

(B) a process for the Department to collect timely and consistent data, including identifying safeguards to protect proprietary information described in subsection (b)(2).

(2) **WORKING GROUP.**—Not later than 60 days after the date of the enactment of the Transportation for Tomorrow Act of 2015, the Director shall commission a working group composed of—

(A) operating administrations of the Department;

(B) the Coast Guard;

(C) the Federal Maritime Commission;

(D) U.S. Customs and Border Protection;

(E) the Marine Transportation System National Advisory Council;

(F) the Army Corps of Engineers;

(G) the Great Lakes St. Lawrence Seaway Development Corporation;

(H) the Bureau of Labor Statistics;

(I) the Maritime Advisory Committee for Occupational Safety and Health;

(J) the Advisory Committee on Supply Chain Competitiveness;

(K) 1 representative from the rail industry;

(L) 1 representative from the trucking industry;

(M) 1 representative from the maritime shipping industry;

(N) 1 representative from a labor organization for each industry described in subparagraphs (K) through (M);

(O) 1 representative from the International Longshoremen's Association;

(P) 1 representative from the International Longshore and Warehouse Union;

(Q) 1 representative from a port authority;

(R) 1 representative from a terminal operator;

(S) representatives of the National Freight Advisory Committee of the Department; and

(T) representatives of the Transportation Research Board of the National Academies of Sciences, Engineering, and Medicine.

(3) **RECOMMENDATIONS.**—Not later than 1 year after the date of the enactment of the Transportation for Tomorrow Act of 2015, the working group commissioned under paragraph (2) shall submit its recommendations to the Director.

(d) **ACCESS TO DATA.**—The Director shall ensure that—

(1) the statistics compiled under this section—

(A) are readily accessible to the public; and

(B) are consistent with applicable security constraints and confidentiality interests; and

(2) the data acquired, regardless of source, shall be protected in accordance with section 3572 of title 44.

(Added Pub. L. 114-94, div. A, title VI, §6018(a), Dec. 4, 2015, 129 Stat. 1576; amended Pub. L. 115-435, title III, §302(c)(3)(B), Jan. 14, 2019, 132 Stat. 5553; Pub. L. 116-260, div. AA, title V, §512(c)(7)(A)(ii), Dec. 27, 2020, 134 Stat. 2757.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of the Transportation for Tomorrow Act of 2015, referred to in subsec. (c)(2), (3), is the date of enactment of title VI of div. A of Pub. L. 114-94, which was approved Dec. 4, 2015.

AMENDMENTS

2020—Subsec. (c)(2)(G). Pub. L. 116-260 substituted “Great Lakes St. Lawrence Seaway Development Corporation” for “Saint Lawrence Seaway Development Corporation”.

2019—Subsec. (d)(2). Pub. L. 115-435 substituted “section 3572 of title 44.” for “the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note; Public Law 107-347).”

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2019 AMENDMENT

Amendment by Pub. L. 115-435 effective 180 days after Jan. 14, 2019, see section 403 of Pub. L. 115-435, set out as a note under section 306 of Title 5, Government Organization and Employees.

EFFECTIVE DATE

Section effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

TRANSITIONAL AND SAVINGS PROVISIONS

For transitional and savings provisions related to the amendment of this section and other provisions of law by title III of Pub. L. 115-435, see section 302(d) of Pub. L. 115-435, set out as a note under section 3561 of Title 44, Public Printing and Documents.

CHAPTER 65—RESEARCH PLANNING

Sec.

6501.	Annual modal research plans.
6502.	Consolidated research database.
6503.	Transportation research and development 5-year strategic plan.
6504.	Incorporation of Department of Transportation research.

Editorial Notes

AMENDMENTS

2021—Pub. L. 117-58, div. B, title V, §25016(b), Nov. 15, 2021, 135 Stat. 873, added item 6504.

§ 6501. Annual modal research plans

(a) **MODAL PLANS REQUIRED.**—

(1) **IN GENERAL.**—Not later than June 1 of each year, the head of each modal administration and joint program office of the Department of Transportation shall prepare and submit to the Assistant Secretary for Research and Technology of the Department of Transportation (referred to in this chapter as the “Assistant Secretary”)—

(A) a comprehensive annual modal research plan for the following fiscal year; and

(B) a detailed outlook for the fiscal year thereafter.

