

REVENUE SOURCES FOR FINANCING TRANSPORTATION
SAFETY ACTIVITIES IN VIRGINIA

by

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(The opinions, findings, and conclusions expressed in this
report are those of the author and not necessarily those of
the sponsoring agencies.)

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PREFACE

Senate Bill 85, an action of the 1978 General Assembly, amended the Code of Virginia to provide in part that the Division of Highway Safety be succeeded by the newly created Department of Transportation Safety effective July 1, 1978. In its Declaration of Policy, §33.1-390, the amended Code states that it is the policy of the Commonwealth to "investigate, evaluate and promote the safe movement of people and property by all modes — highway, railway, waterway, airway, and mass transit."

This report reviews the possible sources of revenue for the support of safety activities in all of the above modes except highway. It also identifies the Virginia agencies which are receiving or are eligible for these funds, and describes the safety activities currently conducted in the Commonwealth. In short, the purpose of the report is to provide the Department of Transportation Safety with an overview of transportation safety in modes with which the former Highway Safety Division was unfamiliar.

Since the revenue sources discussed here are almost exclusively federal domestic assistance programs administered by the modal agencies within the U.S. Department of Transportation, the relevant programs are described individually. The program title and catalogue number are followed by an abridged version of the program information. Information which is not of immediate interest for the purpose of this report is available in Appendix A.

Following the program information, the state agency receiving or eligible for the funds is identified, and safety activity currently conducted within the state is described to the extent that the information was made available to the author.

Because none of the programs administered by the Federal Aviation Administration offers a likely revenue source for aviation safety activities, the aviation safety section is arranged differently and more concisely. In addition, programs of only marginal relevance are outlined briefly at the close of each section.

Appendix A contains the complete descriptions of the programs discussed in this report as they appear in the 1978 Federal Domestic Assistance Catalogue. In Appendix B those persons contacted in connection with this report who were particularly helpful or informative are identified. Appendix C pertains to the railroad safety section, and contains information related to the Federal Railroad Administration's state participation program,

and about the regulation of railroads in general. This subject was researched and the information is included because it is important for the Department of Transportation Safety to be adequately informed about the federally imposed limitations on state activity in the area of railroad safety. In light of the fact that railroad regulation is a controversial arena into which the State Corporation Commission is preparing to enter, this additional information may be of particular significance. Appendix D provides information about the structure and the research priorities of the Office of Rail Safety Research, a branch of the Federal Railroad Administration's Office of Research and Development.

SUMMARY OF FINDINGS AND CONCLUSIONS

There are two programs administered by the Federal Railroad Administration (FRA) which provide funds for the railroad safety activities of states. The Grant-In-Aid for Railroad Safety - State Participation provides up to 50% of the cost of a program of state participation in the enforcement of federal track and equipment standards. Virginia does not yet participate in the program, but the State Corporation Commission's Division of Railroad Regulation is working on the application and expects to be involved in the program in the near future.

The role of the state in the regulation of railroads, both through this program and generally, is narrowly restricted by federal statute. These restrictions are discussed in Appendix C.

The second FRA program of particular interest to the Department of Transportation Safety is the Railroad Research and Development program. One of the objectives of the program is to encourage research to solve critical railroad safety problems. Virginia has not received funds from this program in which there is very little state involvement. However, the Office of Rail Safety Research is interested in promoting more state safety research. Information about the structure of this office and its research priorities is included in Appendix D.

There are no federal assistance programs administered by the Urban Mass Transportation Administration (UMTA) with funds specifically earmarked for mass transportation safety activities. The Urban Mass Transportation Technical Studies Grants provide the states with a limited amount of money which, in addition to financing the statewide mass transportation program, is also distributed by the state to the small urban areas with which the UMTA does not deal directly. As a result, this money (approximately \$78,000 per year) has not been and is not likely to be allocated to mass transportation safety activities.

The Mass Transportation Technology program is a potential source of revenue for mass transportation safety research. Although the program primarily sponsors state of the art hardware research, sources within the UMTA indicated that there are discretionary funds from which a state with an unsolicited safety research proposal might benefit.

The University Research and Training Program awards research grants to institutions of higher learning. The submitted research proposals may call for the cooperation of university researchers with public agencies. However, the proposal must be closely tied to one of the topic areas of priority interest enumerated

in the FY 1979 Annual Announcement. Since urban transportation safety is not among those priorities this year, this is not yet a likely revenue source.

The Boating Safety — Financial Assistance program provides up to 1/3 of the cost of an approved state boating safety program. It is flexible in that a wide range of activities, including research, may be included in the state program. For that reason there appears to be room for cooperation between the Department of Transportation Safety and the Commission of Game and Inland Fisheries in the formulation of the state boating safety program. The Commission has been receiving these funds since 1976. It has not answered a request for information about the details of its boating safety activities.

There are no federal programs which provide funds for aviation safety programs or research. The State Corporation Commission's Division of Aeronautics engages in a variety of activities designed to promote aviation safety, but these are financed by a special fund created from state taxes on aviation fuels and oils and from license registration fees.

There are a number of federal programs which promote transportation safety but which do not make available grants or award contracts. The Railroad Safety, Boating Safety, and Aviation Safety programs, as well as the UMTA's Transportation Safety Institute all provide services which can contribute to state safety programs in the various modes.

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I. RAILROAD SAFETY

A. Federal Railroad Administration Programs

1. Grant-In-Aid for Railroad Safety - State Participation 20.303.

a. Project Information: This program is authorized by Section 206 of the Federal Railroad Safety Act of 1970 (FRSA). Its objectives are to promote safety in all areas of railroad operations by providing for state participation in the enforcement and promotion of safety practices. It makes available project grants which enable participating states to provide personnel, training, equipment and activities related to the enforcement of track and equipment standards promulgated under the FRSA.

In order to be eligible for this program, the applying state agency must provide the FRA with an annual certification that it (1) has regulatory jurisdiction over railroad safety; (2) is conducting the investigative and surveillance activities prescribed by the FRA; (3) has budget authority from the state legislature; and (4) its inspectors meet minimum federal qualifications and have successfully completed the technical written examination for inspectors.

The FRA will pay up to 50% of the cost of the personnel, equipment and activities reasonably required to carry out the safety program.

b. Eligible Virginia Agency: The State Corporation Commission (SCC), Division of Railroad Regulation. At this writing, Virginia does not participate in the program. As a result, its authority to conduct safety inspections with respect to the track and equipment standards is preempted by the federal government. Any matter related to those standards can only be referred to the FRA District Office, which maintains sole responsibility for inspections and enforcement.

Virginia may soon be a participating state. The Division of Railroad Regulation is preparing the enabling legislation for presentation to the General Assembly. The Director of the Division and SCC counsel have already conferred with the State Safety Program Manager in the FRA about the eligibility requirements and the application process.

If the General Assembly authorizes it, the Division of Railroad Regulation is prepared to employ the full complement of inspectors permitted under the program; two track inspectors, two equipment inspectors, a chief rail safety engineer, and a clerk. The Division already has applications from highly qualified track and equipment engineers. In addition, since the Commonwealth is prepared to pay the inspectors salaries commensurate with their qualifications, the Division should not encounter the difficulties other states have had in hiring and keeping inspectors who meet the stringent federal requirements.

There are 24 states participating in the inspection program. Eight more states, including Virginia, are expected to become involved within the next year.

2. Railroad Research and Development 20.304

a. Program Information:* This program, originally authorized by the High Speed Ground Transportation Act of 1965, and more recently by the Federal Railroad Safety Act of 1970, as amended, makes available research contracts. Its objective is to encourage research for the general improvement of the railroad industry, including the solving of critical railroad safety problems.

Any public or private, profit or nonprofit organization with adequate technical competence may submit proposals. The budget for fiscal year 1977 was approximately \$53 million.

b. Eligible Virginia Agency: The State Corporation Commission, Division of Railroad Regulation. The SCC has not received any money under this program, and does not conduct any research related to railroad safety. Division of Railroad Regulation Director Richard Wade feels that research is best left to the industry, which has the capital, the personnel, and the competitive pressure necessary for research and development.

There is very little state involvement in this program. The Director of the Office of Rail Safety Research (ORSR), which is one of the three branches of the FRA Office of Research and Development, would like to promote more safety research by state agencies. The application process is informal, and all the

*Program has been deleted from the 1978 edition of the catalog. However, nothing has changed with respect to the availability of funds as described in this report.

research is unsolicited. When the state identifies a particular safety problem and formulates a research project designed to alleviate it, it should notify the ORSR. An informal meeting will be held to evaluate the project and design a scheme of cooperation.

Appendix D contains information about the structure of the ORSR and its research priorities.

3. Other FRA Assistance Programs

a. Railroad Safety 20.301: The Services offered under this program are performed by the FRA Office of Safety. Any individual or institution with a complaint or inquiry concerning railroad safety may contact the FRA. Complaints will be investigated, and legal action will be taken if a safety regulation has been violated by a carrier. The Office of Safety will instruct and assist fire companies and other emergency personnel to safely handle railroad accidents involving hazardous materials. Plans and specifications submitted by railroads and equipment supplies covering the construction of railroad equipment will be reviewed.

b. Transportation Test Center 20.307: This program makes available the use of the properties, facilities, and equipment of the Transportation Test Center in Pueblo, Colorado, for the testing of ground and rail transportation systems and operational equipment.

B. Alternative Funding for Railroad Safety Activity

1. National Safety Council: Although the Council funded some pilot state safety programs a few years ago, there is no granting program now. The Council does its own safety research, and although this does not seem to be a potential revenue source, the state may wish to contact Paul Suffredin at some point. He is in charge of the Council's "Operation Life - Saver," which focuses on grade crossing safety.

2. Association of American Railroads (AAR): AAR research is funded by private industry, and there is no granting authority. Sources contacted in the AAR believe that U. S. DOT funds are the only potential source of revenue for railroad safety.

3. Private Industry: Private industry is inherently suspicious of state activity, and not very eager to fund state involvement in railroad matters. In addition, the railroads contribute money and manpower to both the FRA and the AAR for research.

However, the railroads may possibly be a source of funds in certain situations. If the state identifies a unique problem and makes a specific proposal designed to alleviate it, the railroads may be interested in cooperating with the state on the specific problem.

II. MASS TRANSPORTATION SAFETY

A. Urban Mass Transportation Administration Programs

20.505 1. Urban Mass Transportation Technical Studies Grants

a. Program Information: This program is authorized by Section 9 of the Urban Mass Transportation Act of 1964, as amended. It is designed to assist in the planning, engineering, and designing of urban mass transportation projects. Activities assisted may include: studies related to project management, operations, capital requirements and economic feasibility; preparation of engineering and architectural surveys, plans and specifications; and other activities in preparation for the construction, acquisition, or improved operation of mass transportation systems, facilities and equipment.

State and local public bodies and agencies are eligible, and grants are made for up to 80% of the net project cost. The estimated budget for fiscal year 1978 is \$55 million.

b. Eligible Virginia Agency: The Department of Highways and Transportation. Most of this "section 9 planning money" goes directly to the Metropolitan Planning Organizations in the urban areas. The money left over goes to the states, for allocation to small urban areas (under 50,000) with which UMTA does not deal directly, and to their own statewide activities. The maximum amount any state receives is around \$100,000. Any safety research or programs conducted at the state level would have to be included in the state work program submitted to the UMTA. Such activities are not funded directly under the program.

Virginia has received \$78,000 per year for the last three years. This is all the money that the state receives under the program for allocation to small urban areas and to statewide transit planning. At this time, the staff of the Transportation Planning Division is not aware of any specific mass transportation safety projects being conducted in Virginia.

2. Mass Transportation Technology (R&D) 20.504

a. Program Information: This program, authorized by Section 6 of the Urban Mass Transportation Act of 1964, as amended, makes available project grants and research contracts. Its objectives are to develop, test and demonstrate new facilities, equipment, techniques and methods that will reduce urban mass transportation problems and improve mass transportation service. Funds are available for the development of systems to carry people and goods within metropolitan areas speedily, safely, without polluting the air, with a minimum consumption of fuel and in a manner that will contribute to sound city planning. The expected results of a proposed project must have widespread applicability.

Only public bodies and nonprofit institutions are eligible for project grants. Research contracts are not as restricted, and are awarded to bids which are responsive to research proposals.

Project grants range from a federal share of 50% to 100%. The estimated budget for fiscal year 1978 is \$37,100,000.

b. Eligible Virginia Agency: The Department of Highways and Transportation. The Department has conducted no safety research funded by this program.

Although most of this "section 6" money goes to state of the art research and systems development, the consensus among those associated with the various UMTA programs is that this program is the most likely source of revenue for state conducted safety research in mass transportation. Section 6 money is allocated to a variety of endeavors. It was suggested that the best way to obtain funding is to approach the UMTA Office of Public Affairs with a specific research proposal or idea. That office will refer the proposal to the appropriate official for consideration. Particularly in the area of safety, a well-designed research project may benefit from discretionary Section 6 money.

3. Urban Mass Transportation Grants for University Research and Training (URT) 20.502.

a. Program Information: This program is authorized by Section 11 of the Urban Mass Transportation Act of 1964, as amended. It sponsors research studies and investigations in the problems of transportation in the urban areas. Public and private nonprofit institutions of higher learning are eligible for the project grants. The submitted research proposals may call for the cooperation of university researchers with public agencies.

The Annual Announcement and Solicitation contains application guidelines and information on research priorities. The program primarily funds policy oriented research. It is important to tie a proposal into one of the priority areas enumerated in the published Announcement. Mass Transportation Safety is not one of the priorities listed in the 1979 Announcement. For that reason this program is not yet a potential revenue source for safety research in this area.

This program should be distinguished from the Program of University Research administered by U. S. Department of Transportation's Research and Special Programs Administration. One of the research priorities listed in the FY 1979 Annual Solicitation for Research Proposals is transportation safety technology.

4. Other UMTA Programs:

a. Transportation Safety Institute: The Office of Safety and Product Qualification, a division of the UMTA Office of Technology Development and Deployment, sponsors a number of Mass Transportation Safety and System Assurance education and instruction courses conducted by the Transportation Safety Institute (TSI) in Oklahoma City, Oklahoma. The program was established in 1976 to address the following areas of safety and system assurance: system safety, system security, equipment reliability, equipment maintainability, system availability, system dependability, human factors, and quality assurance. Travel and living expenses of TSI students from transit systems are eligible for Section 5 operating assistance, and instructional costs are waived for federal, state and local public transit employees.

III. BOATING SAFETY

A. U. S. Coast Guard Programs

1. Boating Safety — Financial Assistance 20.004

a. Program Information: This program is authorized by the Federal Boat Safety Act of 1971, as amended. It is designed to encourage increased state participation and consistency in boating safety efforts, particularly in safety patrol and enforcement activities, and to encourage national nonprofit public service organizations to undertake boating safety projects.

In order to be eligible for the formula grants, states must have a boating safety program as described in PL 92-75, Section 26. The program must: (1) incorporate an approved vessel numbering system; (2) include or emulate the program uniformity provided for in the Model State Boat Act; (3) provide for patrols and other activity to assure enforcement of state boating laws and regulations; (4) provide for boating safety education programs; (5) designate the agency which administers the boating safety program; and (6) provide that the designated agency will submit reports in the form prescribed by the Secretary of Transportation.

One-third of the funds available to the states is divided equally among the eligible states; one-third is divided based on the ratio of vessels; and one-third is divided based on the ratio of state expenditures. The federal share of funds expended for boating safety cannot exceed 33 1/3%. The 1979 budget for the program is approximately \$10 million.

b. Eligible Virginia Agency: The Commission of Game and Inland Fisheries. In FY 1978, the Commission received \$96,554 under this program, which accounted for approximately 27% of the total expenditures. The remaining money came primarily from motor boat registration fees, with some money being provided by gasoline tax and title transfers.

The Commission for Game and Inland Fisheries has not answered a request for details of its boating safety activities at this writing.

There is a wide range of activities eligible for funding under this program. Safety research and other activities need only be accepted by the Commission of Game and Inland Fisheries and made part of the boating safety program.

2. Other Coast Guard Programs

a. Boating Safety 20.001. The funds from this program go solely to the administration of the Coast Guard Auxiliary, a volunteer organization which offers educational programs, equipment checks, and technical information.

b. Coast Guard Cooperative Marine Sciences Program 20.002. This program permits the use of Coast Guard facilities and equipment by scientists, researchers, and students.

IV. AVIATION SAFETY

A. Federal Aviation Administration Program Descriptions

1. Airport Development Aid Program 20.102. This program, authorized by the Airport and Airway Development Act, as amended, provides federal financial assistance to airports owned and operated for the benefit of the public for activities ranging from land acquisition to runway repairs. Although the permissible uses are sometimes defined by safety considerations (e.g., the construction and repair of airport buildings are eligible for funds only if those buildings are directly related to the safety of the people at the airport), there are no funds available for state safety programs or research.

2. Aviation Education 20.100. This program provides for the dissemination of technical information, advisory services and counseling in seeking to achieve the objective of providing aviation education at the kindergarten through university levels. No funds are available under this program; only educational services.

B. Eligible Virginia Agency: State Corporation Commission, Division of Aeronautics. Virginia airports and municipalities have been receiving funds under the Airport Development Aid Program, its predecessor the Federal Aid Airport Program and the Planning Grant Program since 1946. None of these programs address the issue of aviation safety.

The Division of Aeronautics receives no money from the federal government for safety programs and activities. The Division engages in a variety of activities designed to promote aviation safety in the Commonwealth. These activities are primarily educational in nature, and are financed from a special fund created from state taxes on aviation fuels and oils and from license registration fees.

APPENDIX A
FEDERAL DOMESTIC ASSISTANCE PROGRAM DESCRIPTIONS
FEDERAL RAILROAD ADMINISTRATION

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20.301 RAILROAD SAFETY

(Railroad Safety Services)

FEDERAL AGENCY: FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Department of Transportation Act of 1966, Public Law 89-670, 49 U.S.C., 1651-1659 Federal Railroad Safety Act of 1970, as amended, Public Laws 91-458, 93-90, 45 U.S.C. 421-441, 49 U.S.C. 1651-1659, Public Law 89-670.

OBJECTIVES: To reduce railroad accidents and injuries to railroad employees and the general public.

TYPES OF ASSISTANCE: Investigation of Complaints.

USES AND USE RESTRICTIONS: The services offered by the Federal Railroad Administration (FRA) Office of Safety are made available according to the type of service. Any individual or institution with a complaint or inquiry concerning railroad safety may contact the FRA. Responses will be made to all inquiries. Information and interpretations will be provided relative to all railroad safety laws and regulations administered by the Federal Railroad Administration. Records and reports are made available within the parameters of the Freedom of Information Act. Complaints will be investigated, and legal action will be taken if a safety regulation has been violated by a carrier. In cases where potential safety hazards are discovered, recommendations will be made to the responsible party on corrective actions to be taken. The Office of Safety will instruct and assist the volunteer and paid fire companies and other emergency personnel to safely handle railroad accidents involving hazardous materials. Seminars are conducted to provide instruction in the many aspects of the various railroad safety laws. Additionally, plans and specifications submitted by railroads and equipment suppliers covering the construction of various types of railroad equipment will be reviewed. Reviewed usually will include field inspection of prototype equipment. In cases where exceptions to the safety regulations or potential safety hazards are noted, recommendations are made to the responsible party for corrective actions to be taken.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: General Public and/or individuals concerned with railroad safety.

Beneficiary Eligibility: General public.

Credentials/Documentation: None required.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: None required.

Application Procedure: Contact the headquarters, preferably by letter.

Award Procedure: Seminars are conducted by headquarters technical staff, and various services are provided by headquarters personnel.

Deadlines: None.

Range of Approval/Disapproval Time: None.

Appeals: Not applicable.

Renewals: Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Not applicable.

Length and Time Phasing of Assistance: Not applicable.

POST ASSISTANCE REQUIREMENTS:

Reports: Not applicable.

Audits: Not applicable.

Records: Not applicable.

FINANCIAL INFORMATION:

Account Identification: 69-0702-0-1-401.

Obligations: FY 77 est \$16,968,000; FY 78 est \$24,617,000; and FY 79 est \$24,955,000.

Range and Average of Financial Assistance: Not applicable.

PROGRAM ACCOMPLISHMENTS: In 1977, Office of Safety processed 1,221 complaints from the private sector on railroad

safety matters; inspected 48,720 locomotives, 685,291 cars, 162,568 miles of track, and 17,601 signals.

REGULATIONS, GUIDELINES, AND LITERATURE: Not applicable.

