

ment with the National Academy of Sciences under which the National Academy shall conduct an evaluation of the achievement by ARPA-I of the goals described in subsection (c)(1).

(2) INCLUSIONS.—The evaluation under paragraph (1) may include—

(A) a recommendation regarding whether ARPA-I should be continued;

(B) a recommendation regarding whether ARPA-I, or the Department generally, should continue to allow entities to submit unsolicited research proposals; and

(C) a description of—

(i) the lessons learned from the operation of ARPA-I; and

(ii) the manner in which those lessons may apply to the operation of other programs of the Department.

(3) AVAILABILITY.—On completion of the evaluation under paragraph (1), the evaluation shall be made available to—

(A) Congress; and

(B) the public.

(o) PROTECTION OF INFORMATION.—

(1) IN GENERAL.—Each type of information described in paragraph (2) that is collected by ARPA-I from eligible entities shall be considered to be—

(A) commercial and financial information obtained from a person;

(B) privileged or confidential; and

(C) not subject to disclosure under section 552(b)(4) of title 5.

(2) DESCRIPTION OF TYPES OF INFORMATION.—The types of information referred to in paragraph (1) are—

(A) information relating to plans for commercialization of technologies developed using assistance provided under this section, including business plans, technology-to-market plans, market studies, and cost and performance models;

(B) information relating to investments provided to an eligible entity from a third party (such as a venture capital firm, a hedge fund, and a private equity firm), including any percentage of ownership of an eligible entity provided in return for such an investment;

(C) information relating to additional financial support that the eligible entity—

(i) plans to invest, or has invested, in the technology developed using assistance provided under this section; or

(ii) is seeking from a third party; and

(D) information relating to revenue from the licensing or sale of a new product or service resulting from research conducted using assistance provided under this section.

(p) EFFECT ON EXISTING AUTHORITIES.—The authority provided by this section—

(1) shall be in addition to any existing authority provided to the Secretary; and

(2) shall not supersede or modify any other existing authority.

(q) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the

Secretary such sums as are necessary to carry out this section.

(2) SEPARATE BUDGET AND APPROPRIATION.—

(A) BUDGET REQUEST.—The budget request for ARPA-I shall be separate from the budget request of the remainder of the Department.

(B) APPROPRIATIONS.—The funding appropriated for ARPA-I shall be separate and distinct from the funding appropriated for the remainder of the Department.

(3) ALLOCATION.—Of the amounts made available for a fiscal year under paragraph (1)—

(A) not less than 5 percent shall be used for technology transfer and outreach activities—

(i) in accordance with the goal described in subsection (c)(2)(D); and

(ii) within the responsibilities of the program directors described in subsection (e)(2)(B)(viii); and

(B) none may be used for the construction of any new building or facility during the 5-year period beginning on the date of enactment of the Surface Transportation Investment Act of 2021.

(Pub. L. 117–58, div. B, title V, §25012(a), Nov. 15, 2021, 135 Stat. 859.)

Editorial Notes

REFERENCES IN TEXT

Level II of the Executive Schedule, referred to in subsec. (e)(3)(A)(ii), is set out in section 5313 of Title 5, Government Organization and Employees.

The date of enactment of the Surface Transportation Investment Act of 2021, referred to in subsec. (q)(3)(B), is the date of enactment of div. B of Pub. L. 117–58, which was approved Nov. 15, 2021.

CHAPTER 3—GENERAL DUTIES AND POWERS

SUBCHAPTER I—DUTIES OF THE SECRETARY OF TRANSPORTATION

Sec.	
301.	Leadership, consultation, and cooperation.
302.	Policy standards for transportation.
303.	Policy on lands, wildlife and waterfowl refuges, and historic sites.
303a.	Development of water transportation.
304.	Application of categorical exclusions for multimodal projects.
304a.	Accelerated decisionmaking in environmental reviews.
305.	Transportation investment standards and criteria.
306.	Prohibited discrimination.
307.	Improving State and Federal agency engagement in environmental reviews.
308.	Reports.
309.	High-speed ground transportation.
310.	Aligning Federal environmental reviews.
311.	Congressional notification requirements.
312.	Alternative timing system.
313.	Nontraditional and Emerging Transportation Technology Council.

SUBCHAPTER II—ADMINISTRATIVE

321.	Definitions.
322.	General powers.
323.	Personnel.
324.	Members of the armed forces.
325.	Advisory committees.

- Sec. 326. Gifts.
- 327. Administrative working capital fund.
- 328. Transportation Systems Center working capital fund.
- 329. Transportation information.
- 330. Research activities.
- 331. Service, supplies, and facilities at remote places.
- 332. Minority Resource Center.
- 333. Responsibility for rail transportation unification and coordination projects.
- [334, 335. Repealed.]
- 336. Civil penalty procedures.
- 337. Budget request for the Director of Intelligence and Security.

SUBCHAPTER III—MISCELLANEOUS

- 351. Judicial review of actions in carrying out certain transferred duties and powers.
- 352. Authority to carry out certain transferred duties and powers.
- 353. Toxicological testing of officers and employees.
- 354. Investigative authority of Inspector General.
- 355. Motorcyclist Advisory Council.

