) of title 49, United States Code, is amended by inserting “, and make publicly available on the Department of Transportation website,” after “House of Representatives”.

#### SEC. 5. PUBLIC AVAILABILITY OF INFORMATION ON UNIVERSITY TRANSPORTATION CENTERS PROGRAM.

Section 5505 of title 49, United States Code, is amended—

(1) in subsection (b)(5)(B), by inserting “, and make publicly available on the Department of Transportation website,” after “Senate”; and

(2) by amending subsection (d)(2)(B) to read as follows:

“(B) make publicly available on the Department of Transportation website a description of that review and evaluation.”.

#### SEC. 6. PUBLIC AVAILABILITY OF REPORTS BY INSPECTOR GENERAL OF DEPARTMENT OF TRANSPORTATION.

Section 6 of the Norman Y. Mineta Research and Special Programs Improvement Act (49 U.S.C. 108 note) is amended to read as follows:

##### “SEC. 6. REPORTS.

“Not later than 9 months after the date of enactment of the Department of Transportation Reports Harmonization Act—

“(1) the Secretary of Transportation shall make publicly available a list of each statutory mandate regarding pipeline safety or hazardous materials safety that has not been implemented by—

“(A) posting the list on the website of the Department of Transportation;

“(B) including the list in a regulatory flexibility agenda under section 602 of title 5, United States Code; or

“(C) providing the list in a regulatory planning document; and

“(2) the Inspector General of the Department of Transportation shall make publicly available on the website of the Office of the Inspector General a list of each open safety recommendation made by the Inspector General regarding pipeline safety or hazardous materials safety.”.

#### SEC. 7. PUBLIC AVAILABILITY OF SECRETARY OF TRANSPORTATION'S RESPONSES TO SAFETY RECOMMENDATIONS.

(a) IN GENERAL.—Section 1135 of title 49, United States Code, is amended—

(1) by amending subsection (a) to read as follows:

“(a) SAFETY TRANSPORTATION RECOMMENDATIONS.—

“(1) IN GENERAL.—Not later than 90 days after the date that the Secretary of Transportation receives a recommendation about transportation safety from the National Transportation Safety Board, the Secretary shall submit to the Board a formal written response to the recommendation.

“(2) CONTENTS.—Each response under paragraph (1) shall indicate whether the Secretary intends—

“(A) to carry out procedures to adopt the complete recommendation;

“(B) to carry out procedures to adopt a part of the recommendation; or

“(C) to refuse to carry out procedures to adopt the recommendation.”.

(2) by amending subsection (b) to read as follows:

“(b) TIMETABLE FOR COMPLETING PROCEDURES AND REASONS FOR REFUSALS.—A response under—

“(1) subparagraph (B) or subparagraph (C) of subsection (a)(2) shall include a copy of a proposed timetable for completing the procedures;

“(2) subsection (a)(2)(B) shall detail the reasons for the refusal to carry out procedures on the remainder of the recommendation; and

“(3) subsection (a)(2)(C) shall detail the reasons for the refusal to carry out procedures.”;

(3) in subsection (c), by striking “a copy of each recommendation and response available to the public at reasonable cost” and inserting “publicly available on its website each recommendation and response under subsection (a)”;

(4) in subsection (d)(2)(B), by striking “a response under subsection (a)(2) or (a)(3)” and inserting “a response under subparagraph (B) or subparagraph (C) of subsection (a)(2)”;

(5) by striking subsection (e).

(b) ANNUAL REPORT.—Section 1117 of title 49, United States Code, is amended to read as follows:

**“§ 1117. Annual report**

“(a) IN GENERAL.—The National Transportation Safety Board shall submit the information described in subsection (b)—

“(1) in a report to Congress on July 1 of each year; or

“(2) as part of its annual budget.