INFORMATION CONTACTS:

Regional or Local Office: Region 1: Regional Director, Analex Bldg., 150 Causeway St., Boston, MA 02114, (617) 223-2775; Region 2: Regional Director, 434 Walnut Street, Independence Bldg., Rm 1020, Philadelphia, PA 19106, (215) 597-0750; Region 3: Regional Director, Suite 216-B, 1568 Willingham Drive, College Park, Ga. 30337, (404) 526-7801; Region 4: Regional Director, 536 S. Clark St., Rm. 210, Chicago, IL 60605, (312) 353-6203; Region 5: Regional Director, Rm. 11A23 Federal Bldg., 819 Taylor St., Ft. Worth, Tx 76102, (817) 334-3601; Region 6: Regional Director, Georgia Pacific Bldg., Suite 450, 900 S.W. Fifth Avenue Portland, OR 97204, (503) 221-3011; Region 7: Regional Director, Two Embarcadero Center, Suite 630, San Francisco, CA 94111, (415) 556-6411; Region 8: Regional Director, Federal Bldg., 1807 Federal Bldg., 911 Walnut St., Kansas City, MO 64106, (816) 374-2497.

Headquarters Office: Associate Administration, Office of Safety, Federal Railroad Administration, 2100 Second St., S.W. Washington, DC 20590. Telephone: (202) 426-0895.

RELATED PROGRAMS: None.

**20.303 GRANTS-IN-AID FOR RAILROAD
SAFETY-STATE PARTICIPATION**

(State Participation in Railroad Safety)

FEDERAL AGENCY: FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Federal Railroad Safety Act of 1970, Section 206, 84 Stat. 972, as amended, Public Law 91-458.

OBJECTIVES: To promote safety in all areas of railroad operations, to reduce railroad related accidents, to reduce deaths and injuries to persons, and to reduce damage to property caused by accidents involving any carrier of hazardous materials, by providing for State participation in the enforcement and promotion of safety practices.

TYPES OF ASSISTANCE: Project Grants.

USES AND USE RESTRICTIONS: Through availability of Federal funds, participating states will be better able to provide necessary personnel, training, equipment, and activities related to the enforcement of Federal railroad standards as called for under the Federal Railroad Safety Act of 1970, as amended. **JOINT FUNDING:** This program is considered suitable for joint funding with closely related Federal financial assistance programs in accordance with the provisions of OMB Circular No. A-111. For programs that are not identified as suitable for joint funding, the applicant may consult the headquarters or field office of the appropriate funding agency for further information on statutory or other restrictions involved.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: A State may participate in carrying out investigative and surveillance activities in connection with regulations promulgated by the Federal Railroad Administrator under this act applicable to track and rolling equipment. The State must provide the Administrator an annual certification that such State agency (1) has regulatory jurisdiction; (2) has been furnished a copy of each Federal Rail safety regulation; (3) is conducting the investigative and surveillance activities prescribed by the FRA Administrator; (4) State must furnish evidence of budget authority; (5) State safety personnel must be bona-fide State employees; and (6) State inspectors must meet minimum Federal qualifications as well as successfully complete the inspectory/trainee technical written examination and practical field testing. Non-certifying states may also participate by an agreement with the Federal Railroad Administrator.

Beneficiary Eligibility: Same as Applicant Eligibility.

Credentials/Documentation: Annual certification as outlined under Applicant Eligibility, including a report showing (1) the name and address of each railroad subject to the safety jurisdiction of the State agency; (2) the record maintenance, reporting, and inspection conducted by the State agency, including a detail of the number of inspections made of rail facilities, equipment, rolling stock, and operations by the State agency during the preceding 12 months; and (3) such other information as the Secretary may require. Governors (or their designated Plan review agencies) must be given an opportunity to review the State plan pursuant to Part III, Attachment A of OMB Circular No. A-95 (revised). States must provide proof of employee experience qualifications and provide monthly plan of activities. States must maintain a total funding level for the Safety program that does not fall below the coverage level or such expenditures for fiscal years 1968 and 1969. Costs will be determined in accordance with FMC 74-4 for State and local governments.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: It is recommended that interested states contact Associate Administrator, Office of Federal Assistance, State Safety Program, Federal Railroad Administration, 400 Seventh St., S.W., Washington, DC 20590. Telephone: (202) 426-1510. Consultation and assistance is available from the FRA for preparation of an application form as furnished by the FRA and required by OMB Circular No. A-102 and FRA regulations 49 CFR 212.

Application Procedure: Completion of forms entitled "State Participation Program" is required for certification or agreement under Section 206 of the Act and 49 CFR 212. The information required in this form is that information which is specified in 49 CFR 212.13 for an Initial Certification and Report. The form includes provisions for a description of the State's planned program with respect to the investigative and surveillance activities prescribed for each Federal railroad safety rule, regulation, order, or standard for which a certification is submitted, or agreement is entered into.

Award Procedure: The application for payments and approval by the Federal Railroad Administrator requires certification under Section 206, Subsection (a); the report required under Subsection (b); or agreements with noncertifying states as outlined under Subsection (c); and assurances satisfactory to the Administrator that the State agency will provide the remaining cost of such a safety program, as reflected under Subsection (d). Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: Federal appropriations for the State Participation program are made on a Federal fiscal year basis for activities to be conducted in the ensuing fiscal year.

Range of Approval/Disapproval Time: Sixty days.

Appeals: Not applicable.

Renewals: Certification required annually; agreements with noncertifying states required annually.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: The Secretary shall pay out of funds appropriated pursuant to this title or otherwise made available, up to 50 percent of the cost of the personnel, equipment, and activities of such State agency reasonably required, during the ensuing fiscal year, to carry out a safety program under such certification or agreement. No such payment may be made unless the State agency making application gives assurances satisfactory to the Secretary of Transportation that the State agency will provide the remaining cost of such a safety program and that the aggregate expenditures of funds of the State, exclusive of Federal grants, for the safety program will be maintained at a level which does not fall below the average level of such expenditures for the last two fiscal years preceding the date of enactment of this title.

Length and Time Phasing of Assistance: Annually, subject to certification and availability of Federal funds.

POST ASSISTANCE REQUIREMENTS:

Reports: The State agency shall submit to the Administration a copy of the semi-annual expenditure/ performance report, annual report, monthly work schedule and a daily inspector log for each State Safety inspector.

Audits: The State agency shall maintain a financial management system which is in compliance with the standards listed in Attachment G to OMB Circular No. A-102. In addition, the State agency shall permit authorized representatives of the Administration or Federal Government agencies to review investigative and surveillance activities and to inspect payrolls, personnel records, invoices, and other relevant data and records pertaining to payment agreements and implementation activities. Audits will be conducted as outlined under the terms and conditions of the program, every two years.

Records: (See Reports and Audits) The State agency is authorized to substitute microfilm copies in lieu of original records. The Administration shall request the State agency to transfer certain records to Federal custody when the Administration determines that the records possess long-term retention value.

FINANCIAL INFORMATION:

Account Identification: 69-0706-0-1-404.

Obligations: (Grants) FY 77 \$705,000; FY 78 est \$1,920,000; and FY 79 est \$2,740,000.

Range and Average of Financial Assistance: The Federal share is estimated at \$20,000 per State inspector.

PROGRAM ACCOMPLISHMENTS: A total of nineteen states are under certification for the Track Safety and Freight Car Program in fiscal year 1977.

REGULATIONS, GUIDELINES, AND LITERATURE: Railroad Safety Act of 1970, as amended, and Federal safety standards published thereunder; Participation Regulations (49 CFR 212). (See Program Accomplishments.)

INFORMATION CONTACTS:

Regional or Local Office: Director of Federal Assistance, 434 Walnut St., Philadelphia, PA 19106. Director of Federal Assistance, 1568 Willingham Dr., Atlanta, GA 30337. Telephone: (404) 763-7801. Director of Federal Assistance, 536 S. Clark St., Chicago, IL 60605. Telephone: (312) 353-8026. Director of Federal Assistance, 819 Taylor St., Ft. Worth, TX. Telephone: (817) 334-3601. Director of Federal Assistance, 2 Embarcadero Center, San Francisco, CA. Telephone: (415) 556-6411.

Headquarters Office: Associate Administrator, Office of Federal Assistance, Federal Railroad Administration, 400 Seventh Street, S.W., Washington, DC 20590. Telephone: (202) 426-1510.

RELATED PROGRAMS: 20.301, Railroad Safety; 20.502, Urban Mass Transportation Grants for University Research and Training; 26.002, Air Transportation-Consumer Affairs; 33.001, Shipping-Investigation of Complaints; 41.002, Interstate Commerce-Investigation of Complaints.

20.307 TRANSPORTATION TEST CENTER

(Transportation Test Center Facilities)

FEDERAL AGENCY: FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: High speed Ground Act of 1965.

OBJECTIVES: To make available already established property, facilities and equipment of the Transportation Test Center for the testing of ground and rail transportation systems and operational equipment.

TYPES OF ASSISTANCE: Use of Property, Facilities, and Equipment.

USES AND USE RESTRICTIONS: The mission of the Transportation Test Center (TTC) is to operate and administer an intermodal center for the conduct of comprehensive testing, evaluation, and associated development of ground transportation systems and their components by DOT organizations, other government agencies, and related elements of the private sector. The TTC may be made available for use by industry and foreign governments for

programs involving data proprietary to the user which they are unwilling to disclose to the government or in which the government has no R and D interest. In general, the Center will be available on first priority to the programs of the organization which funds the project use facilities, provided that they agree to pay the costs for such use in accordance with policies and requirements of DOT (See DOT 2300.1A). The user will not be required to supply the government with a copy of the final date. The user will, however, have to supply the TTC with sufficient information to assure compliance with the applicable safety requirements. In turn, the user will not, under any circumstances, be permitted to advertise that his product has undergone testing at the TTC in such a manner that the recipient is left with the impression that the government either endorses the product or is privy to the test results.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Transportation Test Center facilities may be made available for use by components of DOT, other government agencies, industry, and foreign governments provided they agree to the use restrictions of the TTC and agree to pay the costs for such use in accordance with the policies and requirements of the Department of Transportation.

Beneficiary Eligibility: Users of the Transportation Test Center benefit directly through the availability of facilities for testing at a minimal cost.

Credentials/Documentation: None.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: A DOT organization sponsoring either cooperative industry or foreign programs is responsible for obtaining any applicable DOT approvals which may be required. For industry or foreign activities proposed for the TTC other than those of a DOT-sponsored nature, the Center Director will obtain the approval of the Federal Railroad Administrator.

Application Procedure: Contact Director, Transportation Test Center, Pueblo, Colorado 81001, Telephone: (303) 545-5600.

Award Procedure: None.

Deadlines: None.

Range of Approval/Disapproval Time: Variable.

Appeals: Not applicable.

Renewals: Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Not applicable.

Length and Time Phasing of Assistance: Not applicable.

POST ASSISTANCE REQUIREMENTS:

Reports: None required.

Audits: None.

Records: None required.

FINANCIAL INFORMATION:

Account Identification: 69-0745-0-1-401.

Obligations: Not separately identifiable.

Range and Average of Financial Assistance: Not applicable.

PROGRAM ACCOMPLISHMENTS: In fiscal year 1977, The Association of American Railroads and The Railroad Industry began using the transportation test center for accelerated service testing (fast). This testing provides railroads and related industries with invaluable information on structures and components on a greatly accelerated schedule.

REGULATIONS, GUIDELINES, AND LITERATURE: Copies of DOT-23001A available from Federal Railroad Administration.

INFORMATION CONTACTS:

Regional or Local Office: Transportation Test Center, Pueblo, Colorado 81001, Telephone: (303) 545-5600.

Headquarters Office: Federal Railroad Administration, 2100 Second St., S.W., Washington, DC 20590.

RELATED PROGRAMS: None.

20.308 LOCAL RAIL SERVICE ASSISTANCE-NATIONAL PROGRAM

(Section 803, National Rail Service Continuation Grants)

FEDERAL AGENCY: FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Section 5, Department of Transportation Act of 1966, Public Law 89-670 as amended by Title VIII, Section 803 of the Rail Revitalization and Regulatory Reform Act of 1976 (RRRR Act), Public Law 94-210.

OBJECTIVES: To avoid undue economic hardship on local areas by the sudden abandonment of rail service.

TYPES OF ASSISTANCE: Formula Grants.

USES AND USE RESTRICTIONS: Grants may be used by states to assist in the continuation of local rail freight service on lines eligible to be abandoned by finding of the Interstate Commerce Commission pursuant to Section 803 of the RRRR Act, such assistance to be available in accordance with provisions of Section 5, Department of Transportation Act, as amended, and 49 CFR Part 266.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: States are eligible for assistance if they meet requirements contained in 49 CFR Part 266.

Beneficiary Eligibility: Beneficiaries are all users of rail freight service assisted by these grants.

Credentials/Documentation: Governors (or their designated Plan review agencies) must be given an opportunity to review the State plan pursuant to Part III, Attachment A of OMB Circular No. A-95, (revised). The Federal Railroad Administration's Office of State Assistance Programs is responsible for receiving the State plan. Costs will be determined in accordance with FMC 74-4 for State and local governments.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: States will satisfy preapplication requirement through submission of a State rail plan. An environmental impact statement is required for this program for the acquisition of real estate. The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program.

Applicant Procedure: Applications shall be completed in accordance with procedures contained in 49 CFR Part 266. The standard application forms and program procedures are available from the Federal Railroad Administration.

Award Procedure: Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: Applications should be submitted in a timely manner so as to assure rail freight service continuity.

Range of Approval/Disapproval Time: From 30 to 45 days.

Appeals: A procedure for a public hearing on the State rail plan is provided in 49 CFR Part 266.9.

Renewals: New applications shall be contingent upon an annual State Rail Plan Update.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Assistance shall be available to each State in the ratio which such state's eligible mileage bears to the total eligible mileage in all of the states, except that no State shall receive less than one percent of such assistance. The Federal share of the costs of providing rail service assistance under Section 5(h) of the Act will be as follows: (I) 100 percent for the 12-month period from July 1, 1976 to June 30, 1977; (II) 90 percent for the 12-month period from July 1, 1977, to June 30, 1978; (III) 80 percent for the 12-month period from July 1, 1978 to June 30, 1979; and (IV) up to 70 percent for the period from July 1, 1979, to June 30, 1981.

Length and Time Phasing of Assistance: Funds are authorized for 5 years.

POST ASSISTANCE REQUIREMENTS:

Reports: States receiving assistance by advance payment shall file the Report of Federal Cash Transaction monthly, and a Financial Status Report quarterly.

Audits: Audit procedures shall be in accordance with 49 CFR Part 266 and OMB Circular No. A-102.

Records: Record procedures are specified in 49 CFR Part 266. "Assistance to States for Rail Service under Section 5 of the Department of Transportation Act."

FINANCIAL INFORMATION:

Account Identification: 69-0122-0-1-401.

Obligations: (Grants) FY 77 \$5,436,698; FY 78 est \$15,000,000; and FY 79 est \$67,000,000.

Range and Average of Financial Assistance: Not yet determined.

PROGRAM ACCOMPLISHMENTS: Not yet determined.

REGULATIONS, GUIDELINES, AND LITERATURE: Regulations were published as 49 CFR Part 266, "Assistance to States for Rail Service under Section 5 of the Department of Transportation Act."

INFORMATION CONTACTS:

Regional or Local Office: See address appendix.

Headquarters Office: Office of State Assistance Programs, Federal Railroad Administration, 400 7th St., S.W., Rm. 5406, Washington, DC 20590. Telephone: (202) 426-1677.

RELATED PROGRAMS: 20.308, Local Rail Service Assistance-National Program.

20.309 RAILROAD REHABILITATION AND IMPROVEMENT-GUARANTEE OF OBLIGATIONS

FEDERAL AGENCY: FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Title V, Section 511 of the Railroad Revitalization and Regulatory Reform Act of 1976; Public Law 94-210.

OBJECTIVES: To provide financial assistance for the acquisition or rehabilitation and improvement of railroad facilities or equipment.

TYPES OF ASSISTANCE: Guaranteed/Insured Loans.

USES AND USE RESTRICTIONS: Funds received by applicants must be used for acquisition or rehabilitation and improvement of facilities or equipment. Equipment and facilities include locomotives, freight cars, track, roadbed and related structures, communication and power transmission systems, signals, yard and terminal facilities and shop or repair facilities.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Applicant is defined to mean any railroad or other person, including State and local government entities, which submits an application to the Administrator for the guarantee of an obligation under which it is an obligor. Under this definition of applicant, a government entity may apply for and receive guarantees. However, the policy of FRA is not to guarantee tax exempt obligations unless the applicant can demonstrate compelling reasons why such a guarantee should be extended.

Beneficiary Eligibility: The ultimate purpose is to provide the means to rehabilitate and maintain the physical facilities, improve the operations and structure, and restore the financial stability of the railway system of the United States, and to promote the revitalization of such railway system so that this mode of transportation will remain viable in the private sector of the economy and will be able to provide energy- efficient, ecologically compatible transportation services with greater efficiency, effectiveness and economy. Beneficiaries are the users of rail properties which have been acquired or modernized with Federal assistance.

Credentials/Documentation: Applicants must submit documentation supporting their status as a common carrier, trustee or other organization obligated for the payment of principal balance of, and any interest on, funds used for purpose of Act. For State and local entities, Governors (or their designated Plan review agencies) must be given an opportunity to review the State Plan Part

III, Attachment A of OMB Circular No. A-95 (revised). Costs will be determined in accordance with FMC 74-4 for State and local governments.

APPLICATION AND AWARD PROCESS:

Preadmission Coordination: When applicants have developed plans for a project for which they have decided to seek assistance, that applicant shall notify the FRA Associate Administrator for Federal Assistance at 400 Seventh Street, S.W., Washington, DC 20590. A meeting will then be scheduled at which the applicant will present the project and discuss with FRA the information that must accompany the application. Applications are subject to State and areawide clearinghouses review pursuant to procedures in Part I, Attachment A of OMB Circular No. A-95 (revised). An environmental impact assessment is required for this program. The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program.

Application Procedure: Applications shall be completed in accordance with the procedures and requirements contained in 49 CFR, Part 260.

Award Procedure: The Administrator, subject to availability of obligation guarantee authority, will approve projects found to meet the eligibility requirements.

Deadlines: None.

Range of Approval/Disapproval Time: Subject to availability of obligation guarantee authority and Congressional action pursuant to studies mandated by RRRR Act of 1976.

Appeals: None.

Renewals: Modified applications may be submitted. Financing agreement subject to modification.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Funding may be provided for 100 percent of the project cost.

Length and Time Phasing of Assistance: Terms and conditions are agreed on by FRA and the applicants. Payment of obligation is required to be made within 25 years from date of execution of financing agreement.

POST ASSISTANCE REQUIREMENTS:

Reports: Monthly expenditure, progress and cash reports will be required. Other details will be contained in the financing agreement.

Audits: Audit of system capability, interim audit and final audit when project activities have been completed.

Records: Each recipient of financial assistance must keep records that will facilitate an effective audit.

FINANCIAL INFORMATION:

Account Identification: 69-4411-0-3-401.

Obligations: (Loans) FY 77 est \$12,000,000; FY 78 \$144,000,000; and FY 79 est \$444,000,000.

Range and Average of Financial Assistance: \$5,000,000 to \$60,000,000; \$20,000,000.

PROGRAM ACCOMPLISHMENTS: Financing for one track project guaranteed in fiscal year 1977. Financing for at least four equipment projects expected in fiscal year 1978. Expect emphasis to be on energy related projects in fiscal year 1979.

REGULATIONS, GUIDELINES, AND LITERATURE: 49 CFR, Part 260.

INFORMATION CONTACTS:

Regional or Local Office: See appendix.

Headquarters Office: Office of Federal Assistance, 400 Seventh St., N.W., Washington, DC 20590. Telephone: (202) 426-9657.

RELATED PROGRAMS: 20.310, Railroad Rehabilitation and Improvement-Redeemable Preference Shares.

20.310 RAILROAD REHABILITATION AND IMPROVEMENT-REDEEMABLE PREFERENCE SHARES

FEDERAL AGENCY: FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Title V, Section 505 of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended; Public Law 94-210.

OBJECTIVES: To provide railroads with financial assistance for the rehabilitation and improvement of equipment and facilities or such other purposes approved by Secretary.

TYPES OF ASSISTANCE: Direct Payments for Specified Use.

USES AND USE RESTRICTIONS: Funds received by the railroads must be used for facilities maintenance, rehabilitation, improvement, acquisitions and other approved purposes. Eligible equipment and facilities include locomotives, freight cars, track roadbed and related structures, communication and power transmission system, signals, yard and terminal facilities, and shop or repair facilities.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Any common carrier by railroad or express as defined in section 1(3) of the Interstate Commerce Act (49 U.S.C. 1(3)) may apply for assistance.

Beneficiary Eligibility: The ultimate purpose is to provide the means to rehabilitate and maintain the physical facilities, improve the operations and structure, and restore the financial stability of the railway system of the United States, and to promote the revitalization of such railway system so that this mode of transportation will remain viable in the private sector of the economy and will be able to provide energy-efficient, ecologically compatible transportation services with greater efficiency, effectiveness and economy.

