

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

1. Public Transportation Enabling Legislation.
 - a. Federal transit laws codified at 49 U.S.C. chapter 53 (Sections 5301 *et seq.*).
 - b. Title 23, United States Code (Highways).
 - c. Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, Aug. 10, 2005, as amended by the SAFETEA-LU Technical Corrections Act, 2008, Pub. L. 110-244, June 6, 2008, 23 U.S.C. § 101 note (SAFETEA-LU).
 - d. SAFETEA-LU Technical Corrections Act, 2008, Pub. L. 110-244, June 6, 2008.
 - e. ‘Hiring Incentives to Restore Employment Act’. (HIRE Act), Pub. L. 111-147, Title IV, § 451, March 18, 2010, 124 Stat. 96, 23 U.S.C. 101 note,
 - f. Transportation Equity Act for the 21st Century, Pub. L. 105-178, June 9, 1998, 23 U.S.C. § 101 note, as amended by the TEA-21 Restoration Act, Pub. L. 105-206, July 22, 1998, 23 U.S.C. § 101, and SAFETEA-LU.
 - g. National Capital Transportation Act of 1969, as amended, D.C. Official Code §§ 9-1111.01 *et seq.*
 - h. The American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, February 17, 2009 (“Recovery Act”).
2. Federal Transit Administration (FTA) Programs.
 - a. Metropolitan Planning Program.
 - (1) 49 U.S.C. § 5305(d).
 - (2) The most recent FTA Circular 8100.1, “Program Guidance for Metropolitan Planning and State Planning and Research Program Grants.”
 - b. State Planning and Research.
 - (1) 49 U.S.C. § 5305(e).
 - (2) The most recent FTA Circular 8200, “Research Guidance and Application Instructions for State Planning and Research Program Grants,” to the extent not superseded by law.
 - c. Urbanized Area Formula Program.
 - (1) 49 U.S.C. § 5307.
 - (2) Most recent FTA Circular 9030.1, “Urbanized Area Formula Program: Grant Application Instructions.”
 - (3) 49 U.S.C. § 5307(a)(2 – Designated Recipient.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

- (4) 49 U.S.C. § 5307(h) – Audits.
 - (5) 49 U.S.C. §§ 5307(b) and 5307(f) – Operations.
 - (6) 49 U.S.C. § 5307(d)(1)(J)(i) – Public Transportation Security Projects.
 - (7) 49 U.S.C. § 5302(a), Public Transportation Enhancements.
 - (8) 49 U.S.C. § 5335(a), National Transit Database.
 - (9) Title II and Title XVIII of the Social Security Act, 42 U.S.C. §§ 401 *et seq.* and 42 U.S.C. §§ 1395 *et. seq.*, respectively.
- d. Clean Fuels Grant Program.
- (a) 49 U.S.C. § 5308.
 - (b) 49 U.S.C. § 5307
 - (b) FTA regulations, “Clean Fuels Grant Program,” 49 C.F.R. Part 624.
- e. Capital Investment Program.
- (1) 49 U.S.C. § 5309.
 - (2) FTA Circular 9300.1B, “Capital Investment Program Guidance and Application Instructions,” November 1, 2008.
 - (3) FTA Circular 5200.1A, “Full Funding Grant Agreement Guidance,” December 5, 2002, to the extent not superseded by law.
- f. Alternatives Analysis Program.
- (1) 49 U.S.C. § 5339.
- g. Programs for Elderly Individuals and Individuals with Disabilities.
- (1) Elderly Individuals and Individuals with Disabilities Formula Program.
 - (a) 49 U.S.C. § 5310.
 - (b) Most recent FTA Circular 9070.1F, “Elderly Individuals and Individuals with Disabilities Program Guidance and Application Instructions.”
 - (2) Elderly Individuals and Individuals with Disabilities Pilot Program.
 - (a) Section 3012(b) of SAFETEA-LU, 49 U.S.C. § 5310 note.
 - (b) Most recent FTA Circular 9070.1F “Elderly Individuals And Individuals With Disabilities Program Guidance and Application Instructions.”
 - (3) Medical Transportation Demonstration Program.
 - (a) 49 U.S.C. § 5314(a)(6).
 - (4) National Technical Assistance Center for Senior Transportation.
 - (a) 49 U.S.C. § 5314(c).
 - (5) New Freedom Program.
 - (a) 49 U.S.C. § 5317.
 - (b) Most recent FTA Circular, 9045.1, “New Freedom Program Guidance And Application Instructions.”

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

h. Nonurbanized Area Programs.