“(b) CONTENTS.—The information described in this subsection includes—

“(1) a statistical and analytical summary of the transportation accident investigations conducted and reviewed by the Board during the prior calendar year;

“(2)(A) a survey and summary of the recommendations made by the Board to reduce the likelihood of recurrence of those accidents together with the observed response to each recommendation; and

“(B) an appendix that includes, for each recommendation that was made by the Board, remains open, and requires a response from the Secretary, the most recent observed response from the Secretary to such recommendation;

“(3) a detailed appraisal of the accident investigation and accident prevention activities of other departments, agencies, and instrumentalities of the United States Government and State and local governmental authorities having responsibility for those activities under a law of the United States or a State;

“(4) a description of the activities and operations of the National Transportation Safety Board Academy during the prior calendar year;

“(5) a list of accidents, during the prior calendar year, that the Board was required to investigate under section 1131 but did not investigate and an explanation of why they were not investigated; and

“(6) a list of ongoing investigations that have exceeded the expected time allotted for completion by Board order and an explanation for the additional time required to complete each such investigation.”.

**SEC. 8. CONSISTENCY IN RESPONSE REQUIREMENTS TO NTSB SAFETY RECOMMENDATIONS.**

Section 19 of the Pipeline Safety Improvement Act of 2002 (49 U.S.C. 1135 note) is amended to read as follows:

**“SEC. 19. NTSB SAFETY RECOMMENDATIONS.**

“The Secretary of Transportation, the Administrator of the Pipeline and Hazardous Materials Safety Administration, and the Director of the Office of Pipeline Safety shall fully comply with section 1135 of title 49, United States Code, to ensure timely responsiveness to National Transportation Safety Board recommendations about pipeline safety.”.

**SEC. 9. STREAMLINED REPORTING FOR THE NATIONAL MARITIME HERITAGE GRANTS PROGRAM.**

Section 308703(j) of title 54, United States Code, is amended to read as follows:

“(j) STATUS REPORTS.—The Secretary shall include in the annual budget submission of the Department of the Interior a description of the current status of the Program, including—

“(1) the total number of grant applications submitted and approved under the Program in the prior fiscal year;

“(2) a description, including any results or any accomplishments, of each project funded under the Program in the prior fiscal year; and

“(3) recommended priorities for achieving the policy set forth in section 308701 of this title.”.

**SEC. 10. PERIODIC UPDATES TO HIGHWAY-RAIL CROSSING REPORTS AND PLANS.**

(a) HIGHWAY-RAIL GRADE CROSSING SAFETY.—(1) IN GENERAL.—Section 11401 of the Fixing America's Surface Transportation Act (49 U.S.C. 24407 note) is amended—

(A) in subsection (b), by striking “(49 U.S.C. 22501 note)” each place it appears and inserting “(49 U.S.C. 24407 note)”;

(B) by striking subsection (c); and

(C) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(2) REPORTS ON HIGHWAY-RAIL GRADE CROSSING SAFETY.—

(A) IN GENERAL.—Chapter 201 of title 49, United States Code, is amended by inserting after section 20166 the following:

**“§ 20167. Reports on highway-rail grade crossing safety**

“(a) REPORT.—Not later than 2 years after the deadline for States to submit State highway-rail grade crossing action plans under section 11401(b) of the Fixing America's Surface Transportation Act (49 U.S.C. 24407 note), the Administrator of the Federal Railroad Administration, in consultation with the Administrator of the Federal Highway Administration, shall submit 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 the State highway-rail grade crossing action plans, including—

“(1) an analysis and evaluation of each State railway-highway crossings program under section 130 of title 23, including—

“(A) compliance with section 11401 of the Fixing America's Surface Transportation Act (49 U.S.C. 24407 note) and section 130(g) of title 23; and

“(B) the specific strategies identified by each State to improve safety at highway-rail grade crossings, including crossings with multiple accidents or incidents;

“(2) the progress of each State in implementing its State highway-rail grade crossing action plan;

“(3) the number of projects undertaken under section 130 of title 23, including their distribution by cost range, road system, nature of treatment, and subsequent accident experience at improved locations;

“(4) each State that is not in compliance with its schedule of projects under section 130(d) of title 23; and

“(5) any recommendations for future implementation of the railroad highway crossings program under section 130 of title 23.

