

Calendar No. 485

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4052**

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IN THE SENATE OF THE UNITED STATES

APRIL 4, 2000

Received, read twice, and placed on the calendar

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**AN ACT**

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,*

1 **SECTION 1. SHORT TITLE.**

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

4 **SEC. 2. PRESERVATION OF CERTAIN REPORTING REQUIRE-**  
5 **MENTS REGARDING WATER RESOURCES AND**  
6 **ENVIRONMENT.**

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

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

15 (2) HEALTH HAZARDS OF ENVIRONMENTAL  
16 POLLUTION.—Section 501(d) of Public Law 91–515  
17 (42 U.S.C. 4394(d)).

18 (3) REVIEW OF REMEDIAL ACTIONS AT CER-  
19 TAIN FACILITIES TO ENSURE PROTECTION OF  
20 HUMAN HEALTH AND ENVIRONMENT.—Section  
21 121(c) of the Comprehensive Environmental Re-  
22 sponse, Compensation, and Liability Act of 1980 (42  
23 U.S.C. 9621(c)).

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

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

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

7           (7) COASTAL ZONE MANAGEMENT.—Section  
8           316(a) of the Coastal Zone Management Act of  
9           1972 (16 U.S.C. 1462(a)).

10          (8) GREAT LAKES RESOURCES ON WHICH RE-  
11          SEARCH IS NEEDED.—Section 118(d)(2) of the Fed-  
12          eral Water Pollution Control Act (33 U.S.C.  
13          1268(d)(2)).

14          (9) ENVIRONMENTAL RESTORATION COSTS FOR  
15          FACILITIES SUBJECT TO BASE CLOSURE LAWS.—  
16          Section 2827(b) of the National Defense Authoriza-  
17          tion Act for Fiscal Years 1992 and 1993 (105 Stat.  
18          1551).

19          (10) COMPLIANCE WITH ANNEX V OF INTER-  
20          NATIONAL CONVENTION FOR PREVENTION OF POL-  
21          LUTION FROM SHIPS.—Section 2201 of the Marine  
22          Plastic Pollution Research and Control Act of 1987  
23          (33 U.S.C. 1913).

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

4           (12) RESULTS OF ENVIRONMENTAL MONI-  
5           TORING ACTIVITIES.—Section 104B(j)(4)(B) of the  
6           Marine Protection, Research, and Sanctuaries Act of  
7           1972 (33 U.S.C. 1414b(j)(4)(B)).

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

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

15          (15) MONITORING FOR COASTAL WATERS.—  
16          Section 112(m)(5) of the Clean Air Act (42 U.S.C.  
17          7412(m)(5)).

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

22          (17) IMPLEMENTATION OF GREAT LAKES  
23          WATER QUALITY AGREEMENT OF 1978.—Section  
24          118(c)(10) of the Federal Water Pollution Control  
25          Act (33 U.S.C. 1268(c)(10)).

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

4           (19) NATIONAL REQUIREMENTS AND COSTS OF  
5           WATER POLLUTION CONTROL.—Section 516 of the  
6           Federal Water Pollution Control Act (33 U.S.C.  
7           1375).

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

11          (21) ESTUARINE MONITORING PROGRAM OF  
12          ORGANOTIN.—Section 7(a) of the Organotin  
13          Antifouling Paint Control Act of 1988 (33 U.S.C.  
14          2406(a)).

15          (22) PROGRESS OF IMPLEMENTING CERCLA.—  
16          Section 301(h) of the Comprehensive Environmental  
17          Response, Compensation, and Liability Act of 1980  
18          (42 U.S.C. 9651(h)).

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

22          (24) STATE REPORTS ON WATER QUALITY OF  
23          ALL NAVIGABLE WATERS.—Section 305(b) of the  
24          Federal Water Pollution Control Act (33 U.S.C.  
25          1315(b)).