Credentials/Documentation: Applicants must submit documentation supporting their status as a common carrier by railroad and copies of all resolutions of the directors authorizing the issuance of redeemable preference shares. Costs will be determined in accordance with FMC 74-4 for State and local governments.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: When a railroad has developed plans for a project for which it has decided to seek assistance, that railroad shall notify the FRA Associate Administrator for Federal Assistance at 400 Seventh Street, S.W., Washington, DC 20590. A meeting will then be scheduled at which the railroad will present the project and discuss with FRA the information that must accompany the application. An environmental impact assessment is required for this program.

Application Procedure: Applications shall be completed in accordance with the procedures and requirements contained in 49 CFR, Part 258.

Award Procedure: The Administrator, subject to the availability of funds, will approve projects found to be in the public interest.

Deadlines: Obligational authority presently expires on September 30, 1978.

Range of Approval/Disapproval Time: Within 6 months after submission of application.

Appeals: None.

Renewals: Modified applications may be submitted. Schedule of dividend and redemption is fixed by Financing Agreement.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Funding may be provided for 100 percent of the project cost.

Length and Time Phasing of Assistance: Terms and conditions are agreed on between FRA and the applicants. However, shares shall accrue dividends commencing on the 10th anniversary date of its original issue, shall return not less than 150 percent of par value, be subject to mandatory redemption between the 6th and 11th year and shall be repaid not later than the 30th year except that return shall not be more than railroad's rate of return on total capital when used to fund deferred track maintenance. Funding is provided as required.

POST ASSISTANCE REQUIREMENTS:

Reports: Monthly expenditure, progress and cash reports will be required. Other details to be contained in the financing agreement.

Audits: Audit of system capability, interim audit and final audit when project activities have been completed.

Records: Each recipient of financial assistance must keep records that will facilitate an effective audit.

FINANCIAL INFORMATION:

Account Identification: 69-4411-0-3-401.

Obligations: (Direct Payments) FY 77 est \$58,000,000; FY 78 est \$262,000,000; and FY 79 est \$279,000,000.

Range and Average of Financial Assistance: Projects are expected to range from \$5,000,000 to \$60,000,000; \$20,000,000.

PROGRAM ACCOMPLISHMENTS: Fiscal year 1977 work season projects undertaken on track of three railroads. Expect fiscal year 1978 and fiscal year 1979 work season projects to be carried out on track of at least six railroads.

REGULATIONS, GUIDELINES, AND LITERATURE: 49 CFR, Part 258.

INFORMATION CONTACTS:

Regional or Local Office: See address Appendix.

Headquarters Office: Office of Federal Assistance, 400 Seventh St., S.W., Washington, DC 20590. Telephone: (202) 426-9657.

RELATED PROGRAMS: 20.309, Railroad Rehabilitation and Improvement-Guarantee of Obligations.

20.304 RAILROAD RESEARCH AND DEVELOPMENT *

FEDERAL AGENCY: FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Department of Transportation Act of 1966, Public Law 89-670; 49 U.S.C. 1657-1659; High Speed Ground Transportation Act of 1965, as amended; Public Laws 89-220, 90-423, 91-444, 92-348, 49 U.S.C. 1631-1641; Federal Railroad Safety Act of 1970, as amended; Public Laws 91-458, 93-90; 45 U.S.C. 421-441.

OBJECTIVES: To explore possibilities of new technology to improve ground transportation and to provide research for the improvement of the railroad industry structure, improvement of freight car management and freight services, and to solve critical railroad safety problems. Greater participation by private industry is encouraged.

TYPES OF ASSISTANCE: Research Contracts.

USES AND USE RESTRICTIONS: Contracts will be awarded for approved research, development and demonstrations. This includes materials, aerodynamics, vehicle propulsion, vehicle control, communications, guideways, and research testing on new systems components and techniques. Contracts will also be awarded for research which deals exclusively with railroad matters, including: industry structure, freight car management systems, improved freight service, and railroad safety research.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Any public or private, profit or non-profit, organization with adequate technical competence may submit proposals.

Beneficiary Eligibility: Same as applicant eligibility.

Credentials/Documentation: None.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: It is recommended that interested parties contact the following: 1. For Hardware R&D: Associate Administrator, Office of Research, and Development 2100-2nd Street, S.W., Washington, DC 20590. Telephone: (202) 426-9601. 2. For Economic R&D: Associate Administrator, For Policy and Program Development Room 5100 400-7th Street, S.W., Washington, DC 20590. Telephone: (202) 426-2920.

Application Procedure: Unsolicited proposals should be submitted to the Federal Railroad Administration Contract and Procurement Division, Room 5416, 400-7th Street, S.W., Washington, DC 20590. Telephone: (202) 426-2970.

Award Procedure: Decisions are made on the basis of the applicability of the project to the research objectives of the Office.

Deadlines: None.

Range of Approval/Disapproval Time: Unsolicited proposals acknowledged in 7 to 10 days. If not acceptable, notification is made in 60 days.

Appeals: Not applicable.

Renewals: Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Not applicable.

Length and Time Phasing of Assistance: Not applicable.

POST ASSISTANCE REQUIREMENTS:

Reports: Defined by contract.

Audits: Contracts are subject to audit in accordance with Federal statutes.

Records: All relevant records must be retained for 3 years.

FINANCIAL INFORMATION:

Account Identification: 21-30-0745-0-1-404.

Obligations: (Contracts) FY 75 \$40,060,000. (Includes \$2,935,000 for administration of the program); FY 76 est \$82,250,000; est \$13,900,000; and FY 77 est \$54,500,000.

Range and Average of Financial Assistance: \$3,000 to \$3,500,000.

PROGRAM ACCOMPLISHMENTS: For fiscal year 1975, 152 contracts and/or modifications were approved, for fiscal year 1976 is estimated that 175 will be approved.

REGULATIONS, GUIDELINES, AND LITERATURE: None.

INFORMATION CONTACTS:

Regional or Local Office: Not applicable.

Headquarters Office: It is recommended that interested parties contact the following: 1. For Hardware R&D: Associate Administrator, Office of Research, and Development 2100-2nd St., S.W., Washington DC 20590. Telephone: (202) 426-9601. 2. For Economic R&D Associate Administrator, For Policy and Program Development Room 5100, 400-7th St., S.W., Washington DC 20590. Telephone: (202) 426-2920.

RELATED PROGRAMS: 20.301, Railroad Safety; 20.502, Urban Mass Transportation Grants for University Research and Training; 20.504, Mass Transportation Technology.

*Program description from the 1976 edition of the catalogue.

20.500 URBAN MASS TRANSPORTATION CAPITAL IMPROVEMENT GRANTS

(Capital Grants)

FEDERAL AGENCY: URBAN MASS TRANSPORTATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Urban Mass Transportation Act of 1964; Public Law 88-365, as amended through February 5, 1976; 49 U.S.C. 1601 et seq.

OBJECTIVES: To assist in financing the acquisition, construction, reconstruction, and improvement of facilities and equipment for use, by operation, lease, or otherwise, in mass transportation service in urban areas and in coordinating service with highway and other transportation in such areas.

TYPES OF ASSISTANCE: Project Grants.

USES AND USE RESTRICTIONS: Eligible facilities and equipment include land, buses, other rolling stock, and other real and personal property needed for an efficient and coordinated mass transportation system. Ordinary governmental or project operating expenses are excluded. Adequate public notice must be given of intent; social and economic impact on environment must be considered; project must be consistent with official plans for comprehensive development of urban areas.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Public agencies. Private transportation companies may participate through contractual arrangements with a public agency grantee. Applicant must have legal financial and technical capacity to carry out proposed project. Capital funds are also available through the states to private, nonprofit organizations for the purpose of providing transportation services to the elderly and the handicapped.

Beneficiary Eligibility: Same as Applicant Eligibility.

Credentials/Documentation: Resolution by an authorized public body approving the filing for an application; information on labor and relocation; environmental impact statement; legal opinion; coordinated regional planning documentation. Costs will be determined in accordance with FMC 74-4 for State and local governments.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. Applications are subject to State and areawide clearinghouses review pursuant to procedures in Part I, of OMB Circular No. A-95 (revised). An environmental impact assessment is required for this program. An environmental impact statement may also be required upon completion of review of the assessment.

Application Procedure: Applications are made to the Urban Mass Transportation Administration, Washington, DC 20590. A sample format is available from that office.

Award Procedure: The Administrator, UMTA, makes the final decision to approve major projects. UMTA is responsible for providing notification of grant approval to the public body. Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: None.

Range of Approval/Disapproval Time: Not applicable.

Appeals: Not applicable.

Renewals: Amendments may be granted.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: A grant may be made for not more than 80 percent of net project cost.

Length and Time Phasing of Assistance: Terms and conditions are contractually agreed on between UMTA and the applicant.

POST ASSISTANCE REQUIREMENTS:

Reports: (1) Progress reports; (2) construction reports where applicable; (3) final audit report.

Audits: (1) Audit report by audit agency of sponsor or CPA as directed by UMTA; (2) interim audits arranged by UMTA; (3) final audit by UMTA, when advised project activities have been completed.

Records: Recipient is required to retain intact, for 3 years following submission of the final expenditure report, pending resolution of audit findings, all project contract documents, financial records, and supporting documents.

FINANCIAL INFORMATION:

Account Identification: 69-4119-0-3-404.

Obligations: (Grants) FY 77 \$1,250,000,000; FY 78 est \$1,400,000,000; FY 79 \$1,400,000,000.

Range and Average of Financial Assistance: \$1,216 to \$800,000,000; \$5,000,000.

PROGRAM ACCOMPLISHMENTS: A total of \$1,250,000,000 was committed for 216 grants in fiscal year 1977; Forty of these (809 million) were for rapid rail and commuter rail systems; 183 grants were in the bus category, and five grants were for other forms of transportation (boats, people-movers, ect).

REGULATIONS, GUIDELINES, AND LITERATURE: 49 CFR 601.2; "Program Information for Capital Grants and Technical Studies Grants," "Guidelines for Project Administration." These may be secured at no charge from the Headquarters Office.

INFORMATION CONTACTS:

Regional or Local Office: See appendix for addresses.

Headquarters Office: Associate Administrator, Office of Transit Assistance, Urban Mass Transportation Administration, 400 7th St. S.W., Washington, DC 20590. Telephone: (202) 426-4020.

RELATED PROGRAMS: 20.205, Highway Research, Planning, and Construction; 20.501, Urban Mass Transportation Capital Improvement Loans; 20.505, Urban Mass Transportation Technical Studies Grants; 20.507, Urban Mass Transportation Capital and Operating Assistance Formula Grants.

20.501 URBAN MASS TRANSPORTATION CAPITAL IMPROVEMENT LOANS

(Capital Loan)

FEDERAL AGENCY: URBAN MASS TRANSPORTATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Urban Mass Transportation Act of 1964, Public Law 88-365, as amended through February 5, 1976; 49 U.S.C. 1601 et seq.

OBJECTIVES: To finance the acquisition, construction, reconstruction, and improvement of facilities and equipment for use, by operation, lease, or otherwise, in mass transportation service in urban areas.

TYPES OF ASSISTANCE: Direct Loans.

USES AND USE RESTRICTIONS: Adequate public notice must be given of intent; social and economic impact on environment must be considered; project must be consistent with official plans for comprehensive development of the urban area. Maturity dates of loans not to exceed 40 years. Interest rate is determined by Treasury in accordance with instant policy at time of approval.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Public agencies or private transportation companies through contractual arrangements with a public agency.

Beneficiary Eligibility: Same as Applicant Eligibility.

Credentials/Documentation: Resolution by authorized public body approving filing for application; legal opinion, information of labor and relocation, coordinated regional planning documentation, and environmental impact statement. Costs will be determined in accordance with FMC 74-4 for State and local governments.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: Applications are subject to State and areawide clearinghouses review pursuant to procedures in Part I, Attachment A of OMB Circular No. A-95 (revised). An environmental impact assessment is required for this program. An environmental impact statement may also be required upon completion of review of the assessment. The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program.

Application Procedure: Guidelines are available from Urban Mass Transportation Administration, Washington, DC 20590.

Award Procedure: The Administrator, UMTA, makes the final decision to approve projects. UMTA is responsible for providing notification of loan approval to the public body. Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: None.

Range of Approval/Disapproval Time: Not applicable.

Appeals: Not applicable.

Renewals: Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: None.

Length and Time Phasing of Assistance: Not applicable.

POST ASSISTANCE REQUIREMENTS:

Reports: Not applicable.

Audits: Not applicable.

Records: Recipient is required to retain intact, for 3 years following submission of the final expenditure report pending resolution of audit findings, all project contract documents, financial records, and supporting documents.

FINANCIAL INFORMATION:

Account Identification: 69-4119-0-3-404.

Obligations: (Loans) No separate limitation. Authority available within UMTA program limitation.

Range and Average of Financial Assistance: Not applicable.

PROGRAM ACCOMPLISHMENTS: No significant activity is expected for fiscal year 1977.

REGULATIONS, GUIDELINES, AND LITERATURE: 49 CFR 601.2;

"Program Information for Capital Loans and Advance Land Acquisition Loans;" "Guidelines for Project Administration." These may be secured at no charge from the Headquarters Office.

INFORMATION CONTACTS:

Regional or Local Office: See appendix for addresses.

Headquarters Office: Associate Administrator, Office of Capital Assistance, Urban Mass Transportation Administration, 400 7th St., S.W., Washington, DC 20590. Telephone: (202) 426-4020.

RELATED PROGRAMS: 20.500, Urban Mass Transportation Capital Improvement Grants.

20.502 URBAN MASS TRANSPORTATION GRANTS FOR UNIVERSITY RESEARCH AND TRAINING

(URT Program)

FEDERAL AGENCY: URBAN MASS TRANSPORTATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Urban Mass Transportation Act of 1964; Public Law 88-365, as amended through February 5, 1976; 49 U.S.C. 1601 et seq.

OBJECTIVES: To sponsor research studies and investigations in the problems of transportation in urban areas.

TYPES OF ASSISTANCE: Project Grants.

USES AND USE RESTRICTIONS: To conduct competent and qualified research and investigations into the theoretical and practical problems of urban transportation, and to provide for the training of persons to carry on further research or to obtain employment in private or public organizations which plan, construct, operate, or manage urban transportation systems. Total value of grants under this program are currently \$2,000,000 per annum.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Public and private nonprofit institutions of higher learning.

Beneficiary Eligibility: Same as Applicant Eligibility.

Credentials/Documentation: A formal proposal outlining in detail the proposed research program; detailed delineation of organizations, staff, faculty, and budget.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: Not applicable.

Application Procedure: Invitation to submit sent to institutions; five copies of application signed by proposed director or authorized representative should be sent to UMTA. This program is subject to the provisions of OMB Circular No. A-110.

Award Procedure: Proposals received are reviewed and evaluated by panels drawn from the Department of Transportation; the Administrator, Urban Mass Transportation Administration, makes the final decision to approve a grant. UMTA is responsible for notification of the grant approval to the recipient. Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: Submittal date as prescribed by UMTA yearly. Program announcement is published in Commerce Business Daily.

Range of Approval/Disapproval Time: Approximately 3 months.

Appeals: Not applicable.

Renewals: Continuing support is based on review of project.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: None.

Length and Time Phasing of Assistance: Generally one year.

POST ASSISTANCE REQUIREMENTS:

Reports: Quarterly Progress; financial; final, upon completion of project.

Audits: Financial Systems Management; Final.

Records: Recipient is required to retain intact, for 3 years following submission of the final expenditure report, pending resolution of audit findings, all product contract documents, financial records, and supporting documents.

FINANCIAL INFORMATION:

Account Identification: 69-4119-0-3-404.

Obligations: (Grants) FY 77 \$2,023,000; FY 78 est \$2,000,000; and FY 79 est \$2,000,000.

Range and Average of Financial Assistance: Up to \$100,000; \$65,000.

PROGRAM ACCOMPLISHMENTS: Over 400 students in the program have gone on to careers directly linked to urban transportation. There have been 325 published research reports, and 150 urban transportation courses added at the grant schools.

REGULATIONS, GUIDELINES, AND LITERATURE: 49 CFR 601.2;

"Program Information for University Research and Training Grants;" "Guidelines for Project Administration, and UMTA Circular 7100.1, "Application Instructions for University Research and Training Program." These may be secured at no cost from the Headquarters Office.

INFORMATION CONTACTS:

Regional or Local Office: See appendix for addresses.

Headquarters Office: Director, Division of University Research and Training, Office of Policy and Program Development, Urban Mass Transportation Administration, Department of Transportation, 2100 2nd Street, S.W., Washington, DC 20590. Telephone: (202) 426-0080.

RELATED PROGRAMS: 20.503, Urban Mass Transportation Managerial Training Grants; 20.504, Mass Transportation Technology Research, Development and Demonstration Grants; 20.505, Urban Mass Transportation Technical Studies Grants.

20.503 URBAN MASS TRANSPORTATION MANAGERIAL TRAINING GRANTS

FEDERAL AGENCY: URBAN MASS TRANSPORTATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Urban Mass Transportation Act of 1964, Public Law 88-365, as amended through February 5, 1976; 49 U.S.C. 1601 et seq.

OBJECTIVES: To provide fellowships for training of managerial, technical, and professional personnel employed in the urban mass transportation field.

TYPES OF ASSISTANCE: Project Grants.

USES AND USE RESTRICTIONS: The State, local body, or agency receiving a grant under this section shall select persons for fellowships on the basis of demonstrated ability and the potential contribution in the field of efficient mass transportation operation. Fellowships are funded for not more than one year. Not more than 100 fellowships will be awarded in any one year. Funding may also be used for attendance at transportation short courses. Not more than 12.5 percent of the fellowships shall be awarded to any one State per year.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Public bodies may apply for their employees or those of urban transit companies operating in their areas.

Beneficiary Eligibility: Employees of public bodies or employees of private urban transit companies operating in their areas. The Fellow selected must meet the requirements of the university he wishes to attend.

Credentials/Documentation: Name, title, and resume of potential Fellow; his position; public body's legal documentation; justification for selection; budget; and course description. Costs will be determined in accordance with FMC 74-4 for State and local governments.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: Approval by university; The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program.

Application Procedure: Submit documented information to Urban Mass Transportation Administration.

Award Procedure: The Administrator, Urban Mass Transportation Administration, makes the decision to approve a grant. UMTA is responsible for providing notification of grant approval to the public body. Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: 30 days prior to start of course.

Range of Approval/Disapproval Time: 14 to 30 days.

Appeals: Not applicable.

Renewals: Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Grant assistance is up to \$12,000 per fellowship or 75 percent of eligible project cost, whichever is less.

Length and Time Phasing of Assistance: Fellowships are for 1 year or less.

POST ASSISTANCE REQUIREMENTS:

Reports: Recipient of fellowship may be requested to evaluate the training exercise.

Audits: Desk audits are performed on a selective basis.

Records: Recipient is required to retain intact, for 3 years following submission of the final expenditure report, pending resolution of audit findings, all project contract documents, financial records, and supporting documents.

FINANCIAL INFORMATION:

Account Identification: 69-4119-0-3-404.

Obligations: (Grants) FY 77 \$500,000; FY 78 est \$500,000; and FY 79 est \$500,000.

Range and Average of Financial Assistance: \$1,091 to \$12,000; \$5,000.

PROGRAM ACCOMPLISHMENTS: All 100 fellowships have been granted annually. Publicity is limited due to legislative control on the number of available fellowships.

REGULATIONS, GUIDELINES, AND LITERATURE: 49 CFR 601.2; "Program Information for Managerial Training Grants;" "Guidelines for Project Administration." These may be secured at no cost from the Headquarters Office.

INFORMATION CONTACTS:

Regional or Local Office: See appendix for addresses.

Headquarters Office: Director, Office of Transit Management, Urban Mass Transportation Administration, Department of Transportation, 2100 2nd Street, S.W., Washington, DC 20590. Telephone: (202) 426-9157.

RELATED PROGRAMS: 20.502, Urban Mass Transportation Grants for University Research and Training; 20.504, Mass Transportation Technology; 20.505, Urban Mass Transportation Technical Studies Grants.

20.504 MASS TRANSPORTATION TECHNOLOGY

(R. & D. Program)

FEDERAL AGENCY: URBAN MASS TRANSPORTATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Urban Mass Transportation Act of 1964, Public Law 88-365, as amended through February 5, 1976; 49 U.S.C. 1601 et seq.

OBJECTIVES: To develop, test, and demonstrate new facilities, equipment, techniques, and methods that will reduce urban transportation problems and improve mass transportation service. To provide knowledge that can be applied by policy makers in local governments to assess the proper mix of transportation systems to meet their particular transportation needs, and by suppliers of transit equipment and services in making business decisions on investing in manpower and capacity to serve the transit market. In conventional bus and rail transit design, equipment manufacture or construction to obtain either (a) substantial reduction in life cycle costs without sacrificing performance or service capability, or (b) substantial improvements in safety, performance capability in a cost-effective manner. To support selected high-risk, high-technology R&D initiatives which promise significant potential increases in productivity through the introduction of automation into transit operations. (where such initiatives are beyond the financial or other capabilities of the private sector). To support national priorities, such as central city revitalization, accessibility for the elderly and handicapped, energy conservation, and environmental protection.