“(b) UPDATES.—Not later than 5 years after the date the report under subsection (a) is submitted, the Administrator of the Federal Railroad Administration, in consultation with the Administrator of the Federal Highway Administration, shall—

“(1) update the report based on the State reports submitted under section 130(g) of title 23 and any other information obtained by or available to the Administrator of the Federal Railroad Administration; and

“(2) submit the updated report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(c) DEFINITIONS.—In this section:

“(1) HIGHWAY-RAIL GRADE CROSSING.—The term ‘highway-rail grade crossing’ means a location within a State, other than a location where 1 or more railroad tracks cross 1 or more railroad tracks at grade, where—

“(A) a public highway, road, or street, or a private roadway, including associated sidewalks and pathways, crosses 1 or more railroad tracks either at grade or grade-separated; or

“(B) a pathway explicitly authorized by a public authority or a railroad carrier that is

dedicated for the use of non-vehicular traffic, including pedestrians, bicyclists, and others, that is not associated with a public highway, road, or street, or a private roadway, crosses 1 or more railroad tracks either at grade or grade-separated.

“(2) STATE.—The term ‘State’ means a State of the United States or the District of Columbia.”.

(B) TABLE OF CONTENTS.—The table of contents of chapter 201 of title 49, United States Code, is amended by inserting after the item relating to section 20166 the following:

“20167. Reports on highway-rail grade crossing safety.”.

(b) IN GENERAL.—Section 130(g) of title 23, United States Code, is amended to read as follows:

“(g) ANNUAL REPORT.—

“(1) IN GENERAL.—Not later than December 30 of each year, each State shall submit to the Administrator of the Federal Highway Administration a report on the progress being made to implement the railway-highway crossings program authorized by this section and the effectiveness of such improvements.

“(2) CONTENTS.—Each State report shall contain an assessment of the costs of the various treatments employed and subsequent accident experience at improved locations.

“(3) COORDINATION.—The Administrator of the Federal Highway Administration shall make available to the Administrator of the Federal Railroad Administration each report submitted under paragraph (1).”.

**SEC. 11. UPDATES TO HAZARDOUS MATERIALS GRANT PROGRAMS AND REPORTS.**

(a) PLANNING AND TRAINING GRANTS, MONITORING, AND REVIEW.—Section 5116(j) of title 49, United States Code, is amended to read as follows:

“(j) LIST OF GRANTS.—

“(1) IN GENERAL.—Not later than 120 days after the date of enactment of the Department of Transportation Reports Harmonization Act, and annually thereafter, the Secretary shall—

“(A) compile a list of the grants made—

“(i) under subsections (a) and (i) of this section; and

“(ii) under subsections (e) and (i) of section 5107; and

“(B) make the list publicly available on the Department of Transportation website, including—

“(i) the identity of all final recipients of such grants;

“(ii) the allocation and uses of such grants; and

“(iii) information on the effects of such grants, such as the number of persons trained, by training level.”.

(b) BIENNIAL REPORT ON TRANSPORTATION OF HAZARDOUS MATERIALS.—Section 5121 of title 49, United States Code, is amended by striking subsection (h) and inserting the following:

“(h) COMPILATION OF ACCIDENTS AND CASUALTIES.—The Secretary shall make publicly available on the Department of Transportation website, and update at least biennially, a statistical compilation of accidents and casualties related to the transportation of hazardous material.

“(i) BUDGET SUBMISSION.—The Secretary shall include in the annual budget submission of the Department of Transportation—

“(1) an evaluation of the effectiveness of enforcement activities relating to a function regulated by the Secretary under section 5103(b)(1); and

“(2) a summary of outstanding problems in carrying out this chapter, in order of priority.”.