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

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

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

10          (28) REPORTS ON CONTRACTS ENTERED INTO  
11 RELATING TO PROCUREMENT FROM VIOLATORS OF  
12 WATER QUALITY STANDARDS.—Section 508(e) of the  
13 Federal Water Pollution Control Act (33 U.S.C.  
14 1368(e)).

15 **SEC. 3. PRESERVATION OF CERTAIN REPORTING REQUIRE-**  
16 **MENTS REGARDING SURFACE TRANSPOR-**  
17 **TATION.**

18          (a) IN GENERAL.—Section 3003(a)(1) of the Federal  
19 Reports Elimination and Sunset Act of 1995 (31 U.S.C.  
20 1113 note) does not apply to any report required to be  
21 submitted under any of the following provisions of law:

22           (1) TRANSPORTATION STATISTICS ANNUAL RE-  
23 PORT.—Section 111(j) of title 49, United States  
24 Code.

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

4           (3) STATE ENFORCEMENT OF VEHICLE WEIGHT  
5           LIMITATIONS.—Section 123(c) of the Federal-Aid  
6           Highway Act of 1978 (23 U.S.C. 141 note; 92 Stat.  
7           2701).

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

12          (b) STATE PROGRESS IN IMPLEMENTING HIGHWAY  
13          HAZARD ELIMINATION AND HIGHWAY-RAIL GRADE  
14          CROSSING PROGRAMS.—

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

18                         “(1) STATE REPORTS.—Each State shall report  
19                         to the Secretary not later than December 30 of each  
20                         year on the progress being made to implement the  
21                         railway-highway crossings program authorized by  
22                         this section and to implement safety improvement  
23                         projects for hazard elimination authorized by section  
24                         152 and the effectiveness of such improvements.  
25                         Each State report shall contain an assessment of the

1 cost of, and safety benefits derived from, the various  
2 means and methods used to mitigate or eliminate  
3 hazards and to improve railway-highway crossings  
4 and the previous and subsequent accident experience  
5 at improved locations.

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

1       ture implementation of the railroad highway cross-  
2       ings and hazard elimination programs.”.

3           (2) CONFORMING AMENDMENTS.—Section 152  
4       of title 23, United States Code, is amended by strik-  
5       ing subsection (g) and by redesignating subsection  
6       (h) as subsection (g).

7       (c) CURRENT PERFORMANCE AND CONDITION OF  
8       PUBLIC MASS TRANSPORTATION SYSTEMS.—Section  
9       308(e) of title 49, United States Code, is amended by  
10      striking “in March 1998, and in March of each even num-  
11      bered year thereafter,” and inserting “, together with each  
12      infrastructure investment needs report made under section  
13      502(g) of title 23,”.

14      **SEC. 4. PRESERVATION OF CERTAIN REPORTING REQUIRE-**  
15                            **MENTS REGARDING EMERGENCY MANAGE-**  
16                            **MENT.**

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

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

1           (2) AMOUNT OF EMERGENCY ASSISTANCE.—  
2           Section 503(b)(3) of the Robert T. Stafford Disaster  
3           Relief and Emergency Assistance Act (42 U.S.C.  
4           5193(b)(3)).

5 **SEC. 5. PRESERVATION OF CERTAIN REPORTING REQUIRE-**  
6                                   **MENTS RELATING TO THE COAST GUARD AND**  
7                                   **MARITIME TRANSPORTATION.**

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

15           (2) COAST GUARD OPERATIONS AND EXPENDI-  
16           TURES.—Section 651 of title 14, United States  
17           Code.

18           (3) SUMMARY OF MARINE CASUALTIES RE-  
19           PORTED DURING PRIOR FISCAL YEAR.—Section  
20           6307(e) of title 46, United States Code.

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

23           (5) CONDITIONS OF PUBLIC PORTS OF THE  
24           UNITED STATES.—Section 308(e) of title 49, United  
25           States Code.

1           (6) ACTIVITIES OF FEDERAL MARITIME COM-  
2           MISSION.—Section 208 of the Merchant Marine Act,  
3           1936 (46 U.S.C. App. 1118).