TYPES OF ASSISTANCE: Project Grants; Research Contracts.

USES AND USE RESTRICTIONS: For development of systems to carry people and goods within metropolitan areas speedily, safely, with minimum pollution of the air, with minimum consumption of fuel and in a manner that will contribute to sound city planning. Projects must be based on a formal experimental design which measures results against objectives. The expected results of a research development, or demonstration project must have widespread applicability. No restrictions on use. **JOINT FUNDING:** This program is considered suitable for joint funding with closely related Federal financial assistance programs in accordance with the provisions of OMB Circular No. A-111. For programs that are not identified as suitable for joint funding, the applicant may consult the headquarters or field office of the appropriate funding agency for further information on statutory or other restrictions involved.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: (1) Grants: Public bodies or nonprofit institutions only. (2) Contracts: Determined by evaluation of bids responsive to Requests for Proposals (RFPS).

Beneficiary Eligibility: Same as Applicant Eligibility.

Credentials/Documentation: (1) Grants: Initial proposal should include project objectives, background, and project description in-

cluding time schedule, budget, and applicant's organizational experience. Legal opinion, and compliance to labor requirements are required later. Costs will be determined in accordance with FMC 74-4 for State and local governments, and FMC 73-8. (2) Contracts: These are set forth in the RFP. While there is some variation, they usually relate to qualifications of the organization and its personnel, its facilities, financial capabilities and resources, and the adequacy of the proposal for compliance with the standard contract provision concerning subcontracting with minority enterprises.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: For grants, the standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. An environmental impact assessment may be required.

Application Procedure: (1) Grants: Applicant submits initial informal proposal; the Administration, after review, will advise whether or not to submit formal application. (2) Contracts: Contract awards are made in accordance with Federal Procurement Regulations. The procedure is described in D.O.T. publication Contracting with the U.S. Department of Transportation (DOT p420011). This program is subject to the provisions of OMB Circular No. A-110.

Award Procedure: The Administrator, Urban Mass Transportation Administration, makes the final decision to approve a project. UMTA is responsible for notification of grant approval to recipient. Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: No fixed or standard deadlines.

Range of Approval/Disapproval Time: Not applicable.

Appeals: Not applicable.

Renewals: Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: The extent of the non-Federal contribution varies. The Federal Government will weigh the scope and cost of the proposed project in relation to anticipated value of results and to total funds available. Grants have ranged from Federal share of 50 to 100 percent. Although projects may be undertaken through grant contracts, the overwhelming majority of projects are funded by direct procurement and inter-agency transfer of funds.

Length and Time Phasing of Assistance: Projects are approved for varying specific periods.

POST ASSISTANCE REQUIREMENTS:

Reports: (1) Quarterly financial; (2) quarterly progress; (3) interim and final reports.

Audits: (1) Audit report prepared by audit agency of the sponsor or independent CPA, at request of UMTA; (2) interim, at any time; (3) final audit.

Records: Project sponsor shall retain for 3 years following submission of the final expenditure report, pending resolution of audit findings, all project contract documents, financial records, and supporting documents.

FINANCIAL INFORMATION:

Account Identification: 69-4119-0-3-404.

Obligations: (Grants) FY 77 \$3,512,000; FY 78 est \$6,740,000; and FY 79 est \$7,000,000. (Contracts and Inter-Agency Transfers) FY 77 \$32,857,000; FY 78 est \$36,860,000; and FY 79 est \$35,600,000.

Range and Average of Financial Assistance: Information not available.

PROGRAM ACCOMPLISHMENTS: UMTA R&D: Development of advancement and improvements in transit equipment and operational technique. Specific projects have dealt with the development and testing of new transit bus vehicle designs and performance specifications; state-of-the-art and advanced concept rail rapid transit vehicles; new propulsion systems for railcars, including gas turbine/electric and flywheel energy storage systems;

prototype paratransit vehicles for supplemental transit use; new standard light rail vehicle performance specifications; automated fare collection equipment; new methods of subway construction, including more cost-effective construction techniques; and several automated guideway transit projects, including the Morgantown People Mover System in active service at Morgantown, West Virginia. Other achievements are in the area of operational techniques and involve the development of computerized demand-responsive transit techniques, automatic vehicle location systems, safety assurance project, life cycle costing procedures, and evaluations of automated guideway transit systems and of devices needed to improve access to transit by the elderly and handicapped.

REGULATIONS, GUIDELINES, AND LITERATURE: Available upon request.

INFORMATION CONTACTS:

Regional or Local Office: See address appendix.

Headquarters Office: Associate Administrator, Office of Technology Development and Deployment, Urban Mass Transportation Administration, Department of Transportation, 2100 2nd Street, S.W., Washington, DC 20590. Telephone: (202) 426-4052.

RELATED PROGRAMS: 20.502, Urban Mass Transportation Grants for University Research and Training; 20.506, Urban Mass Transportation Demonstration Grants; 20.205, Highway Research, Planning and Construction.

20.505 URBAN MASS TRANSPORTATION TECHNICAL STUDIES GRANTS

(Tech Studies)

FEDERAL AGENCY: URBAN MASS TRANSPORTATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Urban Mass Transportation Act of 1964, Public Law 88-365, as amended through February 5, 1976; 49 U.S.C. 1601 et seq.

OBJECTIVES: To assist in planning, engineering, and designing of urban mass transportation projects, and other technical studies in a program for a unified or officially coordinated urban transportation system.

TYPES OF ASSISTANCE: Project Grants.

USES AND USE RESTRICTIONS: Activities assisted under this section may include preparation of long-range transportation plans and short-range transportation systems management plans including transportation improvement programs with annual element; studies related to management, operations, capital requirements, and economic feasibility; preparation of engineering and architectural surveys, plans, and specifications; and other related activities in preparation for the construction, acquisition, or improved operation of mass transportation systems, facilities, and equipment. Areawide comprehensive planning must be adequate. **JOINT FUNDING:** This program is considered suitable for joint funding with closely related Federal financial assistance programs in accordance with the provisions of OMB Circular No. A-111. For programs that are not identified as suitable for joint funding, the applicant may consult the headquarters or field office of the appropriate funding agency for further information on statutory or other restrictions involved.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: State and other local public bodies and agencies.

Beneficiary Eligibility: Same as Applicant Eligibility.

Credentials/Documentation: Authorizing documentation; legal documentation; financial statement. Costs will be determined in accordance with FMC 74-4 for State and local governments.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. Applications are sub-

ject to State and areawide clearinghouses review pursuant to procedures in Part I, Attachment A of OMB Circular No. A-95 (revised).

Application Procedure: Application for a grant should be addressed to the appropriate Regional Office of the Urban Mass Transportation Administration and should contain the following elements or exhibits: (1) identifying data on applicant; (2) legal information; (3) project budget and source of funds; (4) ability to carry out study; (5) unified work program.

Award Procedure: For grants to states and metropolitan areas with populations over one million, the Administrator, Urban Mass Transportation Administration, makes the decision to approve a project. For areas with populations below one million, projects are approved by the appropriate Regional Director. UMTA is responsible for notification of grant approval to the public body. Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: None.

Range of Approval/Disapproval Time: Four to eight weeks.

Appeals: Not applicable.

Renewals: Amendments may be granted.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: A grant may be made for 80 percent of the net project cost.

Length and Time Phasing of Assistance: Length of time is spelled out at time of approval.

POST ASSISTANCE REQUIREMENTS:

Reports: (1) quarterly financial; (2) quarterly progress; (3) financial report; (4) evaluation report (1 year after completion).

Audits: (1) audit report by audit agency of sponsor or CPA as directed by UMTA; (2) interim audit arranged by UMTA; (3) final audit.

Records: Project sponsor is required to retain intact, for 3 years following submission of the final expenditure report, pending resolution of audit findings, all project contract documents, financial records, and supporting documents.

FINANCIAL INFORMATION:

Account Identification: 69-4119-0-3-404.

Obligations: (Grants) FY 77 \$43,192,000; FY 78 est \$55,000,000; and FY 79 est \$55,000,000.

Range and Average of Financial Assistance: \$10,000 to \$4,500,000; \$200,000.

PROGRAM ACCOMPLISHMENTS: In fiscal year 1978 a total of \$55 million in technical studies grants was approved. Multimodal transportation planning studies are emphasized through coordinated funding with other DOT administrations and HUD. Refinement of the transit elements of long-range plans and an expansion of short-range planning for improvements to the existing urban transportation system are also emphasized including special planning efforts for transportation of elderly and handicapped persons. Support for transit planning to meet air quality and energy crisis objectives will continue to be stressed.

REGULATIONS, GUIDELINES, AND LITERATURE: 49 CFR 601.2; "Project Information for Capital Grants and Technical Studies Grants;" "Guidelines for Project Administration." These may be secured at no cost from the Headquarters Office.

INFORMATION CONTACTS:

Regional or Local Office: See address appendix.

Headquarters Office: Director, Office of Planning Transportation Assistance (UTP-20), Office of Transit Planning, Urban Mass Transportation Administration, Department of Transportation, 400 7th Street, S.W., Washington, DC 20590. Telephone: (202) 426-2360.

RELATED PROGRAMS: 20.103, Airport Planning Grant Program; 20.205, Highway Research, Planning and Construction; 20.500, Urban Mass Transportation Capital Improvement Grants; 20.502, Urban Mass Transportation Grants for University Research and Training; 20.503, Urban Mass Transportation Managerial Train-

ing Grants; 20.507, Urban Mass Transportation Capital and Operating Assistance Formula Grants.

20.506 URBAN MASS TRANSPORTATION DEMONSTRATION GRANTS

(Service and Methods Demonstration Program)

FEDERAL AGENCY: URBAN MASS TRANSPORTATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Urban Mass Transportation Act of 1964, Public Law 88-365, as amended through February 5, 1976; 49 U.S.C. 1601 et seq.

OBJECTIVES: To demonstrate new innovative techniques and methods in an operational environment that will reduce urban transportation problems and improve mass transportation service.

TYPES OF ASSISTANCE: Project Grants; Research Contracts.

USES AND USE RESTRICTIONS: For demonstration of techniques and methods to gain better use of existing hardware technology in transportation, carry people and goods within metropolitan areas speedily, safely, and in a manner that will contribute to sound city planning. Projects must be based on a formal experimental design which measure results against objectives. The expected results of a research project must have widespread applicability.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Grants to conduct operational tests must be to a legally constituted public agency.

Beneficiary Eligibility: Same as Applicant Eligibility.

Credentials/Documentation: Initial proposal should include project objectives, background, and project description including time schedule, budget, and applicant's organizational experience. Legal opinion and compliance to labor requirements are required later. Costs will be determined in accordance with FMC 74-4 for State and local governments, and FMC 73-8.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. An environmental impact assessment is required in some instances. An environmental impact statement may also be required upon completion of review of the assessment. Applications are subject to State and areawide clearinghouses review pursuant to procedures in Part I, Attachment A of OMB Circular No. A-95 (revised).

Application Procedure: Applicant submits initial proposal; the Administration, after review, will advise whether or not to submit formal application. This program is subject to the provisions of OMB Circular No. A-110.

Award Procedure: The Administrator, or Associate Administrator, Urban Mass Transportation Administration, makes the final decision to approve a project. UMTA is responsible for notification of grant approval to recipient. Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: None.

Range of Approval/Disapproval Time: Not applicable.

Appeals: Not applicable.

Renewals: Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: The extent of the non-Federal contribution is not set. The Federal Government will weigh the scope and cost of the proposed project in relation to anticipated value of results and to total funds available. Grants have ranged from Federal share of 50 to 100 percent.

Length and Time Phasing of Assistance: Projects are approved for varying specific periods.

POST ASSISTANCE REQUIREMENTS:

Reports: (1) Quarterly financial; (2) quarterly progress; (3) final and interim reports.

Audits: (1) Audit report prepared by audit agency of the sponsor or independent CPA, at request of UMTA; (2) interim, at any time; (3) final audit.

Records: Project sponsor shall retain for 3 years following submission of the final expenditure report, pending resolution of audit findings, all project contract documents, financial records, and supporting documents.

FINANCIAL INFORMATION:

Account Identification: 69-4119-0-3-404.

Obligations: (Grants and contracts) FY 77 \$14,000,000; FY 78 est \$16,500,000; and FY 79 est \$16,500,000.

Range and Average of Financial Assistance: None established.

PROGRAM ACCOMPLISHMENTS: In fiscal year 1977, UMTA demonstration program helped improve urban mobility through grants and contracts involving bus priorities, exclusive bus lanes, signal pre-emption systems, paratransit, metered freeways and downtown circulation and innovations in special services for elderly and handicapped and transportation pricing policies including disincentives for private autos.

REGULATIONS, GUIDELINES, AND LITERATURE: 49 CFR 601; "Program Information for R D & D Projects"; "Guidelines for Project Administration." These may be secured at no charge from the headquarters office.

INFORMATION CONTACTS:

Regional or Local Office: See address appendix.

Headquarters Office: For service and methods demonstrations: Director, Office of Service and Methods Demonstrations, Urban Mass Transportation Administration, Department of Transportation, 2100 2nd St. S.W., Washington, DC 20590. Telephone: (202) 426-4984. For management demonstrations: Director, Office of Transit Management, Urban Mass Transportation Administration, Department of Transportation, 2100 2nd St., S.W., Washington, DC 20590. Telephone: (202) 426-9157.

RELATED PROGRAMS: 20.504, Mass Transportation Technology.

20.507 URBAN MASS TRANSPORTATION CAPITAL AND OPERATING ASSISTANCE FORMULA GRANTS

(Formula Grant Program)

FEDERAL AGENCY: URBAN MASS TRANSPORTATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Urban Mass Transportation Act of 1964; Public Law 88-365, as amended through February 5, 1976; 49 U.S.C. 1601 et seq.

OBJECTIVES: To assist in financing the acquisition, construction, and improvement of facilities and equipment for use by operation or lease or otherwise in mass transportation service, and the payment of operating expenses to improve or to continue such service by operation, lease, contract or otherwise.

TYPES OF ASSISTANCE: Formula Grants.

USES AND USE RESTRICTIONS: Eligible Capital Assistance Projects may include the acquisition, construction or reconstruction of facilities and equipment for use in mass transportation, including designing, engineering, locating, surveying, mapping, acquisition of rights-of-way, relocation assistance, and acquisition and replacement of housing sites. An operating assistance project represents the eligible operating expenses incurred or projected during a local fiscal year by a mass transportation operator or system serving an urbanized area. Projects must be developed through a continuing cooperative and comprehensive urban transportation planning process, resulting in plans and programs for a unified or officially coordinated urban transportation system consistent with the planned development of the urban area.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Funds will be made available to urbanized areas (as defined by the Bureau of the Census) through designated recipients which must be public entities and legally capable of receiving and dispensing Federal funds. The Governor,

responsible local officials and publicly-owned operators of mass transportation services must jointly designate recipient(s) for urbanized areas of 200,000 or more population. The Governor or his designee is the recipient for urbanized areas of 50,000 to 200,000 population. Recipients must submit a program of projects to UMTA and the Governor through the Metropolitan Planning Organization; as part of the annual elements of the area-wide Transportation Importance Program; submit project applications to UMTA; enter into formal project agreements with UMTA; and certify that a public hearing has been conducted.

Beneficiary Eligibility: Publicly and privately owned operators of mass transportation services.

Credentials/Documentation: Requested documentation; annual programming of projects, coordinated regional planning documentation, legal, maintenance of effort, improved or continued service, labor, public hearing. Costs will be determined in accordance with FMC 74-4 except as notified by UMTA pursuant to Section 5(d) (2) of the Act.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: There is no preapplication stage for projects. The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-02 must be used for this program. Applications for acquisition or construction of facilities and equipment are subject to State and area-wide clearinghouses review pursuant to procedures in Part I, Attachment A of OMB Circular No. A-95 (revised). An environmental impact assessment is required for this program. An environmental impact statement may also be required upon completion of review of the assessment.

Application Procedure: Application Instructions are available from Urban Mass Transportation Administration, Washington, DC 20590.

Award Procedure: The Administrator, UMTA, makes the final decision to approve projects. UMTA is responsible for providing notification of grant award to the public body. Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: None.

Range of Approval/Disapproval Time: Not applicable.

Appeals: Not applicable.

Renewals: Amendments may be granted subject to the availability of funds for the urbanized area.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Urbanized areas will be entitled to receive an amount equal to the sum of one-half of the total amount so apportioned multiplied by the ratio which the population of such urbanized area or part thereof, as designated by the Bureau of the Census, bears to the total population of all the urbanized areas in the states as shown by the latest available Federal census, and one-half of the total amount so apportioned multiplied by a ratio for that urbanized area determined on the basis of population weighted by a factor of density, as determined by the UMTA Administrator. The Federal grant for any construction project shall not exceed 80 percent of the cost of the project. The Federal grant for any project for the payment of subsidies for operation expenses shall not exceed 50 percent of the cost operating expense projects.

Length and Time Phasing of Assistance: Funds will be apportioned to urbanized areas annually for six years. Sums apportioned shall be available for obligation by the Governor or designated recipient for a period of 2 years following the close of the fiscal year for which such sums are apportioned, and any amount remaining unobligated at the end of such period shall elapse.

POST ASSISTANCE REQUIREMENTS:

Reports: (1) Progress reports; (2) construction reports where applicable; (3) final audit report.

Audits: (1) Audit report by audit agency of sponsor or CPA as directed by UMTA; (2) interim audits arranged by UMTA; (3) final audit by UMTA, when advised that project activities have been completed.

Records: Recipient is required to retain intact, for three years following submission of the final expenditure report, sending resolution of audit findings, all project contract documents, financial records and supporting documents.

FINANCIAL INFORMATION:

Account Identification: 69-4119-0-3-404.

Obligations: (Grants) FY 77 \$611,002,000; FY 78 est \$775,000,000; and FY 79 est \$850,000,000.

Range and Average of Financial Assistance: Varies according to local programming of available formula funds and the level of operating expenses incurred.

PROGRAM ACCOMPLISHMENTS: During the period November 26, 1974 through September 30, 1977, UMTA made 697 formula grants for a total of approximately \$1,206,665,000. Of this amount, approximately \$1,126,115,000 went for operating assistance, and approximately \$81 million went for capital assistance projects.

REGULATIONS, GUIDELINES, AND LITERATURE: 49 CFR 601.2; "Program Information for Capital Grants and Technical Studies Grants," "Guidelines for Project Administration," "Interim Application Instructions for Section 5 Capital and Operating Assistance Projects." These may be secured at no charge from the Headquarters Office.

INFORMATION CONTACTS:

Regional or Local Office: See appendix for addresses.

Headquarters Office: Urban Mass Transportation Administration, 400 7th St., S.W., Washington, DC 20590. Telephone: (202) 472-2440.

RELATED PROGRAMS: 20.205, Highway Research, Planning, and Construction; 20.500, Urban Mass Transportation Capital Improvement Grants; 20.505, Urban Mass Transportation Technical Studies Grants.

20.508 URBAN MASS TRANSPORTATION RAIL PASSENGER SERVICE ASSISTANCE

(Emergency Commuter Rail Operating Assistance)

FEDERAL AGENCY: URBAN MASS TRANSPORTATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Urban Mass Transportation Act of 1964; Public Law 88-365, as amended through February 5, 1976; 49 U.S.C. 1601 et seq.

OBJECTIVES: To provide a limited period of Federal financial assistance to State and local transportation authorities to help cover additional costs incurred by these public entities for the continued operation of certain specific rail passenger services affected by the conveyance of rail properties to the Consolidated Rail Corporation on April 1, 1976.

TYPES OF ASSISTANCE: Project Grants.

USES AND USE RESTRICTIONS: Financial assistance will be provided to states or local transportation authorities to reimburse them for the Federal share of the additional costs incurred for rail service continuation payments made to the operator for service during the Operational Period which commences on September 28, 1976. If for any reason the recipient and an operator negotiate a service level which is higher than the service level in effect during the corresponding period of the base year, UMTA will be responsible for reimbursement of the Federal share of only those additional costs which would have been incurred had the service levels not been increased in the Optional Period. Assistance during the final 180 days of the Optional Period is contingent on the applicant's providing satisfactory assurances that the services which are assisted during this period will be continued for a one-year period after the expiration of Federal assistance on September 27, 1978, using subsidy funds from other sources to the extent necessary. The rail service continuation payments supported by this program may include the cost of correcting deferred maintenance on facilities and equipment used to provide the rail passenger service being subsidized.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: State or local transportation authorities which serve as the subsidizing entity for rail passenger services operated under Section 304(e) of the Regional Rail Reorganization of 1973, as amended through October 19, 1976.

Beneficiary Eligibility: Consolidated Rail Corporation (Con Rail) or other operators of the specific rail passenger services covered by the program.