(c) DISCLOSURE OF AGENCY ACTION.—Section 5117(g) of title 49, United States Code, is amended to read as follows:

“(g) DISCLOSURE OF AGENCY ACTION.—The Secretary shall—

“(1) periodically, but at least every 120 days—

“(A) publish in the Federal Register notice of the final disposition of each application for a

new special permit, modification to an existing special permit, or approval during the preceding quarter; and

“(B) make available to the public on the Department of Transportation website—

“(i) notice of the final disposition of any other special permit during the preceding quarter;

“(ii) a list of special permits in effect; and

“(iii) a summary of the basis for each special permit; and

“(2) make available to the public on the Department of Transportation website, and update at least biennially, a list and summary of applicable Government regulations, criteria, orders, guidance, and special permits relating to the transportation of hazardous materials.”.

#### **SEC. 12. ELIMINATING UNNECESSARY REPORTING REQUIREMENTS FOR THE REGIONAL INFRASTRUCTURE ACCELERATOR DEMONSTRATION PROGRAM.**

Section 1441(e) of the Fixing America's Surface Transportation Act (23 U.S.C. 601 note) is amended to read as follows:

“(e) ANNUAL REPORT.—Each fiscal year that funds are made available to carry out the program, the Secretary shall submit to Congress, not later than 30 days after the date that fiscal year ends, a report that describes the findings and effectiveness of the program.”.

#### **SEC. 13. CONSOLIDATED REPORTING ON STATUTORY MANDATES AND RECOMMENDATIONS.**

Section 106 of the Rail Safety Improvement Act of 2008 (49 U.S.C. 20101 note) is amended to read as follows:

##### **“SEC. 106. REPORTS ON STATUTORY MANDATES AND RECOMMENDATIONS.**

“The Secretary shall—

“(1) not later than 1 year after the date of enactment of the Department of Transportation Reports Harmonization Act, describe the actions the Secretary has taken to implement unmet statutory mandates regarding railroad safety;

“(2) update the description under paragraph (1) not less than annually; and

“(3) make the description, including any updates thereto, available by—

“(A) posting the description on the website of the Department of Transportation;

“(B) including the description in the regulatory flexibility agenda under section 602 of title 5, United States Code; or

“(C) providing the description in a regulatory planning document.”.

#### **SEC. 14. REPORTING ON THE NORTHEAST CORRIDOR.**

(a) NORTHEAST CORRIDOR SAFETY COMMITTEE REPORT.—Section 24905(e) of title 49, United States Code, is amended by striking paragraph (3).

(b) CONTENTS OF GRANT REQUESTS.—

(1) IN GENERAL.—Section 24319(c) of title 49, United States Code, is amended—

(A) in paragraph (2), by striking “; and” and inserting a semicolon;

(B) in paragraph (3), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(4) describe the status of efforts to improve safety and security on the Northeast Corridor main line, including a description of any efforts to implement recommendations of relevant railroad safety advisory committees.”.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection or an amendment made by this subsection shall affect a grant request made under section 24319 of title 49, United States Code, before the date of enactment of this Act.

#### **SEC. 15. IN-VEHICLE ALCOHOL DETECTION DEVICE RESEARCH REPORTS.**

Section 403 of title 23, United States Code, is amended—

(1) in subsection (f)(1), by striking “subsection 402(c)” and inserting “section 402(c)”; and

(2) in subsection (h)(4), in the matter preceding subparagraph (A), by striking “submit an annual report” and inserting “submit a biennial report”.

#### **SEC. 16. HIGHWAY SAFETY PROGRAMS REPORT TO CONGRESS.**

(a) DOT REPORTS.—Section 402 of title 23, United States Code, is amended by striking subsection (n) and inserting the following:

“(n) PUBLIC TRANSPARENCY.—The Secretary shall publicly release on its website information that contains each State's performance with respect to the State's highway safety plan under subsection (k) and performance targets set by the States in such plans. Such information shall be posted on the website within 45 calendar days of approval of a State's highway safety plan.”.