4           (7) ACTIVITIES OF INTERAGENCY COORDI-  
5           NATING COMMITTEE ON OIL POLLUTION RE-  
6           SEARCH.—Section 7001(e) of the Oil Pollution Act  
7           of 1990 (33 U.S.C. 2761(e)).

8   **SEC. 6. PRESERVATION OF CERTAIN REPORTING REQUIRE-**  
9                   **MENTS RELATING TO ECONOMIC DEVELOP-**  
10                   **MENT.**

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

15           (1) ACTIVITIES UNDER PUBLIC WORKS AND  
16           ECONOMIC DEVELOPMENT ACT OF 1965.—Section  
17           603 of the Public Works and Economic Development  
18           Act of 1965 (42 U.S.C. 3213).

19           (2) ACTIVITIES UNDER APPALACHIAN RE-  
20           GIONAL DEVELOPMENT ACT OF 1965.—Section 304  
21           of the Appalachian Regional Development Act of  
22           1965 (40 U.S.C. App. 304).

1 **SEC. 7. PRESERVATION OF CERTAIN REPORTING REQUIRE-**  
2 **MENTS RELATING TO RAILROADS.**

3 Section 3003(a)(1) of the Federal Reports Elimini-  
4 nation 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:

7 (1) NATIONAL TRANSPORTATION SAFETY  
8 BOARD ACTIVITIES.—Section 1117 of title 49,  
9 United States Code.

10 (2) NTSB LEGISLATIVE RECOMMENDATIONS  
11 AND BUDGET ESTIMATES.—Section 1113(c) of title  
12 49, United States Code.

13 (3) NTSB RECOMMENDATIONS AND RE-  
14 SPONSES.—Section 1135(d) of title 49, United  
15 States Code.

16 (4) SURFACE TRANSPORTATION BOARD ANNUAL  
17 REPORT.—Section 704 of title 49, United States  
18 Code.

19 (5) SURFACE TRANSPORTATION BOARD BUDGET  
20 AND APPROPRIATIONS.—Section 703(f) and (g) of  
21 title 49, United States Code.

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

1           (7) RAILROAD RETIREMENT BOARD ANNUAL  
2 REPORT.—Section 7(b)(6) of the Railroad Retirement  
3 Act of 1974 (45 U.S.C. 231f(b)(6)).

4           (8) RAILROAD RETIREMENT ACCOUNT.—Section  
5 22(a)(1) of the Railroad Retirement Act of 1974 (45  
6 U.S.C. 231u(a)(1)).

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

10           (10) AMTRAK REPORTS AND AUDITS.—Section  
11 24315 of title 49, United States Code.

12 **SEC. 8. PRESERVATION OF CERTAIN REPORTING REQUIRE-**  
13 **MENTS RELATING TO PUBLIC BUILDINGS.**

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

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

21           (2) ACTIVITIES OF ARCHITECTURAL AND  
22 TRANSPORTATION BARRIERS COMPLIANCE BOARD.—  
23 Section 7(b) of Public Law 90–480 (42 U.S.C.  
24 4157(b)), commonly known as the “Architectural  
25 Barriers Act of 1968”.

1 **SEC. 9. PRESERVATION OF CERTAIN REPORTING REQUIRE-**  
2 **MENTS RELATING TO AVIATION.**

3 Section 3003(a)(1) of the Federal Reports Elimini-  
4 nation 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:

7 (1) TRANSPORTATION SECURITY.—Section  
8 44938(a) of title 49, United States Code.

9 (2) SCREENING OF FOREIGN AIR CARRIER AND  
10 AIRPORT SECURITY.—Section 44938(b) of title 49,  
11 United States Code.

Passed the House of Representatives April 3, 2000.

Attest: JEFF TRANDAHL,  
*Clerk.*



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106TH CONGRESS  
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To preserve certain reporting requirements under the jurisdiction of the Committee on Transportation and Infrastructure of the House of Representatives, and for other purposes.

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