Credentials/Documentation: Financial assistance will be provided with the understanding that the State or local transportation authority has carried out its obligations to the operator under Section 304(e) (4) of the 1973 Rail Act: (a) to provide where applicable the compensation due to the operator for operations conducted during the Mandatory Period; and (b) before September 28, 1976, to offer the operator a rail service continuation payment pursuant to Section 304(c) (2) (A) of the 1973 Rail Act, and the Rail Service Planning Office regulations issued under Section 205(d) (5) of the 1973 Rail Act. Costs will be determined in accordance with FMC 74-4 for State and local governments.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: There is no preapplication stage for projects. The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. An environmental impact assessment may be required for this program. An environmental impact statement may also be required upon completion of review of the assessment.

Application Procedure: Application Instructions for Section 17(a) (2) Projects are available from Urban Mass Transportation Administration, Washington, DC 20590.

Award Procedure: The Administrator, UMTA, makes the final decision to approve projects. UMTA is responsible for providing notification of grant award to the public body. Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: Not applicable.

Range of Approval/Disapproval Time: From 1 to 6 months in most cases.

Appeals: Not applicable.

Renewals: Limited extensions are available to cover eligible expenses incurred during the period for which the program is authorized (expires September 27, 1978).

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: (a) The base term of the grant shall be from September 28, 1976 through March 31, 1978. This term encompasses (a) Optional Period I, from September 28, 1976 through March 26, 1977, during which the Federal share is 100 percent of the additional costs; and (b) Optional Period II, from March 27, 1977 through March 31, 1978, during which the Federal share is 90 percent of additional costs. (b) If the recipient complies with the conditions of these procedures, UMTA will extend the term of the grant for an additional 180 days. (Optional Period III), ending September 27, 1978. The Federal share of additional costs during Optional Period III will be 50 percent.

Length and Time Phasing of Assistance: Assistance is available for expenses incurred during the period between September 28, 1976 and September 27, 1978, or any portion thereof.

POST ASSISTANCE REQUIREMENTS:

Reports: Quarterly financial and operating reports in accordance with standard UMTA regulations are required.

Audits: (1) Audit report by audit agency of sponsor or CPA as directed by UMTA; (2) interim audits arranged by UMTA; and (3) final audit by UMTA, when advised project activities have been completed.

Records: Recipient is required to retain intact, for 3 years following submission of the final expenditure report, pending resolution of audit findings, all project contract documents, financial records and supporting documents.

FINANCIAL INFORMATION:

Account Identification: 69-4119-0-1-404.

Obligations: (Grants) FY 77 \$5,521,000; FY 78 \$45,000,000; and FY 79 est \$0.

Range and Average of Financial Assistance: \$300,000 to \$25,000,000.

PROGRAM ACCOMPLISHMENTS: Program has enabled states and localities to continue subsidizing commuter rail services affected by the Congressionally mandated regional rail reorganization, thereby assuring the continuation of these services.

REGULATIONS, GUIDELINES, AND LITERATURE: "Application Instructions for Section 17(a) (2) Projects." These may be secured at no charge from the Headquarters Office.

INFORMATION CONTACTS:

Regional or Local Office: See appendix for addresses.

Headquarters Office: Associate Administrator, Office of Transit Assistance, Urban Mass Transportation Administration, 400 7th St., S.W., Washington, DC 20590. Telephone: (202) 426-4020.

RELATED PROGRAMS: 20.500, Urban Mass Transportation Capital Improvement Grants; 20.507, Urban Mass Transportation Capital and Operating Assistance Formula Grants.

DEPARTMENT OF TRANSPORTATION

UNITED STATES COAST GUARD

20.001 BOATING SAFETY

FEDERAL AGENCY: U.S. COAST GUARD, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Public Law 85-911; 45 U.S.C. 527 - 527h. Federal Boat Safety Act of 1971; Public Law 92-75. Act of April 1940, as amended; 46 U.S.C. 526 - 516t.

OBJECTIVES: To improve safe operations and uses of water craft.

TYPES OF ASSISTANCE: Provision of Specialized Services; Dissemination of Technical Information; Training.

USES AND USE RESTRICTIONS: The Coast Guard Auxiliary presents to the public a variety of courses, from one to thirteen lessons, all concerned with safe boating. Courtesy Motorboat Examinations (CME), which are checks of a boat's safety-related equipment, are made with the owner's permission. Boats passing the CME are given a "Seal of Safety" decal indicating that at the time of the exam the boat met Federal regulations and safety-related equipment requirements of the State in which the exam was conducted and also satisfied Auxiliary requirements. If deficiencies are found, the owner is advised but no report is made to any law enforcement authority. In their own boats, Auxiliary members patrol marine regattas and parades and assist fellow boaters in distress. Since members are civilian volunteers, the thrust of their efforts coincides with the busiest boating period. Publications in boating safety and accident reporting are also available.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Any U.S. citizen, 17 years of age or older, is eligible to join the Auxiliary, provided he or she owns at least a 25 percent interest in a motor boat, yacht, aircraft, or amateur radio station, or has a special talent or skill useful in promoting boating safety.

Beneficiary Eligibility: Boating public.

Credentials/Documentation: None.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: None.

Application Procedure: Contact the local Coast Guard District Director of Auxiliary.

Award Procedure: None.

Deadlines: Not applicable.

Range of Approval/Disapproval Time: Not applicable.

Appeals: Not applicable.

Renewals: Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Not applicable.

Length and Time Phasing of Assistance: Not applicable.

POST ASSISTANCE REQUIREMENTS:

Reports: None.

Audits: None.

Records: None.

FINANCIAL INFORMATION:

Account Identification: 69-0201-0-1-403.

Obligations: FY 77 est \$4,600,000; FY 78 est \$4,600,000; and FY 79 est \$5,000,000.

Range and Average of Financial Assistance: Not applicable.

PROGRAM ACCOMPLISHMENTS: In calendar year 1977, there were 352,756 motorboat examinations, 582,331 public students enrolled in safe boating courses, and Auxiliarists participated in 4,043 regatta patrols and 34,740 safety patrols, 19,137 assistance missions, saving 932 lives, assisting 56,723 persons and saving

marine property valued at \$13,491,900 and assisting property valued at \$228,944,500.

REGULATIONS, GUIDELINES, AND LITERATURE: Program literature available.

INFORMATION CONTACTS:

Regional or Local Office: Coast Guard District Offices: Persons are encouraged to communicate with the director of Auxiliary in each district (see the appendix for a list of the addresses of the district offices).

Headquarters Office: Commandant (G-BAE-1), U.S. Coast Guard, Washington, DC 20590. Telephone: (202) 426-1077 (Use same 7-digit number for FTS). Contact: G.M. Chaskes.

RELATED PROGRAMS: 11.401, Nautical Charts and Related Data; 20.004, Boating Safety-Financial Assistance.

20.002 COAST GUARD COOPERATIVE MARINE SCIENCES PROGRAM

FEDERAL AGENCY: U.S. COAST GUARD, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Act of September 25, 1961; Public Law 87-396; 14 U.S.C. 92.

OBJECTIVES: To provide optimum utilization of specialized Coast Guard facilities in any area where cooperative efforts may enhance the national marine sciences effort.

TYPES OF ASSISTANCE: Use of Property, Facilities, and Equipment.

USES AND USE RESTRICTIONS: Space available accommodations of scientists, researchers and students on Coast Guard vessels, aircraft and stations. Joint planning of Coast Guard scientific programs with the programs of others. Accommodation of non-Coast Guard scientific projects on board Coast Guard Vessels and aircraft on a "not to interfere with primary mission" basis. Assignment of Coast Guard vessels and aircraft in support of non-Coast Guard scientific projects as a primary mission of that vessel or aircraft. The only restrictions are the availability of suitable ships and aircraft and the pertinence of the project to the national program.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Federal, State and local governmental agencies; academic institutions; nonprofit institutions; bonafide contractors of any of the aforementioned when the work requested is in support of such a contract.

Beneficiary Eligibility: Same as Applicant Eligibility.

Credentials/Documentation: Certification of status as student, teacher, or researcher.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: Informal pre-application conferences are recommended.

Application Procedure: A letter stating the assistance sought should be sent to Coast Guard Headquarters or to the operational commander of the unit or geographic area under consideration.

Award Procedure: Not applicable.

Deadlines: There are no deadlines, however, since operational schedules are concerned, early application is strongly encouraged. Operational units should be provided 30 to 45 days notice of cruise specifications which are generated in final form as a result of the planning and coordination processes.

Range of Approval/Disapproval Time: Ten to 30 days following receipt of request.

Appeals: Not applicable.

Renewals: Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Not applicable.

Length and Time Phasing of Assistance: Not applicable.

POST ASSISTANCE REQUIREMENTS:

Reports: Data obtained from Coast Guard vessels or aircraft while not public property, must nonetheless be considered in the public domain. Reports of the nature of the research, intended goals and actual accomplishments must be reported to the Coast Guard within 90 to 360 days following the cruise. The actual data are to be presented to the National Oceanographic Data Center or Smithsonian Oceanographic Sorting Center, as appropriate, within 90 to 360 days following cruise completion, and the results published in scientific press.

Audits: None.

Records: None.

FINANCIAL INFORMATION:

Account Identification: 69-0201-0-1-406.

Obligations: Not separately identifiable.

Range and Average of Financial Assistance: Not applicable.

PROGRAM ACCOMPLISHMENTS: In fiscal years 1977 and 1978, interest by various individuals for research and training assistance by the Coast Guard increased. However, Coast Guard Operations did not permit approval of many projects.

REGULATIONS, GUIDELINES, AND LITERATURE: Available in annual Coast Guard reports to the marine sciences community.

INFORMATION CONTACTS:

Regional or Local Office: Contact the operational commander of the unit or geographic area under consideration (see the appendix for a list of the addresses of district offices) or the headquarters office.

Headquarters Office: Ocean Operations Division, U.S. Coast Guard Headquarters, Washington, DC 20590. Telephone: (202) 426-1881. Contact: Commander M. J. Moynihan. (Use same 7-digit numbers for FTS.)

RELATED PROGRAMS: 11.417, Sea Grant Support.

20.004 BOATING SAFETY-FINANCIAL ASSISTANCE

FEDERAL AGENCY: U.S. COAST GUARD, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Federal Boat Safety Act of 1971; Public Law 92-75, Public Law 94-340, Public Law 94-531, Section 25-31; 46 U.S.C. 1474-1480.

OBJECTIVES: To encourage greater State participation and consistency in boating safety efforts, particularly in safety patrol and enforcement activities. To encourage certain national nonprofit public service organizations to undertake boating safety projects.

TYPES OF ASSISTANCE: Formula Grants; Project Grants.

USES AND USE RESTRICTIONS: Acquisition, maintenance and operating costs of facilities, equipment, and supplies; personnel salaries and reimbursable expenses; costs of training personnel; public boat safety education; costs of administering the program; and other expenses which the Secretary considers appropriate.

JOINT FUNDING: This program is considered suitable for joint funding with closely related Federal financial assistance programs in accordance with the provisions of OMB Circular No. A-111. For programs that are not identified as suitable for joint funding, the applicant may consult the headquarters or field office of the appropriate funding agency for further information on statutory or other restrictions involved.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: States (including Puerto Rico, Virgin Islands, Guam, American Samoa and the District of Columbia) may apply for the formula grants. No State may receive more than five percent of the total funds available. National nonprofit public service organizations may apply for project grants and may receive a combined total of up to five percent of the funds available. States must have a boating safety program as described in Public Law 92-75, Section 26 to be eligible for a full share of the funds.

Beneficiary Eligibility: Same as above.

Credentials/Documentation: Costs will be determined in accordance with FMC 74-4 for State and local governments. Governors (or

their designated plan review agencies) must be given an opportunity to review the State plan pursuant to Part III, Attachment A of OMB Circular No. A-95 (revised). The Federal cost principles contained in subpart 1-15.3 of the Federal Procurement Regulation shall be used in determining cost applicable to National nonprofit public service organization.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: States (including eligible territories and the District of Columbia) will be contacted by the Coast Guard. National nonprofit public service organizations interested in boating safety will be given public notice. Assistance in applying will be provided to any applicant.

Application Procedure: States apply on CG-4802; Nonprofit organizations on SF 424. After receiving applications, the Coast Guard (Office of Boating Safety) will prepare and mail agreement (CG-4804) to states for signature and return. Individual letters will be prepared for each grant to non-profit organizations. This program is subject to the provisions of OMB Circular No. A-110.

Award Procedure: Approved applicants receive an agreement (Form CG-4804) and approval notification. The agreement indicates the amount of the allocation and stipulates the terms and conditions of the grant. Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: None.

Range of Approval/Disapproval Time: 20 working days.

Appeals: Not applicable.

Renewals: Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: One-third of funds available to the states shall be divided equally among applying states; one-third shall be divided among applying eligible states based on the ratio of vessels numbered under approved State numbering systems; the remaining one-third shall be divided among applying eligible states based on the ratio of State funds spent for State boating safety programs in the previous fiscal year. No State may receive more than five percent of total available funds. The Federal share of funds expended on boating safety may not exceed 50 percent of total cost of State program. Funds remain available for use by a State three years following date of allocation. Not more than five percent of the appropriation may be allocated to nonprofit organizations. One and one-fourth of the appropriation may be expended for Federal audits.

Length and Time Phasing of Assistance: Not applicable.

POST ASSISTANCE REQUIREMENTS:

Reports: Financial Status Report and narrative performance report are required annually; Report of Federal Cash Transactions is required quarterly; additional progress reports may be required of nonprofit organizations.

Audits: Audits to be performed by State/territory at least once every two years. Audits will also be performed by the Federal Highway Administration or other Federal agency authorized by the U.S. Coast Guard.

Records: Usual State and nonprofit organizations accounting records must be kept for 3 years following submission of final financial report.

FINANCIAL INFORMATION:

Account Identification: 69-0246-0-1-403.

Obligations: (Grants) FY 77 \$6,474,000; FY 78 est \$5,790,000; and FY 79 est \$3,000,000.

Range and Average of Financial Assistance: States: \$33,000 to \$279,000; \$103,000. Organizations: \$6,000 to \$77,000; \$40,000.

PROGRAM ACCOMPLISHMENTS: For fiscal year 1977, grants were made to 51 states (including the territories and District of Columbia), and seven non-profit organizations.

REGULATIONS, GUIDELINES, AND LITERATURE: United States Coast Guard Boating Safety Financial Assistance Program Policy and Procedural Guide (CG-430); Office of Boating Safety In-

struction 7000.1, "Boating Safety Assistance for National Non-profit Public Service Organization, Administration of".

INFORMATION CONTACTS:

Regional or Local Office: District Offices: Persons are encouraged to communicate with the Chief, Boating Safety Division in each district (see the appendix for a list of addresses of the district offices).

Headquarters Office: State-Commandant (G-BLC-1), U.S. Coast Guard, Washington, DC 20590. Telephone: (202) 426- 1060 (Use same 7-digit number for FTS). Contact: Doris Hodge. Non-profit organization-Commandant (G-BP-1) U.S. Coast Guard, Washington, DC 20590 Telephone: (202) 426-1052 (Use same 7-digit number for FTS). Contact: A.L. Hakes.

RELATED PROGRAMS: 20.001, Boating Safety.

FEDERAL AVIATION ADMINISTRATION

20.100 AVIATION EDUCATION

FEDERAL AGENCY: FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Federal Aviation Act; Public Law 85-726; 49 U.S.C. 1301-1542. Department of Transportation Act; Public Law 89-670; 49 U.S.C. 1651-1659; Public Law 94-353.

OBJECTIVES: To provide elements of aviation education at the kindergarten through university levels.

TYPES OF ASSISTANCE: Advisory Services and Counseling; Dissemination of Technical Information.

USES AND USE RESTRICTIONS: Relevant aviation education material and information of an educational nature for educators is provided. Assistance includes professional consultation and Sample Programs for aviation and aerospace education. Upon request, FAA will evaluate proposed programs from an aviation education view prior to submission to some other agency for grant. Those receiving consultation help are requested but not required to provide copies of aviation educational materials developed so they may be shared with other educators.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: Any educator at any level (local, county, regional, State, Federal, or international) or any citizen interested in furthering aviation education in their community may apply.

Beneficiary Eligibility: Same as Applicant Eligibility.

Credentials/Documentation: None.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: None.

Application Procedure: Applications take the form of a written or verbal request for aviation educational materials or counseling to any FAA facility, area, regional office, or Washington headquarters.

Award Procedure: None.

Deadlines: None.

Range of Approval/Disapproval Time: Not applicable.

Appeals: Not applicable.

Renewals: Not applicable.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Not applicable.

Length and Time Phasing of Assistance: Not applicable.

POST ASSISTANCE REQUIREMENTS:

Reports: None.

Audits: None.

Records: None.

FINANCIAL INFORMATION:

Account Identification: 69-1301-0-1-465.

Obligations: (Salaries and expenses) FY 77 \$160,800; FY 78 est \$165,000; and FY 79 est \$175,000.

Range and Average of Financial Assistance: Not applicable.

PROGRAM ACCOMPLISHMENTS: In fiscal year 1977 the Aviation Education Division contributed the scholar in residence to the Aerospace Education Leadership Development Course at the Air University sponsored by the Civil Air Patrol. During this conference, 51 aerospace spokesmen developed a personnel plan of aviation education and aerospace study progressive which was reviewed by the scholar in residence. Follow up will be accomplished where possible.

REGULATIONS, GUIDELINES, AND LITERATURE: None.

INFORMATION CONTACTS:

Regional or Local Office: Contact the Aviation Information Distribution Program person at your FAA regional office as listed in the Appendix.

Headquarters Office: Aviation Education Programs Division, AGA-300 Federal Aviation Administration, U.S. Department of Transportation, Washington, DC 20591. Telephone: (202) 426-3711.

RELATED PROGRAMS: 43.001, Aerospace Education Services Project.

20.102 AIRPORT DEVELOPMENT AID PROGRAM

(ADAP)

FEDERAL AGENCY: FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Airport and Airway Development Act of 1970; Public Law 91-258, 49 U.S.C. 1701, as amended by Public Law 92-174, Public Law 93-44, and Public Law 94-353.

OBJECTIVES: To assist public agencies in the development of a nationwide system of public airports adequate to meet the needs of civil aeronautics.

TYPES OF ASSISTANCE: Project Grants; Advisory Services and Counseling.

USES AND USE RESTRICTIONS: Grants can be made for constructing, improving, or repairing a public airport or portion thereof consisting of: (1) land acquisition, (2) site preparation, (3) construction, alteration, and repair of runways, taxiways, aprons, and roads within airport boundaries, (4) construction and installation of lighting utilities, navigational aids, and certain offsite work and (5) safety equipment required for certification of airport facility, and (6) security equipment required of the sponsor by the Secretary of Transportation by rule or regulation for the safety and security of persons and property on the airport and (7) snow removal equipment, and (8) noise suppressing equipment, construction of physical barriers, landscaping and land acquisition for noise compatibility, and (9) terminal development. Grants may not be made for the construction of hangars, parking areas for automobiles, or for buildings not related to the safety of persons on the airport. Technical advisory services are also provided.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: State, county, municipal, and other public agencies including an Indian tribe or Pueblo are eligible for airport development grants if their airport on which the development is required is listed in the National Airport System Plan.

Beneficiary Eligibility: Same as Applicant Eligibility.

Credentials/Documentation: Sponsors must submit information establishing financial capability and legal authority to accomplish the project and to operate the airport. Costs will be determined in accordance with FMC 74-4 for State and local governments.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: Preapplication conference recommended but not required. Consultation and assistance available at FAA District and Regional Offices. Applications should be reviewed under the provisions of National Environmental Policy Act of 1969, 83 Stat. 852; Sec. 4(f) of the Department of Transportation Act 49 U.S.C. 1653; and Federal Aviation Regulations, 14 CFR, Part 152, environmental impact assessment report needed for some projects. The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. Applications are subject to State and areawide clearinghouses review pursuant to procedures in Part I, Attachment A of OMB Circular No. A-95 (revised).

Application Procedure: Preapplication for Federal Assistance, SF 424, Part I (facesheet) and remaining parts of FAA Form 5100-30 is filed with District Office, reviewed by Regional Office and/or Washington Office for program approval, as appropriate. Level of approval is dependent on the type of airport and amount of FAA monies requested. No State plan is required.

Award Procedure: Upon program approval, applicant submits project application, SF 424, Part I (facesheet) and remaining parts of FAA Form 5100-100 to District Office. Reviewed and forwarded to region. Either the District or Regional Office prepares Grant

Offer, FAA Form 5100-13 for execution by FAA and applicant. Notification of award must be made to the designated State Central Information Reception Agency, and the State Clearinghouse in accordance with Treasury Circular 1082.

Deadlines: None.

Range of Approval/Disapproval Time: 90 days; projects with environmental impact about 6 to 10 months.

Appeals: Not applicable.

