

106TH CONGRESS
2D SESSION

H. R. 4052

To preserve certain reporting requirements under the jurisdiction of the Committee on Transportation and Infrastructure of the House of Representatives, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2000

Mr. SHUSTER (for himself and Mr. OBERSTAR) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To preserve certain reporting requirements under the jurisdiction of the Committee on Transportation and Infrastructure of the House of Representatives, 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.**

4 This Act may be cited as the “Transportation and
5 Infrastructure Reports Restoration Act of 2000”.

1 **SEC. 2. PRESERVATION OF CERTAIN REPORTING REQUIRE-**
2 **MENTS REGARDING WATER RESOURCES AND**
3 **ENVIRONMENT.**

4 Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note)
5 does not apply to any report required to be submitted
6 under any of the following provisions of law:

8 (1) EXEMPTIONS FROM WATER POLLUTION
9 CONTROL REQUIREMENTS FOR EXECUTIVE AGEN-
10 CIES.—Section 313(a) of the Federal Water Pollu-
11 tion Control Act (33 U.S.C. 1323(a)).

12 (2) HEALTH HAZARDS OF ENVIRONMENTAL
13 POLLUTION.—Section 501(d) of Public Law 91–515
14 (42 U.S.C. 4394(d)).

15 (3) REVIEW OF REMEDIAL ACTIONS AT CER-
16 TAIN FACILITIES TO ENSURE PROTECTION OF
17 HUMAN HEALTH AND ENVIRONMENT.—Section
18 121(c) of the Comprehensive Environmental Re-
19 sponse, Compensation, and Liability Act of 1980 (42
20 U.S.C. 9621(c)).

21 (4) DESIRABILITY OF ADJUSTING OIL POLLU-
22 TION LIABILITY LIMITS.—Section 1004(d)(3) of the
23 Oil Pollution Act of 1990 (33 U.S.C. 2704(d)(3)).

24 (5) WORK OF RIVER BASIN COMMISSIONS.—
25 Section 204 of the Water Resources Planning Act
26 (42 U.S.C. 1962b–3(2)).

1 (6) AGENCY COMPLIANCE WITH COASTAL BAR-
2 RIER RESOURCES ACT.—Section 7 of the Coastal
3 Barrier Resources Act (16 U.S.C. 3506).

4 (7) COASTAL ZONE MANAGEMENT.—Section
5 316(a) of the Coastal Zone Management Act of
6 1972 (16 U.S.C. 1462(a)).

7 (8) GREAT LAKES RESOURCES ON WHICH RE-
8 SEARCH IS NEEDED.—Section 118(d)(2) of the Fed-
9 eral Water Pollution Control Act (33 U.S.C.
10 1268(d)(2)).

11 (9) ENVIRONMENTAL RESTORATION COSTS FOR
12 FACILITIES SUBJECT TO BASE CLOSURE LAWS.—
13 Section 2827(b) of the National Defense Authoriza-
14 tion Act for Fiscal Years 1992 and 1993 (105 Stat.
15 1551).

16 (10) COMPLIANCE WITH ANNEX V OF INTER-
17 NATIONAL CONVENTION FOR PREVENTION OF POL-
18 LUTION FROM SHIPS.—Section 2201 of the Marine
19 Plastic Pollution Research and Control Act of 1987
20 (33 U.S.C. 1913).

21 (11) COASTAL ZONE MANAGEMENT FUND.—
22 Section 308(b)(3) of the Coastal Zone Management
23 Act of 1972 (16 U.S.C. 1456a(b)(3)).

24 (12) RESULTS OF ENVIRONMENTAL MONI-
25 TORING ACTIVITIES.—Section 104B(j)(4)(B) of the

1 Marine Protection, Research, and Sanctuaries Act of
2 1972 (33 U.S.C. 1414b(j)(4)(B)).

3 (13) ATSDR RESULTS ON HEALTH ASSESS-
4 MENTS.—Section 104(i)(10) of the Comprehensive
5 Environmental Response, Compensation, and Liabil-
6 ity Act of 1980 (42 U.S.C. 9604(i)(10)).

7 (14) NATIONAL ESTUARY PROGRAM ACTIVI-
8 TIES.—Section 320(j)(2) of the Federal Water Pol-
9 lution Control Act (33 U.S.C. 1330(j)(2)).

10 (15) MONITORING FOR COASTAL WATERS.—
11 Section 112(m)(5) of the Clean Air Act (42 U.S.C.
12 7412(m)(5)).