(2) **REQUIREMENTS.**—Each plan under paragraph (1) shall include—

(A) a general description of the strategic goals of the Department that are addressed by the research programs being carried out by the Assistant Secretary or modal administration, as applicable;

(B) a description of each proposed research program, as described in the budget request submitted by the Secretary of Transportation to the President under section 1108 of title 31 for the following fiscal year, including—

- (i) the major objectives of the program; and
- (ii) the requested amount of funding for each program and area;

(C) a list of activities the Assistant Secretary or modal administration plans to carry out under the research programs described in subparagraph (B);

(D) an assessment of the potential impact of the research programs described in subparagraph (B), including—

- (i) potential outputs, outcomes, and impacts on technologies and practices used by entities subject to the jurisdiction of the modal administration;
- (ii) potential effects on applicable regulations of the modal administration, including the modification or modernization of those regulations;
- (iii) potential economic or societal impacts; and
- (iv) progress made toward achieving strategic goals of—

- (I) the applicable modal administration; or
- (II) the Department of Transportation;

(E) a description of potential partnerships to be established to conduct the research program, including partnerships with—

- (i) institutions of higher education; and
- (ii) private sector entities; and

(F) such other requirements as the Assistant Secretary considers to be necessary.

(3) RELATIONSHIP TO STRATEGIC PLAN.—Each plan prepared or submitted under paragraph (1), after the plan required in 2016, shall be consistent with the strategic plan developed under section 6503.

(b) REVIEW.—

(1) IN GENERAL.—Not later than September 1 of each year, the Assistant Secretary, for each plan and outlook submitted by the head of a modal administration or joint program office pursuant to subsection (a), shall—

- (A) review the scope of the research; and
 - (B)(i) approve the plan and outlook; or
 - (ii) request that the plan and outlook be—
- (I) revised in accordance with such suggestions as the Assistant Secretary shall include to ensure conformity with the criteria described in paragraph (2); and
 - (II) resubmitted to the Assistant Secretary for approval.

(2) CRITERIA.—In conducting a review under paragraph (1)(A), the Assistant Secretary shall, with respect to the modal research plan that is the subject of the review—

- (A) take into consideration whether—
- (i) the plan contains research objectives that are consistent with the strategic research and policy objectives of the Department of Transportation included in the

strategic plan required under section 6503; and

- (ii) the research programs described in the plan have the potential to benefit the safety, mobility, and efficiency of the United States transportation system;

(B) identify and evaluate any potential opportunities for collaboration between or among modal administrations with respect to particular research programs described in the plan;

(C) identify and evaluate whether other modal administrations may be better suited to carry out the research programs described in the plan;

(D) assess whether any projects described in the plan are—

- (i) duplicative across modal administrations; or
- (ii) unnecessary; and

(E) take into consideration such other criteria as the Assistant Secretary determines to be necessary.

(3) PUBLICATIONS.—Not later than January 30 of each year, the Secretary shall publish on a public website each plan and outlook that has been approved under paragraph (1)(B)(i).

(4) REJECTION OF DUPLICATIVE RESEARCH EFFORTS.—The Assistant Secretary may not approve any plan submitted by the head of a modal administration or joint program office pursuant to subsection (a) if any of the projects described in the plan duplicate significant aspects of research efforts of any other modal administration.

(5) SAVINGS CLAUSE.—Nothing in this subsection limits the ability of the head of a modal administration to comply with applicable law.

(c) FUNDING LIMITATIONS.—No funds may be expended by the Department of Transportation on research that has been determined by the Assistant Secretary under subsection (b)(4) to be duplicative unless—

- (1) the research is required by an Act of Congress;
- (2) the research was part of a contract that was funded before the date of enactment of this chapter;
- (3) the research updates previously commissioned research; or
- (4) the Assistant Secretary certifies to Congress that such research is necessary, and provides justification for such certification.

(d) CERTIFICATION.—

(1) IN GENERAL.—The Secretary shall annually certify to Congress that—

- (A) each modal research plan has been reviewed; and
- (B) there is no duplication of study for research directed, commissioned, or conducted by the Department of Transportation.

(2) CORRECTIVE ACTION PLAN.—If the Secretary, after submitting a certification under paragraph (1), identifies duplication of research within the Department of Transportation, the Secretary shall—

- (A) notify Congress of the duplicative research; and

(B) submit to Congress a corrective action plan to eliminate the duplicative research.

(Added Pub. L. 114-94, div. A, title VI, § 6019(b)(1), Dec. 4, 2015, 129 Stat. 1578; amended Pub. L. 117-58, div. B, title V, § 25015(a), Nov. 15, 2021, 135 Stat. 870.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of this chapter, referred to in subsec. (c)(2), is the date of enactment of Pub. L. 114-94, which was approved Dec. 4, 2015.