Renewals: None.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: Federal Government share of allowable costs of airport development project may not exceed: 75 percent for an air carrier airport (other than a commuter service airport) which enplanes one-quarter of one percent or more of all passengers enplaned at all such airports, 90 percent for all other airports, i.e., general aviation airports, reliever airports, and commuter service airports, and air carrier airports which enplane less than one-quarter of one percent of such passengers. This 90 percent Federal participation is for FY 76 and transitional quarter funds, and for FY 77 and 78 funds; this amount is reduced to 80 percent for such airports for FY 79 and FY 80. The Federal share for terminal development projects at air carrier airports may be funded only from the airport's enplanement apportionment and no more than 60 percent of such apportionment for any fiscal year may be obligated for such projects. The Federal share of terminal development projects shall be 50 percent.

Length and Time Phasing of Assistance: No set period of time. Assistance is released upon application for progress payments as needed.

POST ASSISTANCE REQUIREMENTS:

Reports: During the project, the sponsor monitors performance to assure that time schedules are being met. A quarterly report, in this regard, is forwarded to FAA.

Audits: Present procedures provide that an FAA audit be made upon project completion to determine allowable project costs.

Records: Sponsors' records are required to be made available for inspection by FAA and General Accounting Office. Layout plan of the airport must be kept up to date and available as long as his agreement lasts, ordinarily a period of 20 years. Accounting records reflecting all project costs, books, documents, and records pertinent to grants received under ADAP retained for three years after date of submission of final expenditure report.

FINANCIAL INFORMATION:

Account Identification: 69-8106-0-7-405.

Obligations: (Grants) FY 77 \$506,300,000; FY 78 est \$540,000,000; and FY 79 est \$575,000,000.

Range and Average of Financial Assistance: \$2,580 to \$15,628,171; \$533,000.

PROGRAM ACCOMPLISHMENTS: In fiscal year 1977, 757 grant agreements were executed. Estimates for fiscal year 1978 and 1979 are 830 and 885 grant agreements, respectively.

REGULATIONS, GUIDELINES, AND LITERATURE: Part 152, Federal Aviation Regulations, 14 CFR Part 152.

INFORMATION CONTACTS:

Regional or Local Office: Persons are encouraged to contact the Federal Aviation Administration Regional, or District Offices; see appendix for addresses.

Headquarters Office: Development Programs Division, AAP-600, Federal Aviation Administration, Office of Airports Programs, 800 Independence Avenue, S.W., Washington, DC 20591. Telephone: (202) 426-3831.

RELATED PROGRAMS: 20.103, Airport Planning Grant Program; 39.002, Disposal of Federal Surplus Real Property; 39.003, Donation of Federal Surplus Personal Property.

20.103 AIRPORT PLANNING GRANT PROGRAM

(PGP)

FEDERAL AGENCY: FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

AUTHORIZATION: Airport and Airway Development Act of 1970; Public Law 91-258; 49 U.S.C. 1713, and the Airport and Airway Development Act Amendments of 1976; Public Law 94-353.

OBJECTIVES: To assist public agencies in the planning of a nationwide system of public airports adequate to meet the needs of civil aviation.

TYPES OF ASSISTANCE: Project Grants.

USES AND USE RESTRICTIONS: Planning grants can be made for: (1) development of airport master plans, (2) development of airport system plans. No more than 10 percent of the funds made available in any fiscal year may be allocated for projects within a single State, or territory. **JOINT FUNDING:** This program is considered suitable for joint funding with closely related Federal financial assistance programs in accordance with the provisions of OMB Circular No. A-111. For programs that are not identified as suitable for joint funding, the applicant may consult the headquarters or field office of the appropriate funding agency for further information on statutory or other restrictions involved.

ELIGIBILITY REQUIREMENTS:

Applicant Eligibility: State, county, municipal, and other public agencies are eligible for development of airport master plans if their airport or location is shown in the National Airport System Plan. Planning agencies must be designated by the Administrator, and also be authorized by the laws of the states or political subdivisions concerned to engage in areawide planning.

Beneficiary Eligibility: Same as Applicant Eligibility.

Credentials/Documentation: Costs will be determined in accordance with FMC 74-4 for State and local governments only.

APPLICATION AND AWARD PROCESS:

Preapplication Coordination: Applications are subject to State and areawide clearinghouses review pursuant to procedures in Part I, Attachment A of OMB Circular No. A-95 (revised). The standard application forms as furnished by the Federal agency and required by OMB Circular No. A-102 must be used for this program. Informal preapplication conference with FAA field office is recommended.

Application Procedure: For Master and System Plans, SF 424 and Parts II thru V of FAA Form 5100-101, Application for Federal Assistance (Nonconstruction programs) must be submitted to FAA Field Offices.

Award Procedure: Master plan grant applications are submitted to airport district offices. Upon approval grant offers are made by airport district offices. System plan grant applications are submitted to FAA Field offices and upon approval grant offers are made by FAA Field offices. Notification of awards must be made to the designated State Central Information Reception Agency in accordance with Treasury Circular 1082.

Deadlines: None.

Range of Approval/Disapproval Time: 90 days.

Appeals: Not applicable.

Renewals: None.

ASSISTANCE CONSIDERATIONS:

Formula and Matching Requirements: The Federal government provides 75 percent of the cost of airport system plans. The Federal participation rate in the cost of airport master plans is 90 percent for general aviation airports and varies from 75 to 90 percent for air carrier airports depending upon the number of passengers enplaned. The participation rate in master plans may be higher in public land states. (Note: The 90 percent Federal participation rate in airport master plans will be reduced to 80 percent in FY 1979).

Length and Time Phasing of Assistance: Not applicable.

POST ASSISTANCE REQUIREMENTS:

Reports: Report of Federal cash transactions, FAA Form 5100-62; Financial status report, FAA Form 5100-63; and project status reports are required per Attachments "H" and "I" of OMB Circular No. A-102. Project status reports must be submitted quarterly.

Audits: An FAA audit is made when the project is completed to determine eligibility of planning costs.

Records: Sponsor's records are required to be made available for inspection by FAA and General Accounting Office. Records pertinent to grants under PGP should be retained for 3 years after date of submission of final financial status report.

FINANCIAL INFORMATION:

Account Identification: 69-8106-0-7-405.

Obligations: (Grants) FY 77 \$12,193,597; FY 78 est \$14,000,000; and FY 79 est \$15,000,000.

Range and Average of Financial Assistance: For the system plan: \$22,500 to \$169,000; \$100,000. For the master plan: \$6,426 to \$687,155; Aircarrier: \$61,000. General Aviation: \$17,000.

PROGRAM ACCOMPLISHMENTS: In fiscal year 1977, 205 grants were awarded. It is estimated that 230 grants will be awarded in fiscal year 1978, and 250 grants in fiscal year 1979.

REGULATIONS, GUIDELINES, AND LITERATURE: 14 CFR 152.

INFORMATION CONTACTS:

Regional or Local Office: Persons are encouraged to contact the Federal Aviation Administration Region, or District Offices; see appendix for a list of the addresses.

Headquarters Office: Planning Grant Branch AAP-440, Federal Aviation Administration, Office of Airports Programs, 800 Independence Avenue, S.W., Washington, DC 20591. Telephone: (202) 426-8434.

RELATED PROGRAMS: 20.102, Airport Development Aid Program.

APPENDIX B
PERSONS CONTACTED

Railroad Safety

1. Grant-In-Aid for Railroad Safety - State Participation
Gene O. Cox - State Safety Program Manager, FRA
Tom Barbour - Office of General Counsel, FRA
Richard Wade - Director, Division of Railroad Regulation,
Virginia State Corporation Commission
Ray Peterson - Chief Railroad Inspector, Illinois State
Commerce Commission
2. Railroad Research & Development
Leavitt A. Peterson - Director, Office of Rail Safety
Research, FRA
Mike Sherfy - Iowa Department of Transportation
3. Regulation of Hazardous Materials
Douglas Crockett - Office of General Counsel, Office of
Hazardous Materials Operations
George Hardy - Director, Railroad Division, Oregon
Public Utility Commission
4. Alternative Sources of Funding
Dr. Planek - Research Director, National Safety Council
Charles Taylor - Research Division, Association of
American Railroads
Otto Sonefeld - Atchison, Topeka and Santa Fe Railray
Company

Mass Transportation Safety

Peter Behrman - Planning Representative, UMTA

Sonia Brown - UMTA Regional Office, Philadelphia, Pa.

William J. Rhine - Director, Office of Safety and Product
Qualification, UMTA

Judy Z. Meade - University Grant Specialist, University
Research and Training Division, UMTA

Dave Berg - Principal Transportation Planning Engineer,
Virginia Department of Highways and Transportation

Boating Safety

Commander Casper - United States Coast Guard Headquarters

Frank Monfalcone - Assistant Administrative Officer,
Virginia Game and Inland Fisheries Commission

Aviation Safety

William Whittle - Chief, Washington Airports District Office,
FAA

George Briskey - Acting Chief, Planning Staff, FAA Eastern
Regional Office

P. G. Helton - Education and Licensing Section Supervisor,
Division of Aeronautics, Virginia State
Corporation Commission

APPENDIX C

STATE REGULATION OF RAILROAD SAFETY

A. Grants-In-Aid for Railroad Safety - State Participation:

Background Information and Current Issues

State participation in the enforcement of federal rail safety standards is quite limited. The FRA can authorize participation in the enforcement of only those regulations promulgated after the Federal Rail Safety Act of 1970. It has proposed amendments to the pre-1970 safety laws (e.g., Hours of Service Act, Railroad Safety Appliances Act) to authorize state participation in their enforcement, but Congress disapproved the amendments. The FRA has since withdrawn its support from those proposals because it feels the states cannot competently handle the increased responsibility.

This program permits certified states to conduct investigative and surveillance activities in connection with the track and equipment standards promulgated since the passage of the FRSA. The FRA anticipates the expansion of the program to include participation in the enforcement of federal operating practice regulations within the next year.

Participation is limited to inspections for defects in track and equipment. Enforcement authority in the form of civil penalties and requests for injunctive relief lies solely with the Federal Railroad Administrator, unless he fails to act within 90 days. At the request of the National Association of Regulatory Utility Commissioners, Congressman Rooney of Pennsylvania introduced to the Congress HR 8361, which would amend the Safety Act to endow a state participant with the authority to request injunctive relief. This proposal has been removed in committee from the Federal Railroad Safety Authorization Act of 1978 which will be presented to the House of Representatives this fall, but may be proposed as an amendment when the bill is on the floor. It is strongly opposed by the railroads and the FRA, who claim it will undermine the uniformity of railroad regulation which the FRSA sought to establish.

Another area of contention is the follow-up to the inspections. Essentially, the current inspecting procedure simply notifies the railroad of a track or equipment defect. The FRA recently denied a rule-making petition by the State of Oregon proposing the amendment of the Track and Equipment Safety Standards to require reports of corrective action by the railroads of defects discovered by safety inspectors. The justification for the denial focuses

largely on the administrative burden of the increased paperwork and the reinspections necessary to verify the corrective action. The FRA prefers to rely on spot reinspections and fines for uncorrected defects as incentive for (and as a means to detect) corrective action.

There is some discontent on the part of some states over the qualifications required by the FRA for state inspectors. Those requirements are essentially the same as those for federal inspectors in the area of track inspection. The state freight car inspector needs less experience because his federal counterpart also enforces other safety regulations. States have argued that the requirements are too strict — they cannot find qualified people or pay them enough. The FRA contends that a high level of expertise is necessary for the program to work effectively. It does not have the authority to dictate the salaries of the state inspectors, who are state employees. The program manager in the FRA says that the states are becoming more willing to pay their inspectors salaries commensurate with the required qualifications, but there is still a steady flow of complaints about their stringency.

B. The Roles of Federal and State Government in Railroad Safety

Prior to the Federal Railroad Safety Act of 1970, the regulatory authority of the federal government was limited to those safety areas specified by Acts of Congress. By 1970, the FRA had obtained authority to issue and enforce railroad safety standards with respect to (1) hours of service of railroad employees; (2) locomotive safety; (3) railroad safety appliances; (4) power brakes and drawbars; (5) signal systems; and (6) railroad accident reporting. In 1968 a Rail Safety Task Force appointed by the Secretary of Transportation concluded that train accidents could be traced to defects and failures in track, defects and failures in equipment, and human error. It also concluded that federal rail safety regulations did not provide the comprehensive standards necessary to ensure railroad safety. Based upon the recommendations of the Task Force and testimony received during Congressional hearings, Congress enacted the FRSA granting to the Secretary of Transportation general railroad safety jurisdiction to prescribe rules, regulations, orders, and standards for all areas of railroad safety. This authority has been delegated to the FRA under Title 49 of the Code of Federal Regulations.

According to Section 205 of the FRSA, the states may issue and enforce railroad safety regulations in two instances. First, a state may continue to regulate until the federal government acts to regulate in the same subject area, in which case the authority in that area is preempted. Secondly, a state may adopt or continue in force any law or regulation necessary to eliminate or reduce an essentially local safety hazard, if the regulation is not incompatible with any federal standard and does not create an undue burden on interstate commerce.

It is not very clear when the federal government can be said to have acted in the same subject area within the meaning of the Act. It is also difficult to accurately predict when a law or regulation is sufficiently "local" to avoid preemption. However, the latest treatment of these issues by a federal court offers a greater degree of certainty and has influenced the attitudes of the FRA personnel and state regulatory officials contacted in connection with this report. In NARUC v. Coleman, 542 F2nd 11 (1976), the Third Circuit Court of Appeals determined that monthly accident report requirements promulgated in 1974 by the FRA preempted the states from prescribing their own accident reporting requirements. The court emphasized the significance of the policy statement in Section 205 of the FRSA: "The Congress declares that laws, rules, regulations, orders, and standards relating to railroad safety shall be nationally uniform to the extent practicable." The court also limited the definition of a local safety hazard to "situations not statewide in character and not capable of being adequately encompassed within uniform national standards." Essentially, this means that a more stringent state requirement is permissible only to combat a safety hazard caused by a geographical peculiarity.

This latest statement on these issues reflects a preference, at least in the federal court system, for a uniformity of regulation which serves to narrow the range of state authority in the field of railroad safety.

The Commerce Clause of Article I, Section 8 of the Constitution further limits state authority in this area. Even in the absence of a federal regulation covering the same subject matter, a state regulation can be invalidated if it unduly impedes the free flow of interstate commerce. The analysis here balances the state's interest in protecting the public health and safety against the federal interest in the free flow of commerce and the uniformity of railroad regulation. Factors which are considered include the extent to which the regulation enhances public safety, the increased cost to the railroad, and the disruptive effect on the movement of trains across state lines.

The significance of the Commerce Clause limitation on state authority, however, diminishes as the FRA exercises the comprehensive rule-making authority granted by the FRSA.

Since the states' authority to issue rail safety regulations is narrowly limited, it is important to note the means by which federal rule making can be influenced. Generally, a state must resort to lobbying to attempt to effect a desired change. However, the FRA is conducting a series of five 2-day public hearings to obtain information "to assist in evaluating and improving the effectiveness" of its safety regulatory program. Each hearing focuses on a specific area, e.g., power brakes regulations, and the information gathered will be used to determine whether existing regulations ought to be expanded or revoked to reflect changed conditions. Unfortunately, public hearings such as these are not regularly scheduled, and are not likely to be held again "for a few years," according to Rolf Mowatt-Larsen, FRA coordinator of the current series.

George Hardy, Director of the Railroad Division of the Oregon Public Utility Commission, was skeptical about the practical significance of these hearings. He and others met with the FRA in 1976 to discuss and recommend additions to the track inspection standards. Those recommendations are still being reviewed.

C. The Role of the State in the Regulation of the Transportation of Hazardous Material by Rail

Regulations pertaining to hazardous materials transportation are promulgated under the authority of the Hazardous Materials Transportation Act of 1974. There are two significant differences between these regulations and safety regulations issued under the FRSA. First, the Hazardous Materials Transportation Act permits states, political subdivisions, and persons affected to seek administrative rulings as to the consistency of any particular state or local requirement with the federal regulations. Any inconsistent requirement is preempted unless the Secretary determines that it affords an equal or greater level of protection to the public than the federal requirements, and does not unreasonably burden commerce. Secondly, the Office of Hazardous Materials Operations has the authority under the Act to waive the preemption of an inconsistent state or local requirement.

The inconsistency determination basically hinges on two factors: whether compliance with both federal and state or local requirements is possible, and the extent to which the state or local requirement is an obstacle to the execution of the Act.

Only one application for an inconsistency ruling has reached fruition; this upheld a New York City ordinance which effectively banned the transportation of radioactive material through New York City. However, a prior statute and the fact that the challenge was brought by a trucking firm complicate that case and limit its predictive value. According to Doug Crockett in the Office of General Counsel for the Office of Hazardous Materials Operations, the body of case law which will be developed and the rules which will be promulgated will eventually define more clearly the scope of permissible state regulation in this area.

The waiver of preemption proceeding available under the Hazardous Materials Transportation Act effectively permits the Director of the Office of Hazardous Materials Operations to change the law in a particular jurisdiction. Presumably a state need not demonstrate that the regulation alleviates a "local" safety hazard not capable of being encompassed within uniform national standards, as is necessary in order to avoid preemption under the FRSA. However, what seems to be a broad range discretion in this area is limited by a clear legislative history favoring federal preemption in order to preclude a multiplicity of state and local regulations (Senate Report 93-1191, 93 Cong. 2nd Sess.). There have been no applications for a waiver of preemption of an inconsistent state or local regulation.

There has been very little regulatory activity by states and their political subdivisions in the area of railroad transportation of hazardous materials. This reflects the belief held by officials in several states that the 1970 and 1974 Acts preclude independent activity in this area. More than half of the states have adopted by reference the federal hazardous materials regulations in 49 CFR 171-77.

Oregon is one of the few states active in this area, and its experience exemplifies the approach a state must assume if it desires to independently regulate railroads. In 1975, the Oregon legislature enacted legislation proposed by the Oregon Public Utility Commission which imposed a comprehensive set of regulations upon rail carriers of hazardous materials within the state. Many of the requirements were quite stringent and burdensome on the railroads. Realizing that the regulations would not withstand the challenge of the railroads under the Hazardous Materials Transportation Act and the FRSA, the legislature amended the statute in 1977 before it was ever enforced. The revised statute, ORS 761.370 et. seq., authorizes the Public Utility Commissioner to designate hazardous materials and reporting requirements applicable to railroads moving those materials into or within the state. Proposed rules executing this section of the

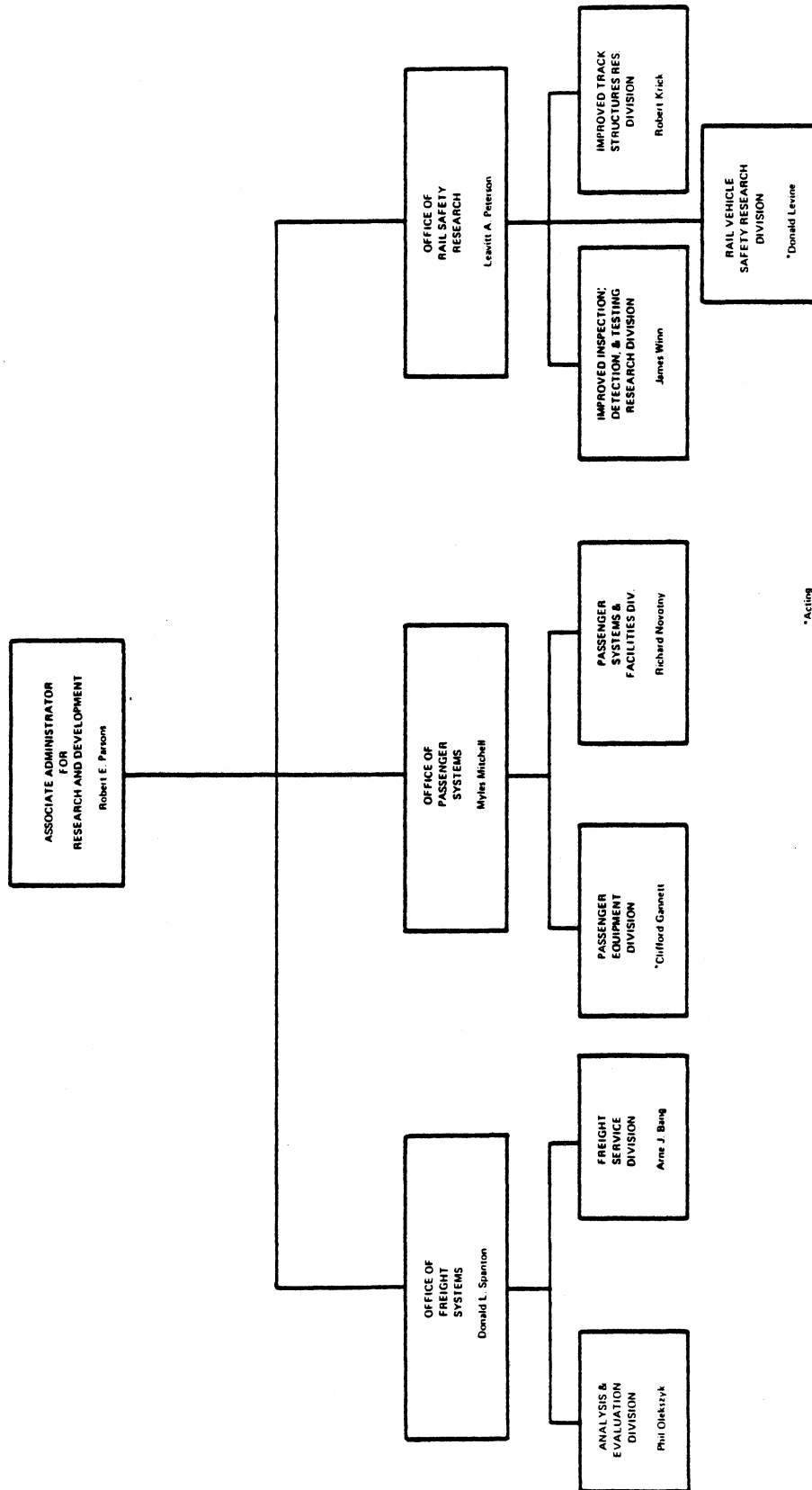
statute were expected to be published in September of 1978. The self-executing provisions of the statute already require (1) notification of the Emergency Services Division of reportable incidents and fires; (2) specified radio equipment, and (3) visual inspections on cars standing in rail yards for more than 2 hours.