Editorial Notes

AMENDMENTS

2021—Pub. L. 117–58, div. B, title V, §25008(b), Nov. 15, 2021, 135 Stat. 852, which directed amendment of the analysis for subchapter I of this chapter by adding item 313 at the end, was executed by adding item 313 to the analysis for this chapter, to reflect the probable intent of Congress.

Pub. L. 117–58, div. B, title IV, §24111(b), Nov. 15, 2021, 135 Stat. 815, which directed amendment of the analysis for subchapter III of this chapter by adding item 355 at the end, was executed by adding item 355 to the analysis for this chapter, to reflect the probable intent of Congress.

2018—Pub. L. 115–282, title V, §514(c), Dec. 4, 2018, 132 Stat. 4278, which directed amendment of the analysis for this chapter by adding item 312 at the end, was executed by adding item 312 at the end of the item for subchapter I, to reflect the probable intent of Congress.

2016—Pub. L. 114–322, title IV, §5001(b), Dec. 16, 2016, 130 Stat. 1885, added item 311.

2015—Pub. L. 114–94, div. A, title I, §§1311(b), 1312(b), 1313(b), title VI, §6011(c), Dec. 4, 2015, 129 Stat. 1399, 1400, 1402, 1569, added items 304a, 307, and 310 and substituted “Research activities” for “Research contracts” in item 330.

Pub. L. 114–94, div. A, title I, §1446(d)(4), Dec. 4, 2015, 129 Stat. 1438, amended section 1314(b) of Pub. L. 112–141, effective July 6, 2012, as if included in Pub. L. 112–141 as enacted. See 2012 Amendment note below.

2012—Pub. L. 112–141, div. A, title I, §1314(b), div. C, title II, §32932(a)(2), July 6, 2012, 126 Stat. 549, 829, as amended by Pub. L. 114–94, div. A, title I, §1446(d)(4), Dec. 4, 2015, 129 Stat. 1438, substituted “Application of categorical exclusions for multimodal projects” for “Joint activities with the Secretary of Housing and Urban Development” in item 304 and struck out item 307 “Safety information and intervention in Interstate Commerce Commission proceedings”.

2003—Pub. L. 108–168, §8(b)(2), Dec. 6, 2003, 117 Stat. 2035, added item 354.

1994—Pub. L. 103–272, §4(j)(6)(B), (9)(B), (10)(B), July 5, 1994, 108 Stat. 1366–1368, added item 303a, struck out items 334 “Limit on aviation charges” and 335 “Authorization of appropriations”, and added item 337, subchapter III heading, and items 351 to 353.

1991—Pub. L. 102–240, title I, §1036(c)(2), Dec. 18, 1991, 105 Stat. 1985, added item 309.

1989—Pub. L. 101–225, title III, §305(2), Dec. 12, 1989, 103 Stat. 1925, added item 336.

1984—Pub. L. 98–216, §2(1)(B), Feb. 14, 1984, 98 Stat. 5, substituted “Reports” for “Annual reports” in item 308.

SUBCHAPTER I—DUTIES OF THE SECRETARY OF TRANSPORTATION

§ 301. Leadership, consultation, and cooperation

The Secretary of Transportation shall—

(1) under the direction of the President, exercise leadership in transportation matters, including those matters affecting national defense and those matters involving national or regional emergencies;

(2) provide leadership in the development of transportation policies and programs, and make recommendations to the President and Congress for their consideration and implementation;

(3) coordinate Federal policy on intermodal transportation and initiate policies to promote efficient intermodal transportation in the United States;

(4) promote and undertake the development, collection, and dissemination of technological, statistical, economic, and other information relevant to domestic and international transportation;

(5) consult and cooperate with the Secretary of Labor in compiling information regarding the status of labor-management contracts and other labor-management problems and in promoting industrial harmony and stable employment conditions in all modes of transportation;

(6) promote and undertake research and development related to transportation, including noise abatement, with particular attention to aircraft noise, and including basic highway vehicle science;

(7) consult with the heads of other departments, agencies, and instrumentalities of the United States Government on the transportation requirements of the Government, including encouraging them to establish and observe policies consistent with maintaining a coordinated transportation system in procuring transportation or in operating their own transport services;

(8) consult and cooperate with State and local governments, carriers, labor, and other interested persons, including, when appropriate, holding informal public hearings; and

(9) develop and coordinate Federal policy on financing transportation infrastructure, including the provision of direct Federal credit assistance and other techniques used to leverage Federal transportation funds.

(Pub. L. 97–449, §1(b), Jan. 12, 1983, 96 Stat. 2418; Pub. L. 102–240, title V, §5002(a), title VI, §6017, Dec. 18, 1991, 105 Stat. 2158, 2183; Pub. L. 105–178, title I, §1504, June 9, 1998, 112 Stat. 251.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
301	49:1653(a).	Oct. 15, 1966, Pub. L. 89–670, §4(a), 80 Stat. 933.

In the introductory clause before “shall”, the words “in carrying out the purposes of this chapter . . . among his responsibilities” are omitted as surplus.

In clause (4), the word “compiling” is substituted for “gathering” for consistency.