HISTORICAL AND REVISION NOTES
PUB. L. 97–449

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
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.

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).

(2) AUTHORIZATION OF APPROPRIATION.—There is authorized to be appropriated such sums as may be necessary for each of fiscal years 2005 through 2009 to carry out activities under this subsection.

(Pub. L. 97–449, § 1(b), Jan. 12, 1983, 96 Stat. 2428; Pub. L. 109–59, title I, § 1951, Aug. 10, 2005, 119 Stat. 1514.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
332(a)	49:1657a(e).	Oct. 15, 1966, Pub. L. 89–670, 80 Stat. 931, § 11; added Feb. 5, 1976, Pub. L. 94–210, § 906(2), 90 Stat. 149.
332(b)	49:1657a(a), (c).	
332(c)	49:1657a(b).	
332(d)	49:1657a(d).	

In subsection (b), before clause (1), the word ''has'' is substituted for ''The Secretary shall, within 180 days after February 5, 1976, establish'' because the time for

establishing the Center has expired and the Center has been established. The words ''The Department of Transportation'' are added because of the restatement of the section. The words ''(hereafter in this section referred to as the 'Center')'' after ''Minority Resource Center'' are omitted because of the style of the revised title.

In subsection (b)(1), the word ''include'' is substituted for ''establish and maintain'', and the words ''to disseminate information'' are substituted for ''and disseminate information from'', for clarity. The words ''to them . . . related to'' are substituted for ''to such entrepreneurs and businesses . . . with respect to'' to omit unnecessary words. The words ''for purposes of furnishing . . . information'' before ''with respect to'' are omitted as surplus.

In subsection (b)(2), the words ''those business opportunities'' are substituted for ''such opportunities'' after ''identify'' for clarity.

In subsection (b)(4), the words ''those business opportunities'' are substituted for ''the maintenance, rehabilitation, restructuring, improvement, and revitalization of the Nation's railroads'' to eliminate surplus words.

In subsection (b)(5), the words ''related to the maintenance, rehabilitation, restructuring, improvement, and revitalization of the nation's railroads'' are omitted as unnecessary because of the restatement.

In subsection (b)(7), the words ''make arrangements'' are substituted for ''enter into such contracts, cooperative agreements, or other transactions'' to eliminate unnecessary words. The words ''as may be necessary'' after ''transactions'' are omitted as surplus. The words ''to carry out this section'' are substituted for ''in the conduct of its functions and duties'' for clarity and consistency.

In subsection (c), the words ''The Secretary shall make the appointments'' and the words ''Each of those trade associations may submit a list of not more than'' are added for clarity and because of the restatement of the section.

In subsection (d), the words ''in carrying out this section'' are substituted for ''in connection with the performance of its functions'' for clarity and consistency.

AMENDMENTS

2005—Subsec. (e). Pub. L. 109–59 added subsec. (e).

ABOLITION OF UNITED STATES RAILWAY ASSOCIATION AND TRANSFER OF FUNCTIONS AND SECURITIES

The United States Railway Association abolished effective Apr. 1, 1987, all powers, duties, rights, and obligations of Association relating to Consolidated Rail Corporation under the Regional Rail Reorganization Act of 1973 (45 U.S.C. 701 et seq.) transferred to Secretary of Transportation on Jan. 1, 1987, and any securities of Corporation held by Association transferred to Secretary of Transportation on Oct. 21, 1986, see section 1341 of Title 45, Railroads.

§ 333. Responsibility for rail transportation unification and coordination projects

(a) The Secretary of Transportation may develop and make available to interested persons any plans, proposals, and recommendations for mergers, consolidations, reorganizations, and other unification or coordination projects for rail transportation (including arrangements for joint use of tracks and other facilities and acquisition or sale of assets) that the Secretary believes will result in a rail system that is more efficient and consistent with the public interest.

(b) To achieve a more efficient, economical, and viable rail system in the private sector, the Secretary, when requested by a rail carrier and under this section, may assist in planning, negotiating, and carrying out a unification or coordination of operations and facilities of at least 2 rail carriers.

(c)(1) The Secretary may conduct studies to determine the potential cost savings and possible improvements in the quality of rail transportation that are likely to result from unification or coordination of at least 2 rail carriers, through—

(A) elimination of duplicating or overlapping operations and facilities;

(B) reducing switching operations;

(C) using the shortest or more efficient and economical routes;

(D) exchanging trackage rights;

(E) combining trackage and terminal or other facilities;

(F) upgrading tracks and other facilities used by at least 2 rail carriers;

(G) reducing administrative and other expenses; and

(H) other measures likely to reduce costs and improve rail transportation.

(2) When the Secretary requests information for a study under this section, a rail carrier shall provide the information requested. In carrying out this section, the Secretary may designate an officer or employee to get from a rail carrier information on the kind, quality, origin, destination, consignor, consignee, and routing of property. This information may be obtained without the consent of the consignor or consignee notwithstanding section 11904 of this title. When appropriate, the designated officer or employee has the powers described in section 203(c) of the Regional Rail Reorganization Act of 1973 to carry out this section, but a subpena must be issued under the signature of the Secretary.

(d)(1) When requested by a rail carrier, the Secretary may hold conferences on and mediate disputes resulting from a proposed unification or coordination project. The Secretary may invite to a conference—

(A) officers and directors of an affected rail carrier;

(B) representatives of rail carrier employees who may be affected;

(C) representatives of the Interstate Commerce Commission;

(D) State and local government officials, shippers, and consumer representatives; and

(E) representatives of the Federal Trade Commission and the Attorney General.

(2) A person attending or represented at a conference on a proposed unification or coordination project is not liable under the antitrust laws of the United States for any discussion at the conference and for any agreements reached at the conference, that are entered into with the approval of the Secretary to achieve or determine a plan of action to carry out the unification or coordination project.

(e) When the approval of a proposal submitted by a rail carrier for a merger or other action is subject to the jurisdiction of the Interstate Commerce Commission under section 11323(a) of this title, the Secretary may study the proposal to decide whether it satisfies section 11324(b) of this title. When the proposal is the subject of an application and proceeding before the Commission, the Secretary may appear in any proceeding related to the application.