The significant difference between the old Oregon legislation and the new amendments is that the latter have been drafted with the cooperation of the railroads. George Hardy, director of the Railroad Division of the Oregon Public Utility Commission, met with representatives from the industry and the legislature and reached agreement, at least in principle, with some of the proposed requirements.

All of those concerned who were contacted in connection with this report — in the FRA, the Office of Hazardous Materials Operations, and the state regulatory commissions — agreed that the best, if not the only, way for a state to independently regulate railroads is with the cooperation of the industry. If a regulation does not create great hardship or expense and enhances railroad safety it may well be beneficial to the railroads, and may be accepted by them despite being preempted by or inconsistent with a federal regulation.

THE FRA OFFICE OF RAIL SAFETY RESEARCH

OFFICE OF RESEARCH AND DEVELOPMENT



*Acting

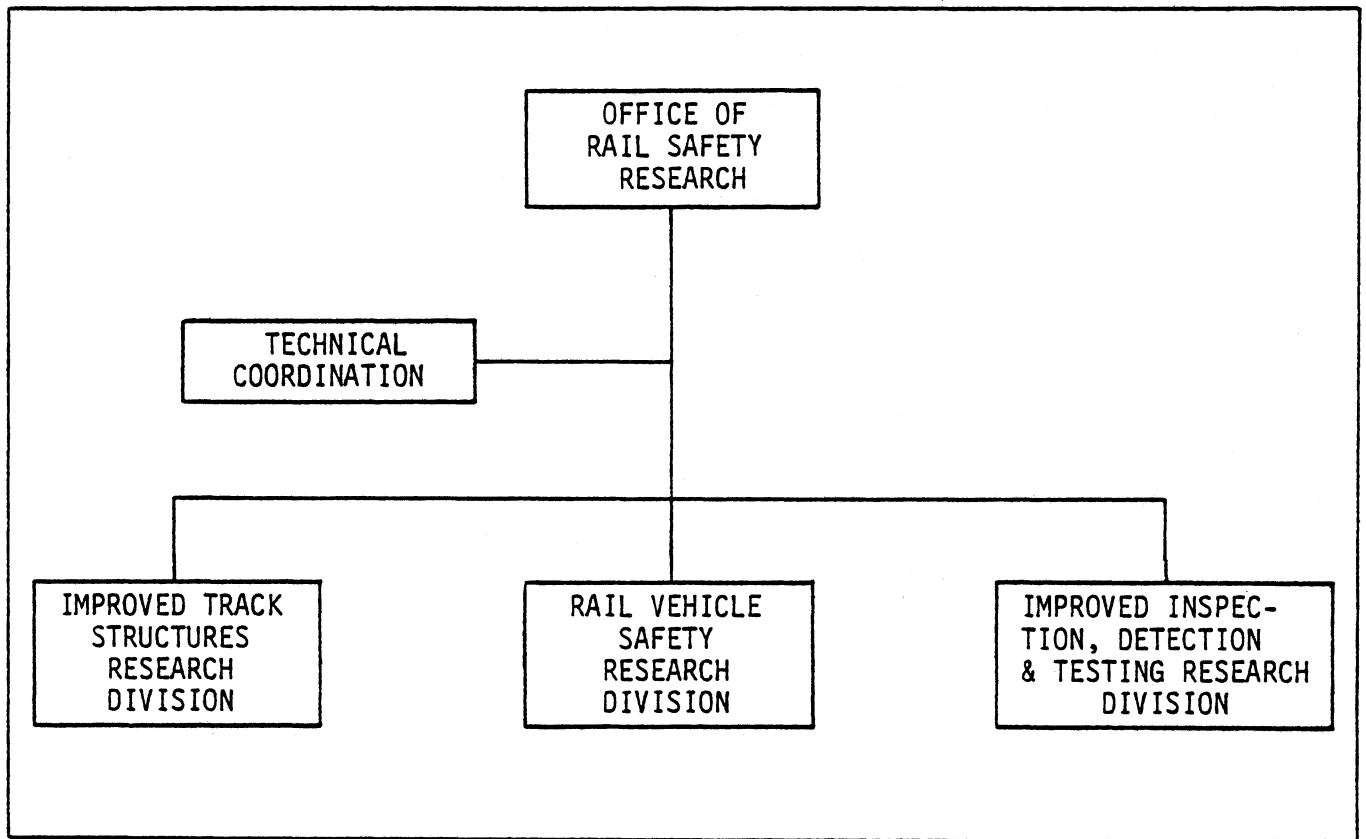


FIGURE 2

In the summer of 1975, the FRA made another positive commitment to give dedicated emphasis to improve railroad safety when the Office of Rail Safety Research (ORSR) was established. Prior to that time, safety research activity was one of the responsibilities of the Rail Systems Division of the Office of Research and Development. ORSR responsibilities are divided into three groups, the Improved Track Structures Research Division, the Rail Vehicle Safety Research Division, and the Improved Inspection Detection and Testing Research Division. Currently the organization consists of 13 professionals and four secretaries with a minimal level of about six engineers for the greater portion of the past periods.

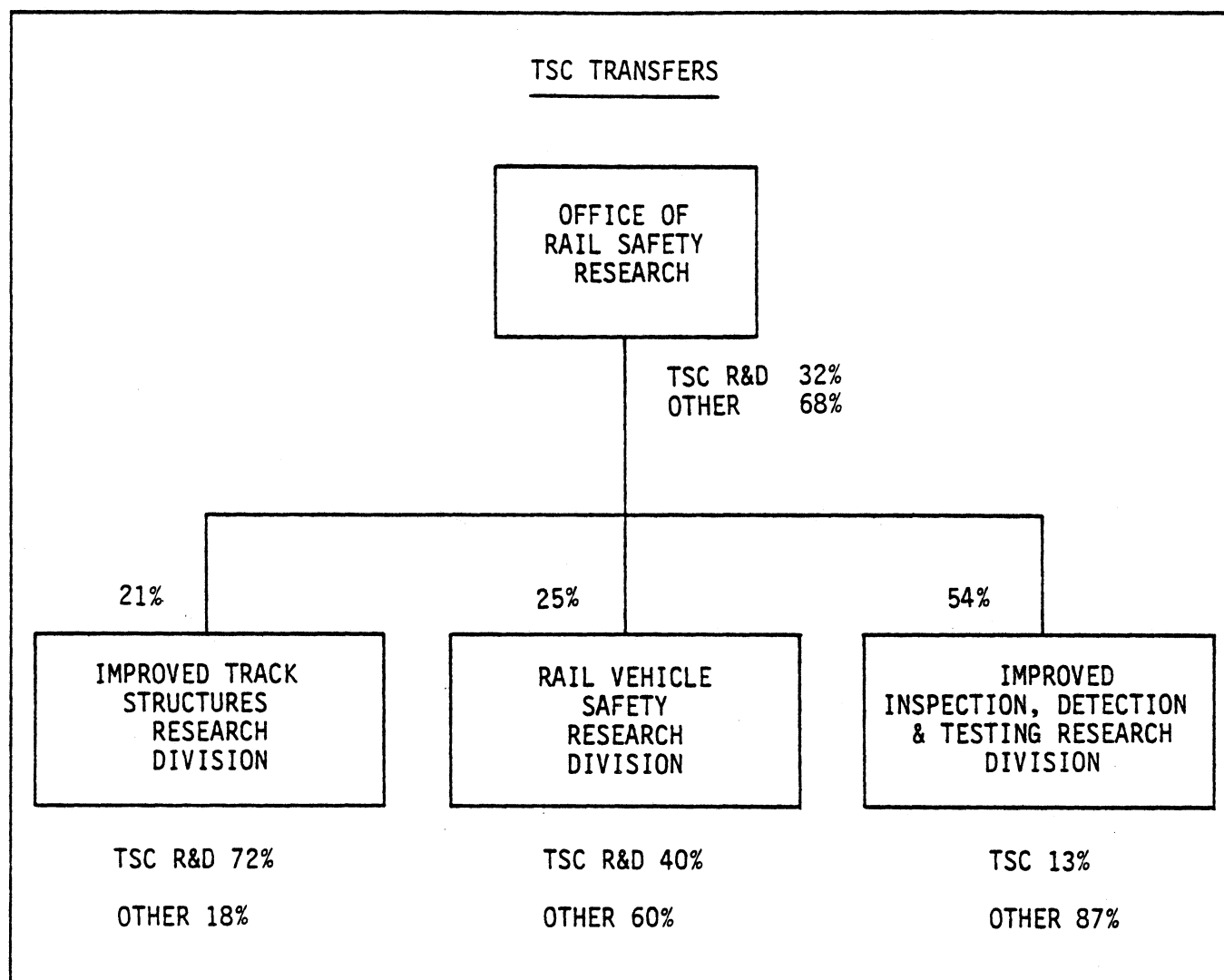


FIGURE 3

The ORSR is not organized to accomplish technical work itself. Its functions include planning, budgeting, program control, and implementation of results. Based on FY 76 operational funds and plans, the distribution of work is 21% in Improved Track Structures Research, 25% in Rail Vehicle Safety Research, and 54% in Improved Inspection, Detection and Testing Research. The Office must rely upon the Transportation Systems Center at Cambridge, Massachusetts and other outside contractors for technical accomplishments. ORSR provides TSC with planning, budgeting, program control and implementation procedures necessary for successful project completion. TSC is our largest single contractor with approximately 32% of the FY 76 office budget obligated to TSC (although the portion in each division's responsibilities varies greatly).

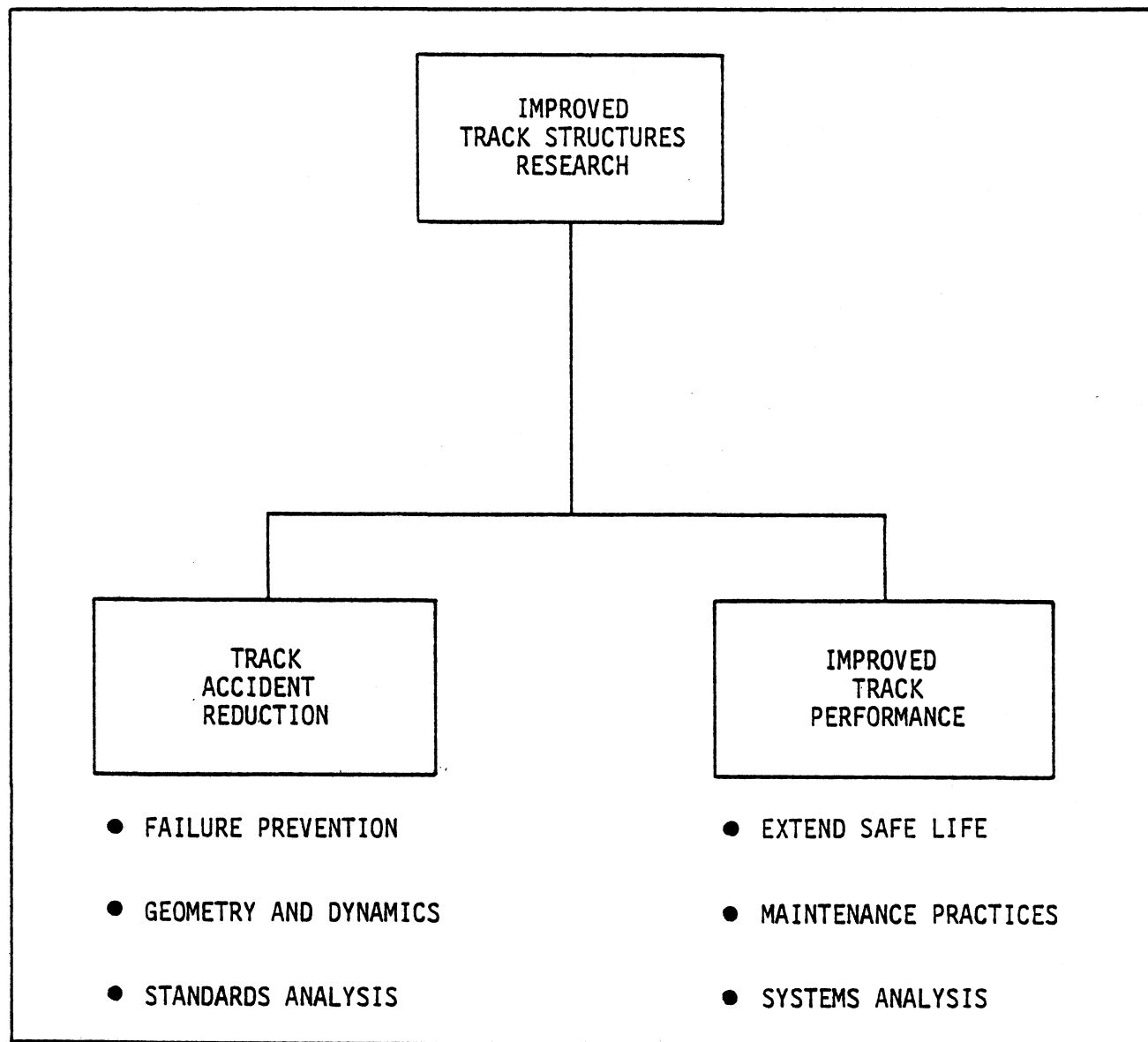


FIGURE 16

The Improved Track Structures Research Division has two separate programs, one is oriented towards reducing track-related accidents on existing structures, while the other aims at improving the performance of track systems by increasing its life and/or developing better maintenance practices. In this respect, on-going work recognizes the existence of 300,000 miles of mainline track and the realization that the U.S.A. cannot depend primarily on the installation of new track to reduce accidents in the next few years.

IMPROVED TRACK STRUCTURES RESEARCH DIVISION

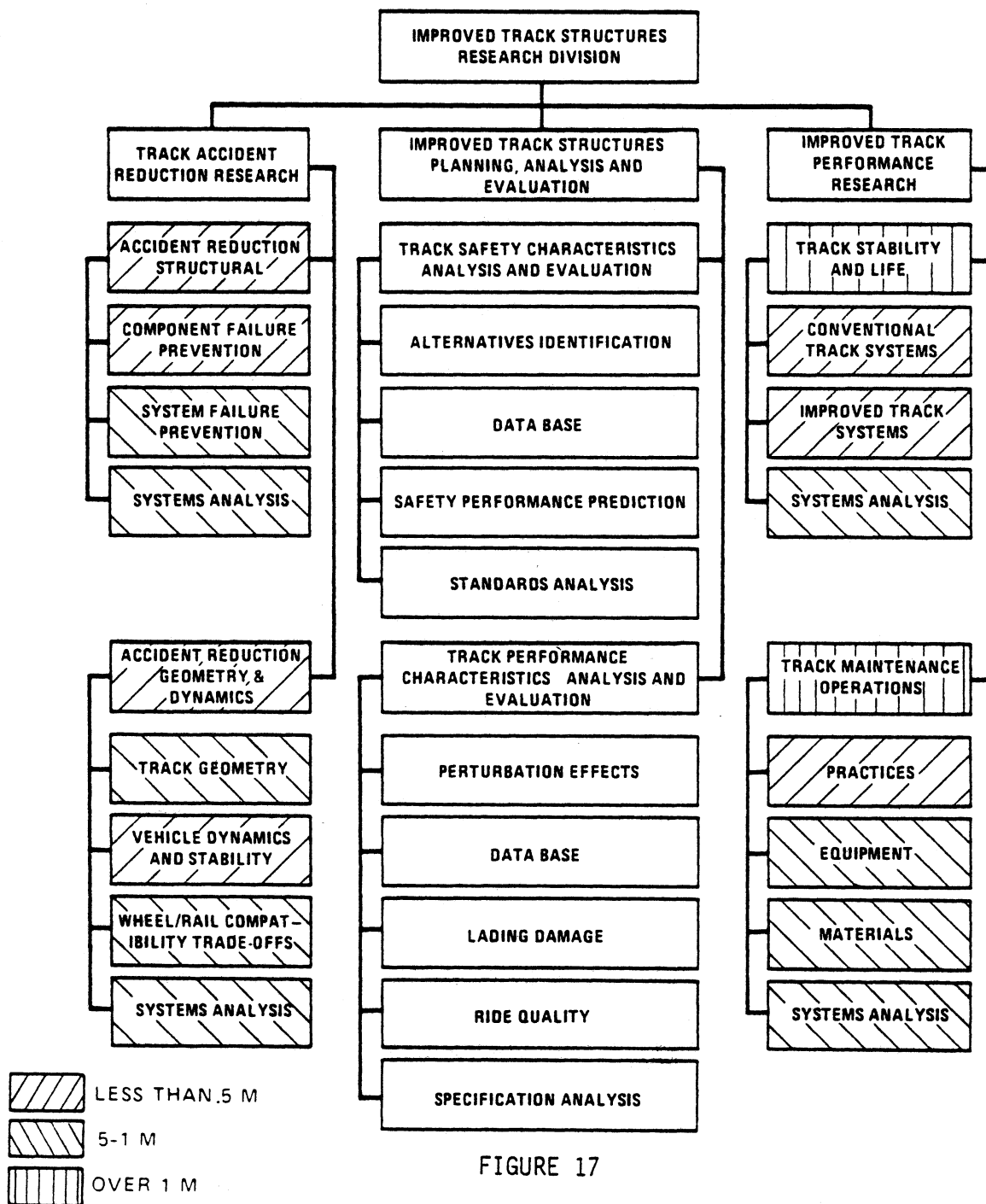


FIGURE 17

This is a detail of the functions assigned to the Improved Track Structures Research Division together with present research priorities. As before, OVER 1M represents high dollar priority areas, .5-1M moderate amount of activity, and LESS THAN .5M reflects future projects on lower activity areas.

