

(4) development of electronic clearinghouses of transportation data and related information, as part of the Library; and

(5) development and improvement of methods for sharing geographic data, in support of the database under section 6310<sup>1</sup> and the National Spatial Data Infrastructure developed under Executive Order 12906 (59 Fed. Reg. 17671) (or a successor Executive Order).

(Added Pub. L. 112-141, div. E, title II, §52011(a), July 6, 2012, 126 Stat. 894.)

**Editorial Notes**

REFERENCES IN TEXT

Executive Order 12906, referred to in par. (5), is Ex. Ord. No. 12906, Apr. 11, 1994, 59 F.R. 17671, which is set out as a note under section 1457 of Title 43, Public Lands.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

**§ 6312. Transportation statistics annual report**

The Director shall submit to the President and Congress a transportation statistics annual report, which shall include—

(1) information on the progress of the Director in carrying out the duties described in section 6302(b)(3)(B);

(2) documentation of the methods used to obtain and ensure the quality of the statistics presented in the report; and

(3) any recommendations of the Director for improving transportation statistical information.

(Added Pub. L. 112-141, div. E, title II, §52011(a), July 6, 2012, 126 Stat. 894.)

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

**§ 6313. Mandatory response authority for freight data collection**

(a) FREIGHT DATA COLLECTION.—

(1) IN GENERAL.—An owner, official, agent, person in charge, or assistant to the person in charge of a freight corporation, company, business, institution, establishment, or organization described in paragraph (2) shall be fined in accordance with subsection (b) if that individual neglects or refuses, when requested by the Director or other authorized officer, employee, or contractor of the Bureau to submit data under section 6302(b)(3)(B)—

(A) to answer completely and correctly to the best knowledge of that individual all questions relating to the corporation, company, business, institution, establishment, or other organization; or

(B) to make available records or statistics in the official custody of the individual.

(2) DESCRIPTION OF ENTITIES.—A freight corporation, company, business, institution, establishment, or organization referred to in paragraph (1) is a corporation, company, business, institution, establishment, or organization that—

(A) receives Federal funds relating to the freight program; and

(B) has consented to be subject to a fine under this subsection on—

(i) refusal to supply any data requested; or

(ii) failure to respond to a written request.

(b) FINES.—

(1) IN GENERAL.—Subject to paragraph (2), an individual described in subsection (a) shall be fined not more than \$500.

(2) WILLFUL ACTIONS.—If an individual willfully gives a false answer to a question described in subsection (a)(1), the individual shall be fined not more than \$10,000.

(Added Pub. L. 112-141, div. E, title II, §52011(a), July 6, 2012, 126 Stat. 895.)

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective Oct. 1, 2012, see section 3(a) of Pub. L. 112-141, set out as an Effective and Termination Dates of 2012 Amendment note under section 101 of Title 23, Highways.

**§ 6314. Port performance freight statistics program**

(a) IN GENERAL.—The Director shall establish, on behalf of the Secretary, a port performance statistics program to provide nationally consistent measures of performance of, at a minimum—

(1) the Nation's top 25 ports by tonnage;

(2) the Nation's top 25 ports by 20-foot equivalent unit; and

(3) the Nation's top 25 ports by dry bulk.

(b) REPORTS.—

(1) PORT CAPACITY AND THROUGHPUT.—Not later than January 15 of each year, the Director shall submit an annual report to Congress that includes statistics on capacity and throughput at the ports described in subsection (a).

(2) PORT PERFORMANCE MEASURES.—The Director shall collect port performance measures for each of the United States ports referred to in subsection (a) that—

(A) receives Federal assistance; or

(B) is subject to Federal regulation to submit necessary information to the Bureau that includes statistics on capacity and throughput as applicable to the specific configuration of the port.

(c) RECOMMENDATIONS.—

(1) IN GENERAL.—The Director shall obtain recommendations for—

(A) port performance measures, including specifications and data measurements to be used in the program established under subsection (a); and

<sup>1</sup> So in original. Probably should be "section 6309".