(b) GAO REPORT.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the highway safety programs under section 402 of title 23, United States Code. In carrying out the review, the Comptroller General shall review States' progress in achieving safety performance targets, including how States are utilizing grants and problems encountered in achieving such targets.

(2) SUBMISSION.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and Committee on Transportation and Infrastructure of the House of Representatives that contains the results of the study conducted under paragraph (1), including any recommendations for improvements to State activities and the Secretary of Transportation's administration of the highway safety programs.

#### **SEC. 17. WAIVER NOTIFICATION AND ANNUAL REPORTS.**

Section 117(b) of the SAFETEA-LU Technical Corrections Act of 2008 (23 U.S.C. 313 note) is amended by striking “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” and inserting “make publicly available on the Department of Transportation website an annual”.

#### **SEC. 18. CESSATION OF CERTAIN ADVISORY COUNCILS AND ADVISORY COMMITTEES.**

(a) ADVISORY COUNCIL ON TRANSPORTATION STATISTICS.—Section 6305 of title 49, United States Code, is amended by adding at the end the following:

“(f) SUNSET.—The advisory council established under this section ceases to exist effective January 1, 2019.”.

(b) NORTHEAST CORRIDOR SAFETY COMMITTEE.—Section 24905(e) of title 49, United States Code, as amended by this Act, is further amended by striking paragraph (2) and inserting the following:

“(2) SUNSET.—The Committee established under this subsection ceases to exist on the date that the Secretary determines positive train control, as required by section 20157, is fully implemented along the Northeast Corridor.”.

(c) NATIONAL RAIL COOPERATIVE RESEARCH PROGRAM OVERSIGHT COMMITTEE.—Section 24910(c) of title 49, United States Code, is amended by adding at the end the following:

“(3) SUNSET.—The advisory board established under this subsection ceases to exist effective January 1, 2019.”.

Mr. BOOZMAN. I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Thune substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was withdrawn.

The amendment (No. 4159) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Department of Transportation Reports Harmonization Act”.

#### **SEC. 2. PUBLIC AVAILABILITY OF CHARGES AND FEES FOR ATTENDANCE AT UNITED STATES MERCHANT MARINE ACADEMY.**

Section 51314(b) of title 46, United States Code, is amended by striking “shall notify Congress of” and inserting “shall present at the next meeting of the Board of Visitors, and post on a publicly available website.”.

#### **SEC. 3. PUBLIC AVAILABILITY OF INFORMATION ON ALIGNING FEDERAL ENVIRONMENTAL REVIEWS.**

Section 310(f)(1) of title 49, United States Code, is amended by inserting “, and make publicly available on the Department of Transportation website,” after “House of Representatives”.

#### **SEC. 4. REPORTING ON THE NORTHEAST CORRIDOR.**

(a) NORTHEAST CORRIDOR SAFETY COMMITTEE REPORT.—Section 24905(e) of title 49, United States Code, is amended by striking paragraph (3).

(b) CONTENTS OF GRANT REQUESTS.—

(1) IN GENERAL.—Section 24319(c) of title 49, United States Code, is amended—

(A) in paragraph (2), by striking “; and” and inserting a semicolon;

(B) in paragraph (3), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(4) describe the status of efforts to improve safety and security on the Northeast Corridor main line, including a description of any efforts to implement recommendations of relevant railroad safety advisory committees.”.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection or an amendment made by this subsection shall affect a grant request made under section 24319 of title 49, United States Code, before the date of enactment of this Act.

#### **SEC. 5. HIGHWAY SAFETY PROGRAMS REPORT TO CONGRESS.**

(a) DOT REPORTS.—Section 402 of title 23, United States Code, is amended by striking subsection (n) and inserting the following:

“(n) PUBLIC TRANSPARENCY.—The Secretary shall publicly release on its website information that contains each State's performance with respect to the State's highway safety plan under subsection (k) and performance targets set by the States in such plans. Such information shall be posted on the website within 45 calendar days of approval of a State's highway safety plan.”.

