

words “Before making a contract” are substituted for “with which he expects to enter into contracts pursuant to this subsection” for clarity and to eliminate unnecessary words. The words “is able to carry out the contract” are substituted for “have the capability of doing effective work” for clarity.

In subsection (b), before clause (1), the words “In carrying out this section” are added for clarity. In clause (1), the word “give” is substituted for “furnish” before “such advice” for consistency. The words “duties and powers of the Secretary” are substituted for “mission of the Department” for clarity and consistency. In clause (4), the word “contractors” is substituted for “the institutions, agencies, organizations, or persons” to eliminate unnecessary words. The words “departments, agencies, and instrumentalities of the United States Government” are substituted for “Federal agencies” for clarity and consistency.

In subsection (c), the words “considers relevant” are substituted for “as he deems pertinent” as more precise. The words “from time to time” before “disseminate” and “in the form of reports or . . . to public or private agencies or organizations, or individuals” before “such information” are omitted as unnecessary.

Editorial Notes

REFERENCES IN TEXT

The Stevenson-Wydler Technology Innovation Act of 1980, referred to in subsec. (h), is Pub. L. 96-480, Oct. 21, 1980, 94 Stat. 2311, which is classified generally to chapter 63 (§3701 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 3701 of Title 15 and Tables.

AMENDMENTS

2015—Pub. L. 114-94, §6011(b)(1), substituted “activities” for “contracts” in section catchline.

Subsecs. (a) to (c). Pub. L. 114-94, §6011(b)(2)-(4), inserted headings.

Subsecs. (d) to (i). Pub. L. 114-94, §6011(b)(5), added subsecs. (d) to (i).

Statutory Notes and Related Subsidiaries

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.

VOLPE OVERSIGHT

Pub. L. 117-58, div. B, title V, §25023, Nov. 15, 2021, 135 Stat. 879, provided that:

“(a) FINANCIAL MANAGEMENT.—Not later than 1 year after the date of enactment of this Act [Nov. 15, 2021], the Secretary [of Transportation] shall implement the recommendations of the Inspector General of the Department [of Transportation] included in the report entitled ‘DOT Needs to Strengthen Its Oversight of IAAs With Volpe’ and dated September 30, 2019, to improve planning, financial management, and the sharing of performance information with respect to intraagency agreements with the John A. Volpe National Transportation Systems Center (referred to in this section as the ‘Volpe Center’).

“(b) GAO REVIEW.—

“(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act [Nov. 15, 2021], the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that examines the surface transportation activities at the Volpe Center.

“(2) CONTENTS.—The report under paragraph (1) shall include an evaluation of—

“(A) the amount of Department funding provided to the Volpe Center, as compared to other Federal and non-Federal research partners;

“(B) the process used by the Department to determine whether to work with the Volpe Center, as compared to any other Federal or non-Federal research partner;

“(C) the extent to which the Department is collaborating with the Volpe Center to address research needs relating to emerging issues; and

“(D) whether the operation of the Volpe Center is duplicative of other public or private sector efforts.”

CONFLICTS OF INTEREST

Pub. L. 106-159, title I, §101(g), Dec. 9, 1999, 113 Stat. 1752, provided that:

“(1) COMPLIANCE WITH REGULATION.—In awarding any contract for research, the Secretary shall comply with section 1252.209-70 of title 48, Code of Federal Regulations, as in effect on the date of the enactment of this section [Dec. 9, 1999]. The Secretary shall require that the text of such section be included in any request for proposal and contract for research made by the Secretary.

“(2) STUDY.—

“(A) IN GENERAL.—The Secretary shall conduct a study to determine whether or not compliance with the section referred to in paragraph (1) is sufficient to avoid conflicts of interest in contracts for research awarded by the Secretary and to evaluate whether or not compliance with such section unreasonably delays or burdens the awarding of such contracts.

“(B) CONSULTATION.—In conducting the study under this paragraph, the Secretary shall consult, as appropriate, with the Inspector General of the Department of Transportation, the Comptroller General, the heads of other Federal agencies, research organizations, industry representatives, employee organizations, safety organizations, and other entities.

“(C) REPORT.—Not later than 18 months after the date of the enactment of this Act [Dec. 9, 1999], the Secretary shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the results of the study conducted under this paragraph.”

§ 331. Service, supplies, and facilities at remote places

(a) When necessary and not otherwise available, the Secretary of Transportation may provide for, construct, or maintain the following for officers and employees of the Department of Transportation and their dependents stationed in remote places:

- (1) emergency medical services and supplies.
- (2) food and other subsistence supplies.
- (3) messing facilities.
- (4) motion picture equipment and film for recreation and training.
- (5) living and working quarters and facilities.
- (6) reimbursement for food, clothing, medicine, and other supplies provided by an officer or employee in an emergency for the temporary relief of individuals in distress.

(b) The Secretary shall prescribe reasonable charges for medical treatment provided under subsection (a)(1) of this section and for supplies and services provided under subsection (a)(2) and (3) of this section. Amounts received under this subsection shall be credited to the appropriation from which the expenditure was made.

