

have been enacted on the date of enactment of the corresponding section 111 provision [section 111 of this title was enacted Dec. 18, 1991].

“(2) A reference to a section 111 provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding chapter 63 provision.

“(3) A regulation, order, or other administrative action in effect under a section 111 provision continues in effect under the corresponding chapter 63 provision.

“(4) An action taken or an offense committed under a section 111 provision is deemed to have been taken or committed under the corresponding chapter 63 provision.”

§ 6302. Bureau of Transportation Statistics

(a) IN GENERAL.—There shall be within the Department of Transportation the Bureau of Transportation Statistics.

(b) DIRECTOR.—

(1) APPOINTMENT.—The Bureau shall be headed by a Director, who shall be appointed in the competitive service by the Secretary.

(2) QUALIFICATIONS.—The Director shall be appointed from among individuals who are qualified to serve as the Director by virtue of their training and experience in the collection, analysis, and use of transportation statistics.

(3) DUTIES.—

(A) IN GENERAL.—The Director shall—

(i) serve as the senior advisor to the Secretary on data and statistics; and

(ii) be responsible for carrying out the duties described in subparagraph (B).

(B) DUTIES.—The Director shall—

(i) ensure that the statistics compiled under clause (vi) are designed to support transportation decisionmaking by—

(I) the Federal Government;

(II) State and local governments;

(III) metropolitan planning organizations;

(IV) transportation-related associations;

(V) the private sector, including the freight community; and

(VI) the public;

(ii) establish on behalf of the Secretary a program—

(I) to effectively integrate safety data across modes; and

(II) to address gaps in existing safety data programs of the Department;

(iii) work with the operating administrations of the Department—

(I) to establish and implement the data programs of the Bureau; and

(II) to improve the coordination of information collection efforts with other Federal agencies;

(iv) continually improve surveys and data collection methods of the Department to improve the accuracy and utility of transportation statistics;

(v) encourage the standardization of data, data collection methods, and data management and storage technologies for data collected by—

(I) the Bureau;

(II) the operating administrations of the Department;

(III) State and local governments;

(IV) metropolitan planning organizations; and

(V) private sector entities;

(vi) collect, compile, analyze, and publish a comprehensive set of transportation statistics on the performance and impacts of the national transportation system, including statistics on—

(I) transportation safety across all modes and intermodally;

(II) the state of good repair of United States transportation infrastructure;

(III) the extent, connectivity, and condition of the transportation system, building on the national transportation atlas database developed under section 6309;

(IV) economic efficiency across the entire transportation sector;

(V) the effects of the transportation system on global and domestic economic competitiveness;

(VI) demographic, economic, and other variables influencing travel behavior, including choice of transportation mode and goods movement;

(VII) transportation-related variables that influence the domestic economy and global competitiveness;

(VIII) economic costs and impacts for passenger travel and freight movement;

(IX) intermodal and multimodal passenger movement;

(X) intermodal and multimodal freight movement; and

(XI) consequences of transportation for the human and natural environment;

(vii) build and disseminate the transportation layer of the National Spatial Data Infrastructure developed under Executive Order 12906 (59 Fed. Reg. 17671) (or a successor Executive Order), including by coordinating the development of transportation geospatial data standards, compiling intermodal geospatial data, and collecting geospatial data that is not being collected by other entities;

(viii) issue guidelines for the collection of information by the Department that the Director determines necessary to develop transportation statistics and carry out modeling, economic assessment, and program assessment activities to ensure that such information is accurate, reliable, relevant, uniform, and in a form that permits systematic analysis by the Department;

(ix) review and report to the Secretary on the sources and reliability of—

(I) the statistics proposed by the heads of the operating administrations of the Department to measure outputs and outcomes as required by the Government Performance and Results Act of 1993 (Public Law 103–62; 107 Stat. 285); and

(II) at the request of the Secretary, any other data collected or statistical information published by the heads of the operating administrations of the Department; and

(x) ensure that the statistics published under this section are readily accessible to the public, consistent with applicable security constraints and confidentiality interests.

(c) ACCESS TO FEDERAL DATA.—In carrying out subsection (b)(3)(B)(ii), the Director shall be given access to all safety data that the Director determines necessary to carry out that subsection that is held by the Department or any other Federal agency upon written request and subject to any statutory or regulatory restrictions.