(b) GAO REPORT.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a review of the highway safety programs under section 402 of title 23, United States Code. In carrying out the review, the Comptroller General shall review States' progress in achieving safety performance targets, including how States are utilizing grants and problems encountered in achieving such targets.

(2) SUBMISSION.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and Committee on Transportation and Infrastructure of the House of Representatives that contains the results of

the study conducted under paragraph (1), including any recommendations for improvements to State activities and the Secretary of Transportation's administration of the highway safety programs.

**SEC. 6. CESSATION OF CERTAIN ADVISORY COUNCILS AND ADVISORY COMMITTEES.**

(a) **NORTHEAST CORRIDOR SAFETY COMMITTEE.**—Section 24905(e) of title 49, United States Code, as amended by this Act, is further amended by striking paragraph (2) and inserting the following:

“(2) **SUNSET.**—The Committee established under this subsection ceases to exist on the date that the Secretary determines positive train control, as required by section 20157, is fully implemented along the Northeast Corridor.”.

(b) **NATIONAL RAIL COOPERATIVE RESEARCH PROGRAM OVERSIGHT COMMITTEE.**—Section 24910(c) of title 49, United States Code, is amended by adding at the end the following:

“(3) **SUNSET.**—The advisory board established under this subsection ceases to exist effective January 1, 2019.”.

**SEC. 7. TECHNICAL AMENDMENTS TO RAIL IMPROVEMENT GRANTS.**

(a) **REDESIGNATION.**—Subtitle V of title 49, United States Code, is amended—

(1) by redesignating sections 24401 through 24408 as sections 22901 through 22908, respectively;

(2) by redesignating chapter 244 as chapter 229;

(3) by moving chapter 229, as redesignated, to appear at the end of part B;

(4) in the table of chapters—

(A) by striking the item relating to chapter 244; and

(B) by inserting after the item relating to chapter 227 the following:

“Chapter 229. Rail Improvement Grants ..... 22901”;

and

(5) by amending the table of sections for chapter 229, as redesignated, to read as follows:

**“CHAPTER 229—RAIL IMPROVEMENT GRANTS**

“Sec.

“22901. Definitions.

“22902. Capital investment grants to support intercity passenger rail services.

“22903. Project management oversight.

“22904. Use of capital grants to finance first-dollar liability of grant project.

“22905. Grant conditions.

“22906. Authorization of appropriations.

“22907. Consolidated rail infrastructure and safety improvements.

“22908. Restoration and enhancement grants.”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) **TECHNICAL AMENDMENTS.**—Chapter 229 of title 49, United States Code, as redesignated, is amended—

(A) in section 22902, as redesignated—

(i) in subsection (c)(3)(A)—

(I) in the matter preceding clause (i), by inserting “of” after “other modes”; and

(II) in clause (vi) by striking “environmentally” and inserting “environmental”; and

(ii) in subsection (k), by striking “state rail plan” and inserting “State rail plan”; and

(B) in section 22905(e)(1), as redesignated—

(i) by striking “government authority” and inserting “governmental authority”; and

(ii) by striking “section 5302(11) and (6), respectively, of this title” and inserting “section 5302”.

(2) **CONFORMING AMENDMENTS.**—Chapter 229 of title 49, United States Code, as redesignated, is amended—

(A) in section 22901(2)(D), as redesignated, by striking “24404” and inserting “22904”;

(B) in section 22904, as redesignated, by striking “24402” and inserting “22902”;

(C) in section 22905(e)(1), as redesignated, by striking “24102(4) of this title” and inserting “24102”;

(D) in section 22907, as redesignated—

(i) in subsection (c)(2), by striking “24401(2)” and inserting “22901(2)”; and

(ii) in subsection (k), by striking “of sections 24402, 24403, and 24404 and the definition contained in 24401(1)” and inserting “under sections 22902, 22903, and 22904, and the definition contained in section 22901(1)”; and

(E) in section 22908, as redesignated—

(i) in subsection (a), in the matter preceding paragraph (1), by striking “24401(1)” and inserting “22901(1)”; and

(ii) in subsection (i)(3), by striking “24405” and inserting “22905”.

