

HISTORICAL AND REVISION NOTES—CONTINUED  
PUB. L. 97-449

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
329(c)(1) .....	49:1657(n)(1) (less last 17 words).	
329(c)(2) .....	49:1657(m)(1) (last 17 words), (2).	
329(d) .....	49:1343(b).	Aug. 23, 1958, Pub. L. 85-726, §302(d), 72 Stat. 746.

In subsection (a), the word “information” is substituted for “data, statistics, and other information” in 49:1634 to eliminate unnecessary words. The words “transportation system of the United States” are substituted for “national transportation system” in 49:1634 for clarity and consistency. The words “in carrying out this activity” before “the Secretary shall” in 49:1634 are omitted as surplus. The words “departments, agencies, and instrumentalities of the United States Government” are substituted for “Federal agencies” in 49:1634 for clarity and consistency. The words “To the greatest extent practical” are substituted for “insofar as practicable” in 49:1634 for consistency. The words “The Secretary shall” are added for clarity.

In subsection (b), the words “by the National Transportation Safety Board under title VII of the Federal Aviation Act of 1958 (49 U.S.C. 1441 et seq.) or the Civil Aeronautics Board under title IV of that Act (49 U.S.C. 1371 et seq.)” are substituted for “the Board under subchapter IV and VII of this chapter)” in 49:1352 because 49:1655(d) (1st sentence) transferred duties of the Civil Aeronautics Board under 49:ch. 20, subch. VII to the Secretary of Transportation to be carried out through the National Transportation Safety Board. The reference to the National Transportation Safety Board is to the independent Board established by section 303(a) of the Independent Safety Board Act of 1974 (Pub. L. 93-633, 88 Stat. 2167) outside the Department of Transportation and not to the prior Board that was a part of the Department. The words “departments, agencies, and instrumentalities of the Government” are substituted for “government channels” in 49:1352 for clarity and consistency.

In subsection (c)(1), the words “of the United States” are added for clarity and consistency. The words “of a State, territory, or possession” are substituted for “thereof” after “subdivision” for clarity. The words “related to the duties and powers of the Secretary” are substituted for “falling within the province of the Department” for clarity and consistency.

In subsection (c)(2), the words “governmental authority requesting information under paragraph (1) of this subsection” are substituted for “body requesting it” for clarity and consistency. The word “separate” before “account” is omitted as unnecessary and for consistency. The words “must pay” are substituted for “upon the payment” after “other records” for clarity. The words “preparing the information” are substituted for “such work” after “actual cost of” for clarity. The word “payments” is substituted for “All moneys received by the Department in payment of the cost of work under paragraph (1)” to eliminate unnecessary words. The words “in the Treasury” are added for clarity and consistency. The words “The Secretary may use amounts in the account” are substituted for “These moneys may be used, in the discretion of the Secretary” for clarity and to eliminate unnecessary words. The words “to getting and providing the information” are substituted for “to the work and/or to secure in connection therewith the special services of persons who are neither officers nor employees of the United States” for clarity and to eliminate unnecessary words.

In subsection (d), the words “in carrying out duties and powers under the Federal Aviation Act of 1958 (49 U.S.C. 1301 et seq.)” are substituted for “in discharge of responsibilities under this chapter” in 49:1343(b) because of the transfer of aviation functions to the Secretary under 49:1655(c)(1) and for consistency. The words “directly related to carrying out that part” are

substituted for “directly relating to such responsibilities” in 49:1343(b) because of the restatement of the source provisions.

PUB. L. 103-272

Section 4(j)(7) amends 49:329 to omit references to overseas air transportation because there no longer is a distinction between interstate air transportation and overseas air transportation.

PUB. L. 104-287

This amends 49:329 to make conforming amendments necessary because of the codification enacted by section 1 of the Act of July 5, 1994 (Public Law 103-272, 108 Stat. 745).

AMENDMENTS

2003—Subsec. (e). Pub. L. 108-176, §421, added subsec. (e).