(c) When appropriations for a fiscal year for aviation duties and powers have not been made

before June 1 immediately before the beginning of the fiscal year, the Secretary may designate an officer, and authorize that officer, to incur obligations to buy and transport supplies to carry out those duties and powers at installations outside the 48 contiguous States and the District of Columbia. The amount obligated under this subsection in a fiscal year may be not more than 75 percent of the amount available for buying and transporting supplies to those installations for the then current fiscal year. Payment of obligations under this subsection shall be made from appropriations for the next fiscal year when available.

(Pub. L. 97-449, §1(b), Jan. 12, 1983, 96 Stat. 2427; Pub. L. 103-272, §4(j)(8), July 5, 1994, 108 Stat. 1367.)

HISTORICAL AND REVISION NOTES
PUB. L. 97-449

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
331(a)	49:1657(l) (less last sentence).	Oct. 15, 1966, Pub. L. 89-670, §9(l), 80 Stat. 946.
331(b)	49:1657(l) (last sentence).	
331(c)	49:1344(b).	Aug. 23, 1958, Pub. L. 85-726, §303(b), 72 Stat. 748.

In subsection (a), the text of 49:1657(l) (words before 3d comma) is omitted as unnecessary. The words “of the Department of Transportation” are added for clarity. In clause (6), the words “individuals in distress” are substituted for “distressed persons” as being more precise.

In subsection (b), the words “The Secretary shall prescribe reasonable charges” are substituted for “shall be at prices reflecting reasonable value as determined by the Secretary” for clarity and to eliminate surplus words. The words “services, supplies, and facilities provided under subsection (a)(1), (2), and (3) of this section” are substituted for “The furnishing of medical treatment under paragraph (1) and the furnishing of services and supplies under paragraphs (2) and (3) of this subsection” to eliminate surplus words. The words “Amounts received under this subsection” are substituted for “and the proceeds therefrom” for clarity.

In subsection (c), the words “aviation duties and powers” are substituted for “the Administration” in 49:1344(b) because of the transfer of aviation functions to the Secretary of Transportation under 49:1655(c)(1). The words “before June 1” are substituted for “prior to the first day of March” in 49:1344(b) to conform to the change in the start of the fiscal year from July 1 to October 1 under 31:1020(a)(2). The words “and materials necessary” after “supplies” in 49:1344(b) are omitted as surplus. The words “to carry out those duties and powers” are substituted for “necessary to the proper execution of the Secretary of Transportation’s functions” in 49:1344(b) for clarity and consistency. The words “the 48 contiguous States and the District of Columbia” are substituted for “the continental United States” in 49:1344(b) for clarity. The words “including those in Alaska” before “in amounts” in 49:1344(b) are omitted as unnecessary because of the restatement of the section. The words “The amount obligated under this subsection in a fiscal year” in 49:1344(b) are added for clarity. The words “available for buying and transporting supplies to those installations” are substituted for “made available for such purposes” in 49:1344(b) for clarity. The word “succeeding” after “next” in 49:1344(b) is omitted as surplus.

PUB. L. 103-272

Section 4(j)(8) amends 49:331(b) to follow more closely the language in former 49:1657(l) on which it was based.

Editorial Notes

AMENDMENTS

1994—Subsec. (b). Pub. L. 103-272 substituted “medical treatment provided under subsection (a)(1) of this section and for supplies and services provided under subsection (a)(2) and (3) of this section” for “services, supplies, and facilities provided under subsection (a)(1), (2), and (3) of this section”.

§ 332. Minority Resource Center

(a) In this section, “minority” includes women.

(b) The Department of Transportation has a Minority Resource Center. The Center may—

(1) include a national information clearinghouse for minority entrepreneurs and businesses to disseminate information to them on business opportunities related to the maintenance, rehabilitation, restructuring, improvement, and revitalization of the railroads of the United States;

(2) carry out market research, planning, economic and business analyses, and feasibility studies to identify those business opportunities;

(3) assist minority entrepreneurs and businesses in obtaining investment capital and debt financing;

(4) design and carry out programs to encourage, promote, and assist minority entrepreneurs and businesses in getting contracts, subcontracts, and projects related to those business opportunities;

(5) develop support mechanisms (including venture capital, surety and bonding organizations, and management and technical services) that will enable minority entrepreneurs and businesses to take advantage of those business opportunities;

(6) participate in, and cooperate with, United States Government programs and other programs designed to provide financial, management, and other forms of support and assistance to minority entrepreneurs and businesses; and

(7) make arrangements to carry out this section.

(c) The Center has an advisory committee of 5 individuals appointed by the Secretary of Transportation. The Secretary shall make the appointments from lists of qualified individuals recommended by minority-dominated trade associations in the minority business community. Each of those trade associations may submit a list of not more than 3 qualified individuals.

(d) The United States Railway Association, the Consolidated Rail Corporation, and the Secretary shall provide the Center with relevant information (including procurement schedules, bids, and specifications on particular maintenance, rehabilitation, restructuring, improvement, and revitalization projects) the Center requests in carrying out this section.

(e) BONDING ASSISTANCE.—

(1) IN GENERAL.—The Secretary, acting through the Minority Resource Center established under subsection (b), shall provide assistance in obtaining bid, payment, and performance bonds by disadvantaged business enterprises pursuant to subsection (b)(4).