AMENDMENTS

2021—Subsec. (a)(1). Pub. L. 117-58, § 25015(a)(1)(A), added par. (1) and struck out former par. (1). Prior to amendment, text read as follows: “Not later than May 1 of each year, the head of each modal administration and joint program office of the Department of Transportation shall submit to the Assistant Secretary for Research and Technology of the Department of Transportation (referred to in this chapter as the ‘Assistant Secretary’) a comprehensive annual modal research plan for the upcoming fiscal year and a detailed outlook for the following fiscal year.”

Subsec. (a)(2). Pub. L. 117-58, § 25015(a)(1)(D), added par. (2). Former par. (2) redesignated (3).

Pub. L. 117-58, § 25015(a)(1)(B), inserted “prepared or” before “submitted”.

Subsec. (a)(3). Pub. L. 117-58, § 25015(a)(1)(C), redesignated par. (2) as (3).

Subsec. (b)(1). Pub. L. 117-58, § 25015(a)(2)(A)(i), inserted “by the head of a modal administration or joint program office” after “submitted” in introductory provisions.

Subsec. (b)(1)(B)(ii). Pub. L. 117-58, § 25015(a)(2)(A)(ii), added cl. (ii) and struck out former cl. (ii) which read as follows: “request that the plan and outlook be revised and resubmitted for approval.”

Subsec. (b)(2) to (4). Pub. L. 117-58, § 25015(a)(2)(B), (C), added par. (2) and redesignated former pars. (2) and (3) as (3) and (4), respectively.

Subsec. (b)(5). Pub. L. 117-58, § 25015(a)(2)(D), added par. (5).

Subsec. (c). Pub. L. 117-58, § 25015(a)(3), which directed amendment without providing closing quotation marks designating the provisions to be inserted, was executed by substituting “subsection (b)(4)” for “subsection (b)(3)” in introductory provisions, to reflect the probable intent of Congress.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Oct. 1, 2015, see section 1003 of Pub. L. 114-94, set out as an Effective Date of 2015 Amendment note under section 5313 of Title 5, Government Organization and Employees.

FINDINGS

Pub. L. 114-94, div. A, title VI, § 6019(a), Dec. 4, 2015, 129 Stat. 1577, provided that: “Congress finds that—

“(1) Federal transportation research planning—

“(A) should be coordinated by the Office of the Secretary [of Transportation]; and

“(B) should be, to the extent practicable, multimodal and not occur solely within the sub-agencies of the Department [of Transportation];

“(2) managing a multimodal research portfolio within the Office of the Secretary will—

“(A) help identify opportunities in which research could be applied across modes; and

“(B) prevent duplication of efforts and waste of limited Federal resources;

“(3) the Assistant Secretary for Research and Technology at the Department of Transportation will—

“(A) give stakeholders a formal opportunity to address concerns;

“(B) ensure unbiased research; and

“(C) improve the overall research products of the Department; and

“(4) increasing transparency of transportation research and development efforts will—

“(A) build stakeholder confidence in the final product; and

“(B) lead to the improved implementation of research findings.”

§ 6502. Consolidated research database

(a) RESEARCH ABSTRACT DATABASE.—

(1) SUBMISSION.—Not later than September 1 of each year, the head of each modal administration and joint program office of the Department of Transportation shall submit to the Assistant Secretary, for review and public posting, a description of each proposed research project to be carried out during the following fiscal year, including—

(A) proposed funding for any new projects; and

(B) proposed additional funding for any existing projects.

(2) PUBLICATION.—Not less frequently than annually, after receiving the descriptions under paragraph (1), the Assistant Secretary shall publish on a public website a comprehensive database including a description of all research projects conducted by the Department of Transportation, including research funded through university transportation centers under section 5505.

(3) CONTENTS.—The database published under paragraph (2) shall—

(A) be delimited by research project; and

(B) include a description of, with respect to each research project—

(i) research objectives;

(ii) the progress made with respect to the project, including whether the project is ongoing or complete;

(iii) any outcomes of the project, including potential implications for policy, regulations, or guidance issued by a modal administration or the Department of Transportation;

(iv) any findings of the project;

(v) the amount of funds allocated for the project; and

(vi) such other information as the Assistant Secretary determines to be necessary to address Departmental priorities and statutory mandates;

(C) identify research projects with multimodal applications;

(D) specify how relevant modal administrations have assisted, will contribute to, or plan to use the findings from the research projects identified under paragraph (1);

(E) identify areas in which more than 1 modal administration is conducting research on a similar subject or a subject that has a bearing on more than 1 mode;

(F) indicate how the findings of research are being disseminated to improve the efficiency, effectiveness, and safety of transportation systems; and

(G) describe the public and stakeholder input to the research plans submitted under section 6501(a)(1).