1996—Subsec. (b)(1). Pub. L. 104-287, §5(3)(A), substituted “(as that term is used in part A of subtitle VII of this title)” for “(as those terms are used in such Act)”.

Subsec. (d). Pub. L. 104-287, §5(3)(B), substituted “that part” for “that Act”.

1994—Subsec. (b)(1). Pub. L. 103-272, §4(j)(7)(A), substituted “chapter 11 of this title” for “title VII of the Federal Aviation Act of 1958 (49 U.S.C. 1441 et seq.)”, “in interstate air transportation” for “in interstate and overseas air transportation” in two places, “for interstate air transportation” for “for interstate or overseas air transportation”, and “subchapter II of chapter 417 of this title” for “section 419 of the Federal Aviation Act of 1958”.

Subsec. (d). Pub. L. 103-272, §4(j)(7)(B), substituted “part A of subtitle VII of this title” for “the Federal Aviation Act of 1958 (49 App. U.S.C. 1301 et seq.)”.

1984—Subsec. (b)(1). Pub. L. 98-443 struck out reference to information collected and disseminated by the Civil Aeronautics Board under section 1371 et seq. of this title, and added cls. (A) and (B).

Pub. L. 98-216 substituted “49 App. U.S.C.” for “49 U.S.C.”.

Subsec. (d). Pub. L. 98-216 substituted “49 App. U.S.C.” for “49 U.S.C.”.

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by section 421 of Pub. L. 108-176 applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108-176, set out as a note under section 106 of this title.

Pub. L. 108-176, title VIII, §805(b), Dec. 12, 2003, 117 Stat. 2588, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on the date of the issuance of a final rule to modernize the Origin and Destination Survey of Airline Passenger Traffic, pursuant to the Advance Notice of Proposed Rulemaking published July 15, 1998 (Regulation Identifier Number 2105-AC71), that reduces the reporting burden for air carriers through electronic filing of the survey data collected under section 329(b)(1) of title 49, United States Code.”

EFFECTIVE DATE OF 1984 AMENDMENT

Section 5(b) of Pub. L. 98-443 provided that: “The amendment made by this section [amending this section] shall take effect on January 1, 1985.”

§ 330. Research contracts

(a) The Secretary of Transportation may make contracts with educational institutions, public and private agencies and organizations, and persons for scientific or technological research into a problem related to programs carried out by the Secretary. Before making a contract, the Secretary must require the institu-

tion, agency, organization, or person to show that it is able to carry out the contract.

(b) In carrying out this section, the Secretary shall—

(1) give advice and assistance the Secretary believes will best carry out the duties and powers of the Secretary;

(2) participate in coordinating all research started under this section;

(3) indicate the lines of inquiry most important to the Secretary; and

(4) encourage and assist in establishing and maintaining cooperation by and between contractors and between them and other research organizations, the Department of Transportation, and other departments, agencies, and instrumentalities of the United States Government.

(c) The Secretary may distribute publications containing information the Secretary considers relevant to research carried out under this section.

(Pub. L. 97-449, §1(b), Jan. 12, 1983, 96 Stat. 2427.)

#### HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
330(a) .....	49:1657(q)(1).	Oct. 15, 1966, Pub. L. 89-670, §9(q)(1)-(3), 80 Stat. 947.
330(b) .....	49:1657(q)(2) (1st sentence).	
330(b) .....	49:1657(q)(2) (less 1st sentence).	
330(c) .....	49:1657(q)(3).	

In subsection (a), the words “may make contracts” are substituted for “is authorized to enter into contracts” to eliminate unnecessary words. The words “the conduct of” before “scientific” are omitted as surplus. The words “a problem” are substituted for “any aspect of the problems” because of the style of the revised title. The words “carried out by the Secretary” are substituted for “of the Department which are authorized by statute” because the Secretary of Transportation is vested with all duties and powers. The 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.

#### 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 Regula-

tions, 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.)