

Public Law 95-187
95th Congress

An Act

To amend the Urban Mass Transportation Act of 1964 to revise the program of Federal operating assistance provided under section 17 of such Act.

Nov. 16, 1977

[H.R. 8346]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 17 of the Urban Mass Transportation Act of 1964 is amended—

(1) by striking out “50 percent” in subsection (d)(4) and inserting in lieu thereof “80 percent”;

(2) by striking out “and” at the end of subsection (d)(3);

(3) by striking out the period at the end of subsection (d)(4) and inserting in lieu thereof “; and”;

(4) by inserting the following new paragraph after subsection (d)(4):

“(5) 50 percent for the 24-month period succeeding the period specified in subparagraph (4) of this subsection.”;

(5) by striking out the last sentence of subsection (d); and

(6) by striking out “\$125,000,000” in the first sentence of subsection (f) and inserting in lieu thereof “\$185,000,000” and by amending the second sentence of such subsection to read as follows: “There are authorized to be appropriated for liquidation of the obligations incurred under this section not to exceed \$40,000,000 by September 30, 1976, \$95,000,000 by September 30, 1977, \$125,000,000 by September 30, 1978, \$155,000,000 by September 30, 1979, and \$185,000,000 by September 30, 1980.”.

SEC. 2. The Urban Mass Transportation Act of 1964 is amended by adding at the end thereof the following new section:

“SEC. 18. (a) The Secretary shall provide financial assistance annually for the purpose of reimbursing States, local public bodies and agencies thereof for the cost of financially supporting or operating rail passenger service provided by railroads designated as class I.

“(b) Financial assistance under subsection (a) of this section shall not be available to support (1) intercity rail passenger service provided pursuant to an agreement with the National Railroad Passenger Corporation under section 403 (b)(2) of the Rail Passenger Service Act of 1970, as amended (45 U.S.C. 562(b)); and (2) rail passenger service required by section 304(e)(4) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 744(e)).

“(c) The Secretary shall distribute financial assistance authorized by subsection (a) pro rata on the basis of the passenger-miles attributable to each eligible rail passenger service, except that (1) for the purposes of such apportionment in no case shall any State, local public body or agency thereof supporting or operating rail passenger service eligible for assistance under this section be credited with more than 30 per centum of the total passenger miles eligible for such assistance for the calendar year ending immediately prior to the commencement of the Federal fiscal year for which the distribution is made, and (2) no Federal grant for the payment of subsidies for operating expenses shall exceed 50 per centum of the total operating losses of such service.

Urban Mass
Transportation
Act of 1964,
amendment.
Federal operating
assistance
program,
revision.
49 USC 1613.

Rail passenger
service,
reimbursement to
States.
49 USC 1614.

Intercity rail
passenger
service,
exclusion.

Pro rata
passenger-miles
distribution.

Operating
expenses, use of
funds.

“(d) Financial assistance authorized by subsection (a) may be applied to the payment of operating expenses or programs to correct deferred maintenance within the meaning of section 304(e)(5)(C) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 744(e)), but in no case may it exceed the total of the amounts applied by the grantee from its own funds to the payment of operating expenses and programs to correct deferred maintenance for the same fiscal period.

“(e) Financial assistance provided pursuant to subsection (a) of this section shall be subject to such terms, conditions, requirements, and provisions as the Secretary may deem necessary and appropriate.

Appropriation
authorization.

“(f) To finance assistance under this section, the Secretary may incur obligations on behalf of the United States in the form of grants, contract agreements, or otherwise, in such amounts as are provided in appropriations Acts, in an aggregate not to exceed \$20,000,000. There are authorized to be appropriated for liquidation of the obligations incurred under this section not to exceed \$20,000,000 by September 30, 1979, such sum to remain available until expended.”

Approved November 16, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 95-732 (Comm. on Public Works and Transportation).
CONGRESSIONAL RECORD, Vol. 123 (1977):

Oct. 25, considered and passed House.

Nov. 2, considered and passed Senate, amended.

Nov. 3, House agreed to Senate amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 13, No. 47:

Nov. 16, Presidential statement.