13 (16) COMPREHENSIVE CONSERVATION AND
14 MANAGEMENT PLAN FOR LONG ISLAND SOUND.—
15 Section 119(c)(7) of the Federal Water Pollution
16 Control Act (33 U.S.C. 1269(c)(7)).

17 (17) IMPLEMENTATION OF GREAT LAKES
18 WATER QUALITY AGREEMENT OF 1978.—Section
19 118(c)(10) of the Federal Water Pollution Control
20 Act (33 U.S.C. 1268(c)(10)).

21 (18) EFFECTS OF POLLUTION ON NATION’S ES-
22 TUARIES.—Section 104(n)(3) of the Federal Water
23 Pollution Control Act (33 U.S.C. 1254(n)(3)).

24 (19) NATIONAL REQUIREMENTS AND COSTS OF
25 WATER POLLUTION CONTROL.—Section 516 of the

1 Federal Water Pollution Control Act (33 U.S.C.
2 1375).

3 (20) REGULATION OF OCEAN DUMPING.—Sec-
4 tion 112 of the Marine Protection, Research, and
5 Sanctuaries Act of 1972 (33 U.S.C. 1421).

6 (21) ESTUARINE MONITORING PROGRAM OF
7 ORGANOTIN.—Section 7(a) of the Organotin
8 Antifouling Paint Control Act of 1988 (33 U.S.C.
9 2406(a)).

10 (22) PROGRESS OF IMPLEMENTING CERCLA.—
11 Section 301(h) of the Comprehensive Environmental
12 Response, Compensation, and Liability Act of 1980
13 (42 U.S.C. 9651(h)).

14 (23) STATUS OF WATER QUALITY IN UNITED
15 STATES LAKES.—Section 314(a)(3) of the Federal
16 Water Pollution Control Act (33 U.S.C. 1324(a)(3)).

17 (24) STATE REPORTS ON WATER QUALITY OF
18 ALL NAVIGABLE WATERS.—Section 305(b) of the
19 Federal Water Pollution Control Act (33 U.S.C.
20 1315(b)).

21 (25) LAKE WATER QUALITY DEMONSTRATION
22 PROGRAM.—Section 314(d)(3) of the Federal Water
23 Pollution Control Act (33 U.S.C. 1324(d)(3)).

1 (26) FINANCIAL STATEMENTS AND ANNUAL RE-
 2 PORTS (TVA).—Section 9(a) of the Tennessee Valley
 3 Authority Act of 1933 (16 U.S.C. 831h(a)).

4 (27) LEVEL B PLAN ON ALL RIVER BASINS.—
 5 Section 209(b) of the Federal Water Pollution Con-
 6 trol Act (33 U.S.C. 1289(b)).

7 (28) REPORTS ON CONTRACTS ENTERED INTO
 8 RELATING TO PROCUREMENT FROM VIOLATORS OF
 9 WATER QUALITY STANDARDS.—Section 508(e) of the
 10 Federal Water Pollution Control Act (33 U.S.C.
 11 1368(e)).

12 **SEC. 3. PRESERVATION OF CERTAIN REPORTING REQUIRE-**
 13 **MENTS REGARDING SURFACE TRANSPOR-**
 14 **TATION.**

15 (a) IN GENERAL.—Section 3003(a)(1) of the Federal
 16 Reports Elimination and Sunset Act of 1995 (31 U.S.C.
 17 1113 note) does not apply to any report required to be
 18 submitted under any of the following provisions of law:

19 (1) TRANSPORTATION STATISTICS ANNUAL RE-
 20 PORT.—Section 111(j) of title 49, United States
 21 Code.

22 (2) CURRENT PERFORMANCE AND CONDITION
 23 OF PUBLIC MASS TRANSPORTATION SYSTEMS.—Sec-
 24 tion 308(e) of title 49, United States Code.

1 (3) STATE ENFORCEMENT OF VEHICLE WEIGHT
2 LIMITATIONS.—Section 123(c) of the Federal-Aid
3 Highway Act of 1978 (23 U.S.C. 141 note; 92 Stat.
4 2701).

5 (4) STATE PROGRESS IN IMPLEMENTING HIGH-
6 WAY HAZARD ELIMINATION AND HIGHWAY-RAIL
7 GRADE CROSSING PROGRAMS.—Section 130(g) of
8 title 23, United States Code.