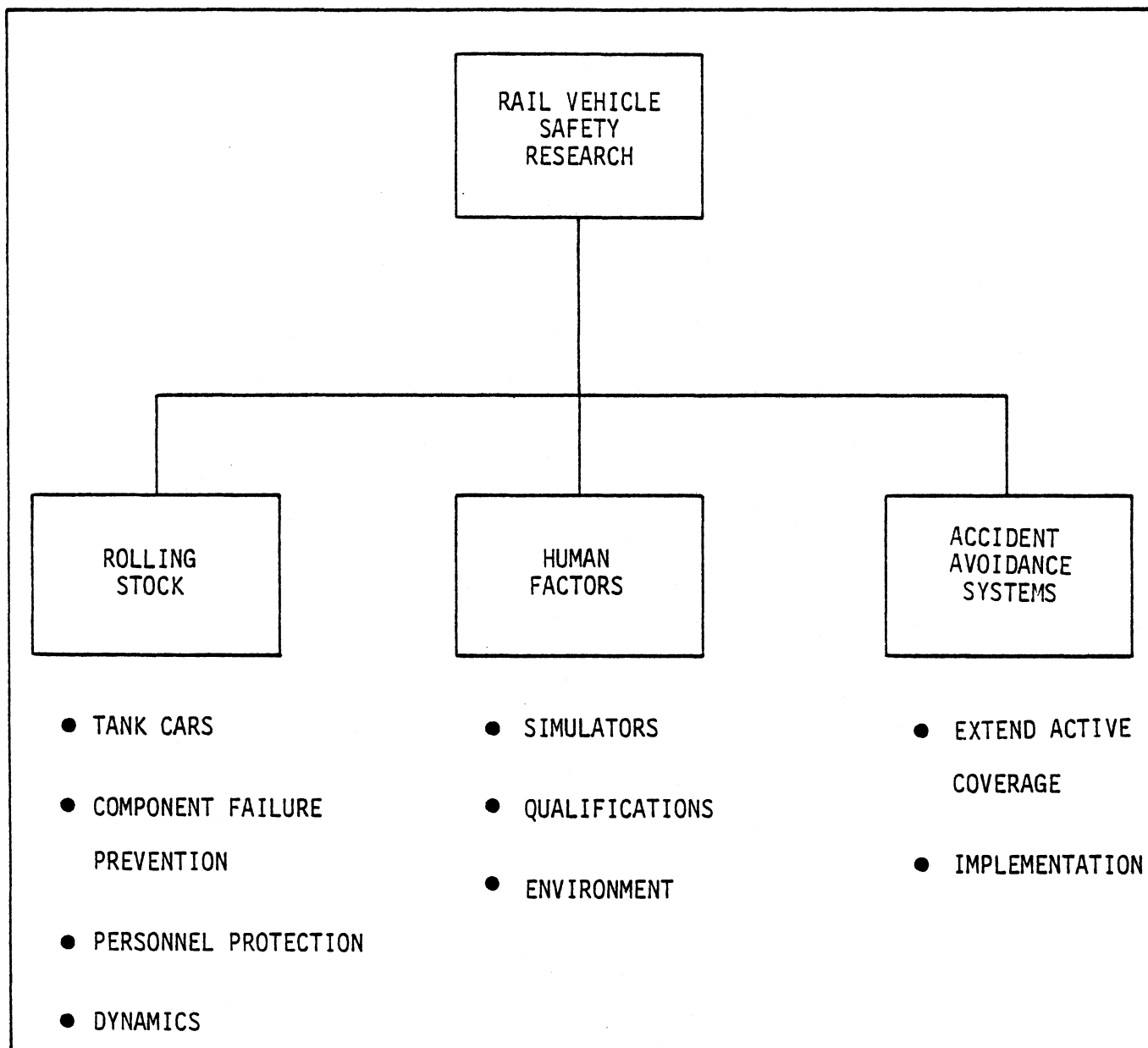


FIGURE 22

The Rail Vehicle Safety Research Division attempts to improve safety by studying and making recommendations in three major program areas: (1) rolling stock including hazardous material cars, (2) human factors, and (3) accident avoidance systems. The Rolling Stock program attempts to increase safety in the approximately 1.7M freight cars and 20,000 tank cars now in service. FRA support for the highly effective Track/Train Dynamics program is provided through this division which also studies vehicle crash-worthiness protection for railroad employees. The area of R&D entitled Human Factors studies the equipment, train and yard environment and its effects on personnel. Provision for a Research Locomotive Cab and Train Handling Evaluator is a major effort now underway. The present thrust of Accident Avoidance System is to achieve implementation of active protection on a greater portion of grade crossings and, at the same time, to improve train conspicuity.

RAIL VEHICLE SAFETY RESEARCH DIVISION

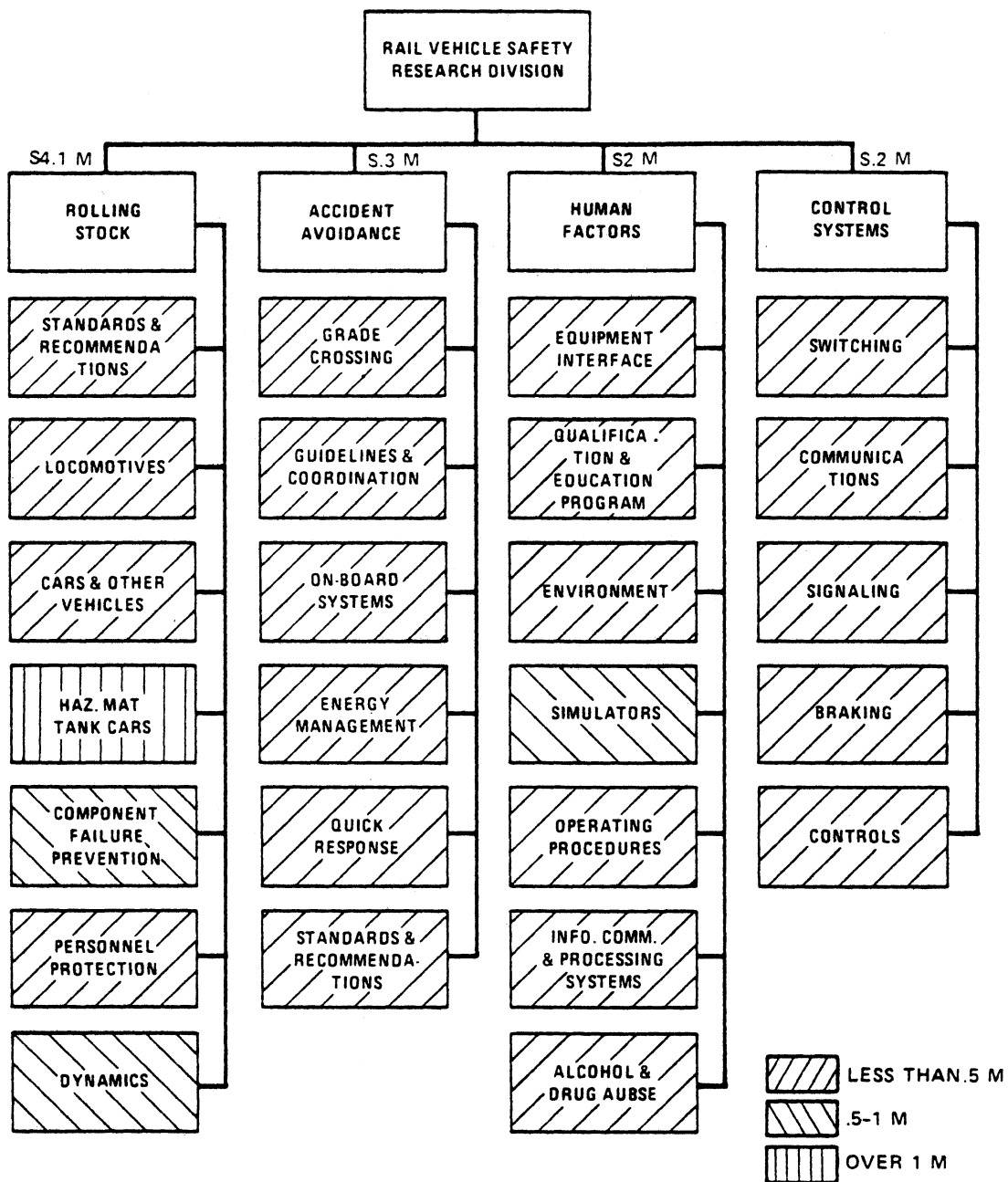


FIGURE 23

This is a detailed package of the intended safety oriented Research and Development activities of the Rail Vehicle Safety Research Division. Present funding is one way to exhibit the existing R&D priorities of this division. OVER 1M. represents high dollar/priority areas, .5-1M represents a moderate amount of research activity, and the LESS THAN .5M represents future projects or relatively low activity areas.

RAIL VEHICLE SAFETY RESEARCH DIVISIONHUMAN FACTORS PROGRAM AREA

ACCOMPLISHMENTS TO DATE:

1. HUMAN FACTORS SURVEY OF LOCOMOTIVE CABS - JUNE 1972
2. RAILROAD ENGINEMAN TASK AND SKILL STUDY - AUGUST 1972
3. GUIDELINES FOR WRITING RAILROAD OPERATING RULES - JULY 1973
4. IDENTIFICATION AND CATEGORIZATION OF ACCIDENTS AND INJURIES
IN CABS OF LOCOMOTIVES - SEPT. 1973
5. AN ANALYSIS OF THE JOB OF RAILROAD TRAIN DISPATCHER - APR. 1974
6. TASK ANALYSIS FOR THE JOBS OF FREIGHT TRAIN CONDUCTOR AND
BRAKEMAN - MAY 1975
7. PROPOSED QUALIFICATION REQUIREMENTS FOR SELECTED RAILROAD JOBS -
MAY 1975

FIGURE 25

Past work in the "Human Factors" program has provided a foundation for achieving a better understanding of the safety factors involved in the interface between equipment and human operators. This chart shows some of the reports issued to date. Future actions will include, for example, a more specific assessment of the risks associated with each task of the brakeman along with a weighing of time spent in each activity in order to guide efforts in choosing, evaluating, and recommending safety improvement options.

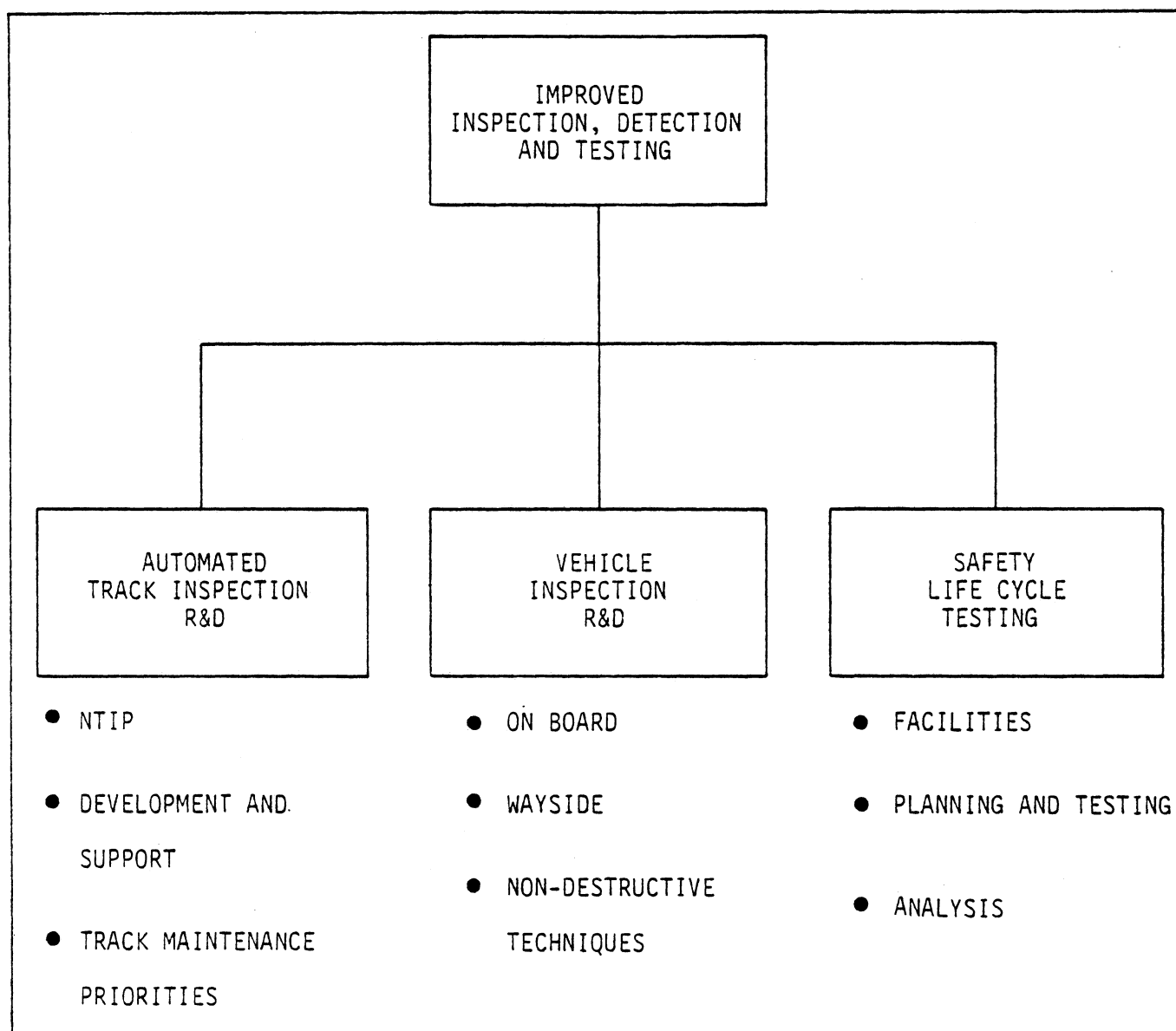


FIGURE 26

The Federal Railroad Administration is giving heavy R&D emphasis in establishing a working and comprehensive inspection capability both within the government and the railroads. The Improved Inspection, Detection and Testing Research Division consists of three major program areas: (1) automated track inspection, (2) vehicle inspection, and (3) safety life cycle testing. Automated Track Inspection through the National Track Inspection Program is providing the Office of Safety with three levels of track monitoring capability in each region.

The program also assists industry in establishing track maintenance priorities and in developing new maintenance procedures. Under the Safety Life-Cycle Program, the methodology to ensure safe performance of rail systems over their entire life-cycle (not just when "new") is being developed. FAST, at Pueblo, by producing equivalent 10-15 year results in one year of accelerated testing is a part of this effort. In the Vehicle Inspection program, methods are being developed for an effective on-board monitoring system for individual cars and for wayside surveillance stations to detect abnormal behavior of cars in trains.

IMPROVED INSPECTION, DETECTION AND TESTING RESEARCH DIVISION

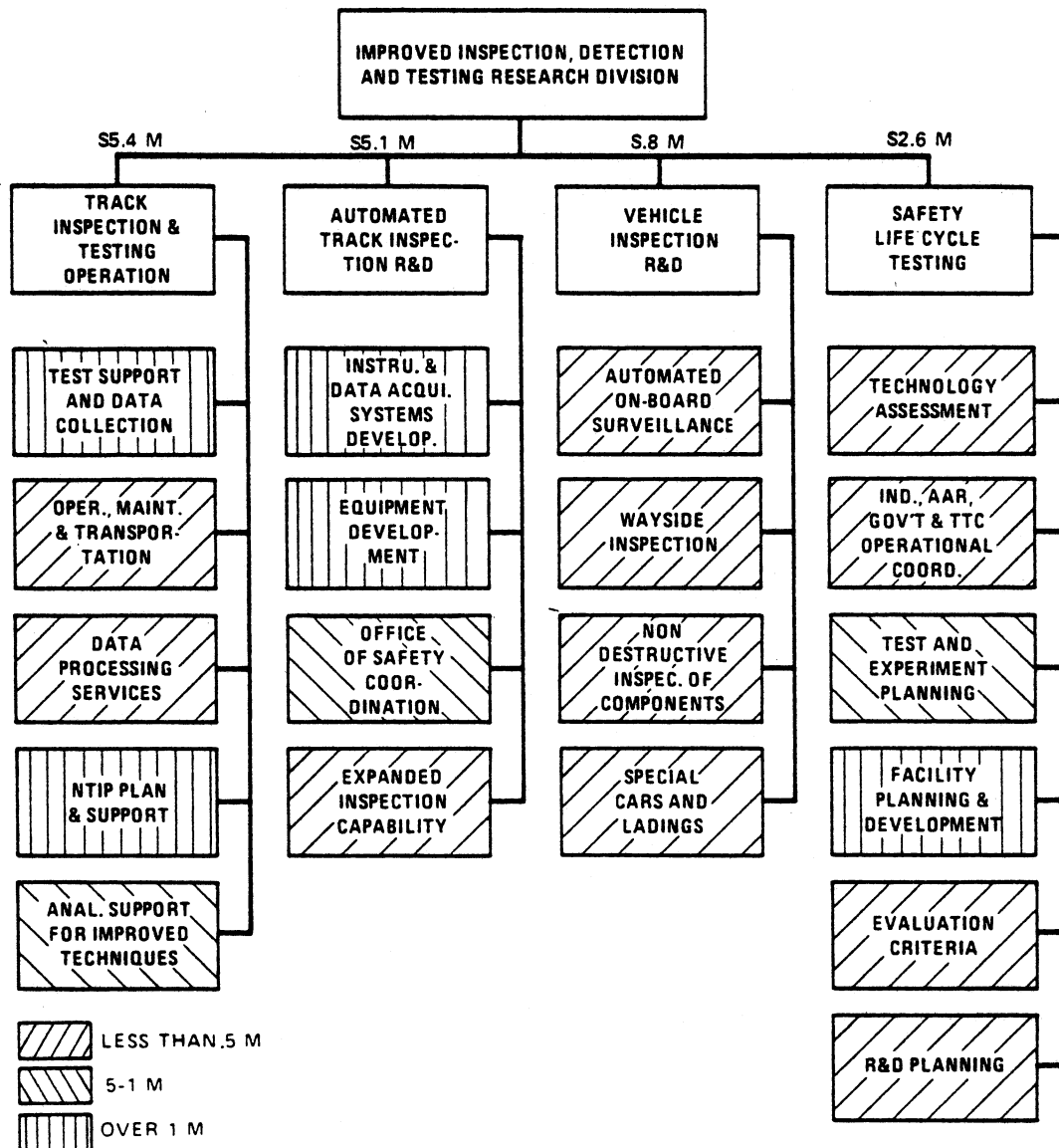


FIGURE 27

Here are the safety concerns of the Improved Inspection, Detection and Testing Research Division expressed in terms of allocation of FY 76 funds to indicated research activities. OVER 1M, represents high dollar/priority areas, .5-1M more moderate expenditures, and the LESS THAN .5M represents future projects or relatively low activity areas.

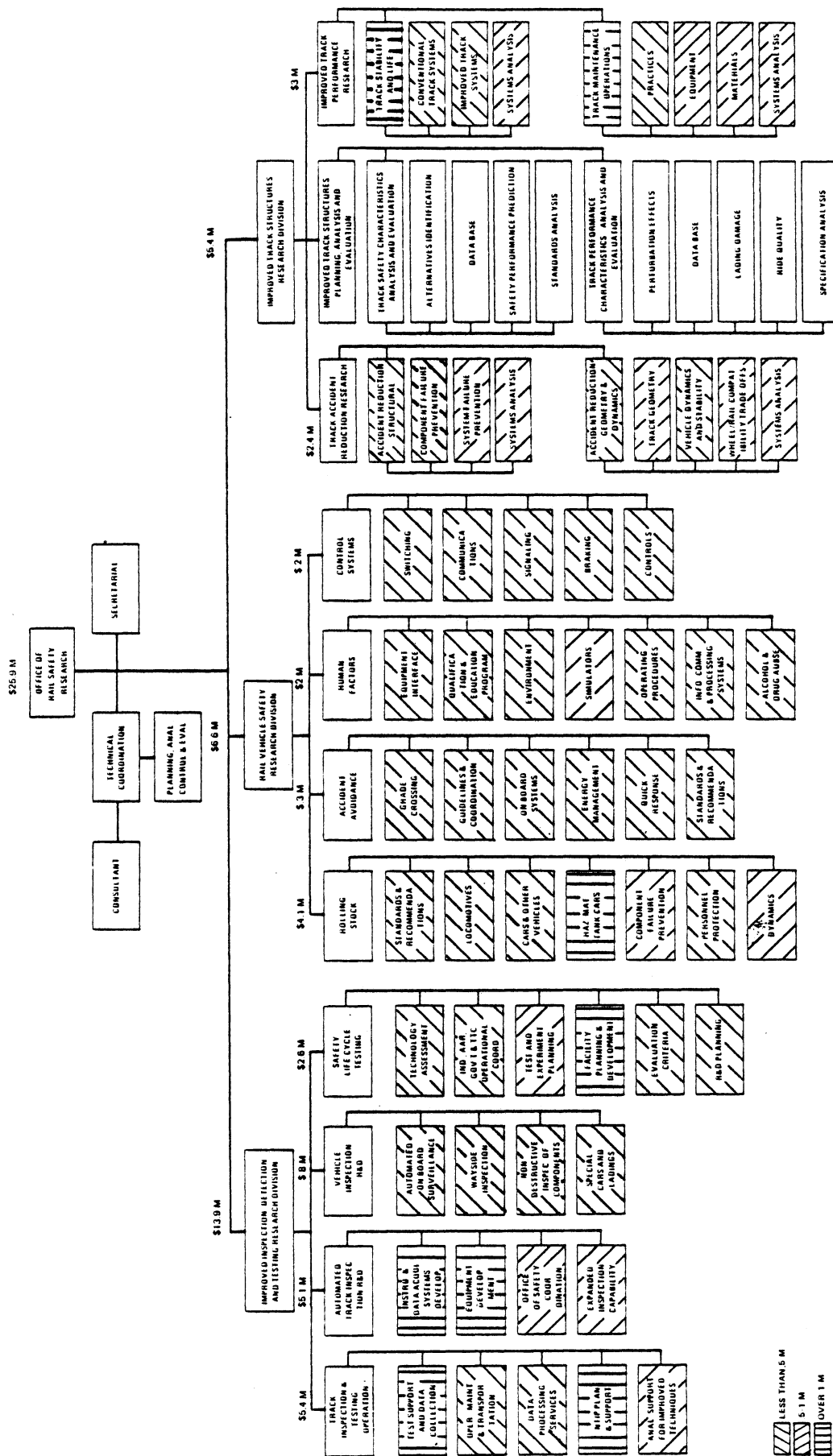


FIGURE 4

The ORSR functions and activities encompass known needs for railroad safety research. The lined areas express present research priorities in terms of the funding for FY 76 ORSR operations. OVER 1M indicates areas of heavy research activity, .5 - 1M moderate activity, and LESS THAN .5M indicates future projects or areas not receiving much attention.