(3) **ADDITIONAL CONFORMING AMENDMENTS.**—

(A) **SUBTITLE V.**—Subtitle V of title 49, United States Code, is amended—

(i) in part C—

(I) in section 24102(7)(D)(ii), by striking “chapter 244” and inserting “chapter 229”;

(II) in section 24103, by inserting “or chapter 229” after “this part” each place it appears;

(III) in section 24711(c)(3), by striking “24405” and inserting “22905”; and

(IV) in section 24911(i), by striking “24405” and inserting “22905”; and

(ii) in part D, in section 26106(e)(3), by striking “24405 of this title” and inserting “22905”.

(B) **RAILROAD SAFETY ENHANCEMENT ACT OF 2008.**—The Passenger Rail Investment and Improvement Act of 2008 (division B of Public Law 110-432) is amended—

(i) in section 301(c) (49 U.S.C. 24405 note), by striking “24405(a)” and inserting “22905(a)”; and

(ii) in section 502(a)(4)(I) (49 U.S.C. 26106 note), by striking “24405” and inserting “22905”.

(C) **FAST ACT.**—The Fixing America's Surface Transportation Act (Public Law 114-94; 129 Stat. 1312) is amended—

(i) in section 11102, by adding at the end the following:

“(c) **CONFORMING PROVISION FOR REDESIGNATION OF APPLICABLE SECTION.**—Any amounts authorized under this section for grants or project management oversight under section 24407 of such title shall be deemed to refer to grants or project management oversight under section 22907 of such title on or after the date of enactment of the Department of Transportation Reports Harmonization Act.”;

(ii) in section 11104, by adding at the end the following:

“(c) **CONFORMING PROVISION FOR REDESIGNATION OF APPLICABLE SECTION.**—Any amounts authorized under this section for grants or project management oversight under section 24408 of such title shall be deemed to refer to grants or project management oversight under section 22908 of such title on or after the date of enactment of the Department of Transportation Reports Harmonization Act.”;

(iii) in section 11308(a)(4)(I), by striking “24405” and inserting “22905”; and

(iv) in section 11401(b)(5), by striking “chapter 244” and inserting “chapter 229”.

The bill (S. 3367), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

**DOUGLAS FOURNET DEPARTMENT OF VETERANS AFFAIRS CLINIC**

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 3444 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3444) to designate the community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, as the “Douglas Fournet Department of Veterans Affairs Clinic.”

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. BOOZMAN. I ask unanimous consent that the Cassidy substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4160) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. DESIGNATION OF DOUGLAS FOURNET DEPARTMENT OF VETERANS AFFAIRS CLINIC IN LAKE CHARLES, LOUISIANA.**

(a) **DESIGNATION.**—The community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, shall after the date of the enactment of this Act be known and designated as the “Douglas Fournet Department of Veterans Affairs Clinic” or the “Douglas Fournet VA Clinic”.

(b) **REFERENCE.**—Any reference in any law, regulation, map, document, paper, or other record of the United States to the community-based outpatient clinic referred to in subsection (a) shall be considered to be a reference to the Douglas Fournet Department of Veterans Affairs Clinic.

The bill (S. 3444) was ordered to be engrossed for a third reading, was read the third time, and passed.

**EFFECTIVE PROSECUTION OF POSSESSION OF BIOLOGICAL TOXINS AND AGENTS ACT OF 2018**

Mr. BOOZMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 2 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2) to amend section 175b of title 18, United States Code, to correct a scrivener's error.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?