9 (b) STATE PROGRESS IN IMPLEMENTING HIGHWAY
10 HAZARD ELIMINATION AND HIGHWAY-RAIL GRADE
11 CROSSING PROGRAMS.—

12 (1) IN GENERAL.—Section 130(g) of title 23,
13 United States Code, is amended to read as follows:
14 “(g) ANNUAL REPORTS.—

15 “(1) STATE REPORTS.—Each State shall report
16 to the Secretary not later than December 30 of each
17 year on the progress being made to implement the
18 railway-highway crossings program authorized by
19 this section and to implement safety improvement
20 projects for hazard elimination authorized by section
21 152 and the effectiveness of such improvements.
22 Each State report shall contain an assessment of the
23 cost of, and safety benefits derived from, the various
24 means and methods used to mitigate or eliminate
25 hazards and to improve railway-highway crossings

1 and the previous and subsequent accident experience
2 at improved locations.

3 “(2) SECRETARY’S REPORTS.—The Secretary
4 shall submit a report to the Committee on Environ-
5 ment and Public Works of the Senate and the Com-
6 mittee on Transportation and Infrastructure of the
7 House of Representatives not later than April 1 of
8 each year, on the progress being made by the States
9 in implementing projects to improve railway-highway
10 crossings and in implementing the hazard elimi-
11 nation program (including any projects for pavement
12 marking). The report shall include, but not be lim-
13 ited to, the number of projects undertaken, their dis-
14 tribution by cost range, road system, nature of treat-
15 ment, means and methods used, and the previous
16 and subsequent accident experience at improved lo-
17 cations. In addition, the Secretary’s report shall ana-
18 lyze and evaluate each State program, identify any
19 State found not to be in compliance with the sched-
20 ule of improvements required by subsection (d) and
21 section 152(a), and include recommendations for fu-
22 ture implementation of the railroad highway cross-
23 ings and hazard elimination programs.”.

24 (2) CONFORMING AMENDMENTS.—Section 152
25 of title 23, United States Code, is amended by strik-

1 ing subsection (g) and by redesignating subsection
2 (h) as subsection (g).

3 (c) CURRENT PERFORMANCE AND CONDITION OF
4 PUBLIC MASS TRANSPORTATION SYSTEMS.—Section
5 308(e) of title 49, United States Code, is amended by
6 striking “in March 1998, and in March of each even num-
7 bered year thereafter,” and inserting “, together with each
8 infrastructure investment needs report made under section
9 502(g) of title 23,”.

10 **SEC. 4. PRESERVATION OF CERTAIN REPORTING REQUIRE-**
11 **MENTS REGARDING EMERGENCY MANAGE-**
12 **MENT.**

13 Section 3003(a)(1) of the Federal Reports Elimini-
14 nation and Sunset Act of 1995 (31 U.S.C. 1113 note)
15 does not apply to any report required to be submitted
16 under any of the following provisions of law:

17 (1) ANNUAL REVIEW OF FEDERAL AND STATE
18 DISASTER PREPAREDNESS AND RELIEF PRO-
19 GRAMS.—Section 313 of the Robert T. Stafford Dis-
20 aster Relief and Emergency Assistance Act (42
21 U.S.C. 5156).

22 (2) AMOUNT OF EMERGENCY ASSISTANCE.—
23 Section 503(b)(3) of the Robert T. Stafford Disaster
24 Relief and Emergency Assistance Act (42 U.S.C.
25 5193(b)(3)).

1 **SEC. 5. PRESERVATION OF CERTAIN REPORTING REQUIRE-**
2 **MENTS RELATING TO THE COAST GUARD AND**
3 **MARITIME TRANSPORTATION.**

4 Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note)
5 does not apply to any report required to be submitted
6 under any of the following provisions of law:

8 (1) LEASING OF HOUSING FACILITIES NEAR
9 COAST GUARD INSTALLATIONS.—Section 475(e) of
10 title 14, United States Code.

11 (2) COAST GUARD OPERATIONS AND EXPENDI-
12 TURES.—Section 651 of title 14, United States
13 Code.

14 (3) SUMMARY OF MARINE CASUALTIES RE-
15 PORTED DURING PRIOR FISCAL YEAR.—Section
16 6307(c) of title 46, United States Code.

17 (4) USER FEE ACTIVITIES AND AMOUNTS.—
18 Section 664 of title 14, United States Code.

19 (5) CONDITIONS OF PUBLIC PORTS OF THE
20 UNITED STATES.—Section 308(c) of title 49, United
21 States Code.

22 (6) ACTIVITIES OF FEDERAL MARITIME COM-
23 MISSION.—Section 208 of the Merchant Marine Act,
24 1936 (46 App. U.S.C. 1118).