(d) INDEPENDENCE OF BUREAU.—

(1) IN GENERAL.—The Director shall not be required—

(A) to obtain the approval of any other officer or employee of the Department with respect to the collection or analysis of any information; or

(B) prior to publication, to obtain the approval of any other officer or employee of the United States Government with respect to the substance of any statistical technical reports or press releases lawfully prepared by the Director.

(2) BUDGET AUTHORITY.—The Director shall have a significant role in the disposition and allocation of the authorized budget of the Bureau, including—

(A) all hiring, grants, cooperative agreements, and contracts awarded by the Bureau to carry out this section; and

(B) the disposition and allocation of amounts paid to the Bureau for cost-reimbursable projects.

(3) EXCEPTIONS.—The Secretary shall direct external support functions, such as the coordination of activities involving multiple modal administrations.

(4) INFORMATION TECHNOLOGY.—The Department Chief Information Officer shall consult with the Director to ensure decisions related to information technology guarantee the protection of the confidentiality of information provided solely for statistical purposes, in accordance with the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note; Public Law 107-347).

(Added Pub. L. 112-141, div. E, title II, §52011(a), July 6, 2012, 126 Stat. 887; amended Pub. L. 114-94, div. A, title I, §1446(b), title VI, §§6011(d)(2), 6017, Dec. 4, 2015, 129 Stat. 1438, 1570, 1575; Pub. L. 115-435, title III, §302(c)(3)(A), Jan. 14, 2019, 132 Stat. 5553.)

AMENDMENT OF SUBSECTION (d)(4)

Pub. L. 115-435, title III, §302(c)(3)(A), title IV, §403, Jan. 14, 2019, 132 Stat. 5553, 5557, provided that, effective 180 days after Jan. 14, 2019, subsection (d)(4) of this section is amended by striking “the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note; Public Law 107-347).” and inserting “section 3572 of title 44.” See 2019 Amendment note below.

REFERENCES IN TEXT

Executive Order 12906, referred to in subsec. (b)(3)(B)(vii), 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.

The Government Performance and Results Act of 1993, referred to in subsec. (b)(3)(B)(ix)(I), is Pub. L. 103-62, Aug. 3, 1993, 107 Stat. 285, which enacted section 306 of Title 5, Government Organization and Employees, sections 1115 to 1119, 9703, and 9704 of Title 31, Money and Finance, and sections 2801 to 2805 of Title 39, Postal Service, amended section 1105 of Title 31, and enacted provisions set out as notes under sections 1101 and 1115 of Title 31. For complete classification of this Act to the Code, see Short Title of 1993 Amendment note set out under section 1101 of Title 31 and Tables.

The Confidential Information Protection and Statistical Efficiency Act of 2002, referred to in subsec. (d)(4), is title V of Pub. L. 107-347, Dec. 17, 2002, 116 Stat. 2962, which enacted section 402 of Title 13, Census, amended section 176a of Title 15, Commerce and Trade, and enacted provisions set out as a note under section 3501 of Title 44, Public Printing and Documents.

AMENDMENTS

2019—Subsec. (d)(4). 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).”

2015—Subsec. (a). Pub. L. 114-94, §6011(d)(2), added subsec. (a) and struck out former subsec. (a) which related to establishment of the Bureau of Transportation Statistics.

Subsec. (b)(3)(B)(vi)(III). Pub. L. 114-94, §1446(b), substituted “6309” for “6310”.

Subsec. (d). Pub. L. 114-94, §6017, added subsec. (d).

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 OF 2015 AMENDMENT

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

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.

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.

OFFICE OF AIRLINE INFORMATION

Pub. L. 106-181, title I, §103(b), Apr. 5, 2000, 114 Stat. 67, provided that: “There is authorized to be appropriated from the Airport and Airway Trust Fund to the Secretary [of Transportation] \$4,000,000 for fiscal years beginning after September 30, 2000, to fund the activities of the Office of Airline Information in the Bureau of Transportation Statistics of the Department of Transportation.”

§ 6303. Intermodal transportation database

(a) IN GENERAL.—In consultation with the Under Secretary Transportation for Policy, the Assistant Secretaries of the Department, and the heads of the operating administrations of the Department, the Director shall establish and maintain a transportation database for all modes of transportation.