25 (7) ACTIVITIES OF INTERAGENCY COORDI-
26 NATING COMMITTEE ON OIL POLLUTION RE-

1 SEARCH.—Section 7001(e) of the Oil Pollution Act
2 of 1990 (33 U.S.C. 2761(e)).

3 **SEC. 6. PRESERVATION OF CERTAIN REPORTING REQUIRE-**
4 **MENTS RELATING TO ECONOMIC DEVELOP-**
5 **MENT.**

6 Section 3003(a)(1) of the Federal Reports Elimini-
7 nation and Sunset Act of 1995 (31 U.S.C. 1113 note)
8 does not apply to any report required to be submitted
9 under any of the following provisions of law:

10 (1) ACTIVITIES UNDER PUBLIC WORKS AND
11 ECONOMIC DEVELOPMENT ACT OF 1965.—Section
12 603 of the Public Works and Economic Development
13 Act of 1965 (42 U.S.C. 3213).

14 (2) ACTIVITIES UNDER APPALACHIAN RE-
15 GIONAL DEVELOPMENT ACT OF 1965.—Section 304
16 of the Appalachian Regional Development Act of
17 1965 (40 U.S.C. App. 304).

18 **SEC. 7. PRESERVATION OF CERTAIN REPORTING REQUIRE-**
19 **MENTS RELATING TO RAILROADS.**

20 Section 3003(a)(1) of the Federal Reports Elimini-
21 nation and Sunset Act of 1995 (31 U.S.C. 1113 note)
22 does not apply to any report required to be submitted
23 under any of the following provisions of law:

1 (1) NATIONAL TRANSPORTATION SAFETY
2 BOARD ACTIVITIES.—Section 1117 of title 49,
3 United States Code.

4 (2) NTSB LEGISLATIVE RECOMMENDATIONS
5 AND BUDGET ESTIMATES.—Section 1113(c) of title
6 49, United States Code.

7 (3) NTSB RECOMMENDATIONS AND RE-
8 SPONSES.—Section 1135(d) of title 49, United
9 States Code.

10 (4) SURFACE TRANSPORTATION BOARD ANNUAL
11 REPORT.—Section 704 of title 49, United States
12 Code.

13 (5) SURFACE TRANSPORTATION BOARD BUDGET
14 AND APPROPRIATIONS.—Section 703(f) and (g) of
15 title 49, United States Code.

16 (6) NATIONAL MEDIATION BOARD ANNUAL RE-
17 PORT.—Section 4 of the Railway Labor Act (45
18 U.S.C. 154).

19 (7) RAILROAD RETIREMENT BOARD ANNUAL
20 REPORT.—Section 7(b)(6) of the Railroad Retire-
21 ment Act of 1974 (45 U.S.C. 231f(b)(6)).

22 (8) RAILROAD RETIREMENT ACCOUNT.—Section
23 22(a)(1) of the Railroad Retirement Act of 1974 (45
24 U.S.C. 231u(a)(1)).

1 (9) ACTUARIAL STATUS OF RAILROAD RETIRE-
2 MENT SYSTEM.—Section 502 of the Railroad Retire-
3 ment Solvency Act of 1983 (45 U.S.C. 321f–1).

4 (10) AMTRAK REPORTS AND AUDITS.—Section
5 24315 of title 49, United States Code.

6 **SEC. 8. PRESERVATION OF CERTAIN REPORTING REQUIRE-**
7 **MENTS RELATING TO PUBLIC BUILDINGS.**

8 Section 3003(a)(1) of the Federal Reports Elimini-
9 nation and Sunset Act of 1995 (31 U.S.C. 1113 note)
10 does not apply to any report required to be submitted
11 under any of the following provisions of law:

12 (1) CONSERVATION IN FEDERAL FACILITIES.—
13 Section 403(a)(2) of the Powerplant and Industrial
14 Fuel Use Act of 1978 (42 U.S.C. 8373(a)(2)).

15 (2) ACTIVITIES OF ARCHITECTURAL AND
16 TRANSPORTATION BARRIERS COMPLIANCE BOARD.—
17 Section 7(b) of Public Law 90–480 (42 U.S.C.
18 4157(b)), commonly known as the “Architectural
19 Barriers Act of 1968”.

20 **SEC. 9. PRESERVATION OF CERTAIN REPORTING REQUIRE-**
21 **MENTS RELATING TO AVIATION.**

22 Section 3003(a)(1) of the Federal Reports Elimini-
23 nation and Sunset Act of 1995 (31 U.S.C. 1113 note)
24 does not apply to any report required to be submitted
25 under any of the following provisions of law:

1 (1) TRANSPORTATION SECURITY.—Section
2 44938(a) of title 49, United States Code.

3 (2) SCREENING OF FOREIGN AIR CARRIER AND
4 AIRPORT SECURITY.—Section 44938(b) of title 49,
5 United States Code.

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