(1) Nonurbanized Area Formula Program.

- (a) 49 U.S.C. § 5311.
- (b) 49 U.S.C. § 5310(h).
- (c) 49 U.S.C. § 5334(h).
- (d) Most recent FTA Circular 9040.1, “Nonurbanized Area Formula Program Guidance and Grant Application Instructions.”

(2) Rural Transportation Assistance Program.

- (a) 49 U.S.C. § 5311(b)(3).

(3) Over the Road Bus Accessibility Program.

- (a) Section 3038 of TEA-21, as amended by section 3039 of SAFETEA-LU, 49 U.S.C. § 5310 note.
- (b) U.S. DOT regulations, “Transportation Services for Individuals with Disabilities (ADA),” 49 C.F.R. Part 37, Subpart H, “Over the Road Buses.”
- (c) Joint U.S. Architectural and Transportation Barriers Compliance Board/U.S. DOT regulations, “Americans With Disabilities (ADA) Accessibility Specifications for Transportation Vehicles,” 36 C.F.R. Part 1192 and 49 C.F.R. Part 38.
- (d) FTA Notice, “Over-the-Road Bus Accessibility Program Grants,” (Federal Register Notice) [latest].
- (e) U.S. DOL guidelines, “Section 5333(b), Federal Transit Law,” 29 C.F.R. Part 215.

i. Research, Development, Demonstration, and Deployment Programs.

(1) National Research Program.

- (a) 49 U.S.C § 5314(a).
- (b) The most recent edition of FTA Circular 6100.1D, “Research, Technical Assistance, and Training Programs Application and Program Management Guidelines.”

1. Research, Development, Demonstration, and Deployment Program.

- a. 49 U.S.C. § 5312(a).

2. Joint Partnership Program for Deployment of Innovation.

- a. 49 U.S.C. § 5312(b).

3. International Transportation Program.

- a. 49 U.S.C. § 5312(c).

4. National Transit Institute Program.

- a. 49 U.S.C. § 5315.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

5. Human Resources – General.
 - a. 49 U.S.C. § 5322(a).

 6. Human Resources Fellowships.
 - a. 49 U.S.C. § 5322(b).

 7. National Fuel Cell Bus Technology Development Program.
 - a. SAFETEA-LU, § 3045, 49 U.S.C. § 5308 note.
- (2) Transit Cooperative Research Program.
 - (a) 49 U.S.C § 5313.
- j. Job Access and Reverse Commute Grant Program.
 - (1) 49 U.S.C. § 5316.
 - (a) 49 U.S.C. § 5307.
 - (b) Most recent FTA Circular, 9050.1, “The Job Access And Reverse Commute (JARC) Program Guidance and Application Instructions.”
- k. Bus Testing Facility Program.
 - (1) 49 U.S.C. § 5318.
- l. Paul S. Sarbanes Transit in Parks Program.
 - (1) 49 U.S.C. § 5320.
 - (a) FTA Notices pertaining to the Alternative Transportation in Parks and Public Lands Program [latest].
- m. Recovery Act Program
 - (1) The American Recovery and Reinvestment Act of 2009, Pub. L. 111-5, February 17, 2009 (“Recovery Act”).
 - (a) U.S. Office of Management and Budget, “Requirements for Implementing Sections 1512, 1605, and 1606 of the American Recovery and Reinvestment Act of 2009 for Financial Assistance Awards,” 2 C.F.R. Part 176
3. Joint Federal Highway Administration (FHWA)/Federal Transit Administration (FTA) Programs.
 - a. Surface Transportation Program.
 - (1) 23 U.S.C. § 133.

 - b. Public Transportation Program.
 - (1) 23 U.S.C. § 142.

 - c. Congestion Mitigation and Air Quality Program.
 - (1) 23 U.S.C. § 149.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

- d. Federal Lands Highway Program.
 - (1) 23 U.S.C. § 204.
 - e. Surface Transportation Research.
 - (1) 23 U.S.C. § 502.
 - f. Surface Transportation Deployment.
 - (1) 23 U.S.C. § 133.
 - g. Transportation Infrastructure Finance and Innovation (TIFIA) Program
 - (1) Transportation Infrastructure Finance and Innovation Act of 1998, as amended, 23 U.S.C. §§ 601 – 609.
 - (2) 49 U.S.C. §§ 5323(o), 5307, and 5309.
 - (3) Joint U.S. DOT/FTA regulations, “Credit Assistance for Surface Transportation Projects,” 49 C.F.R. Parts 80 and 640.
 - h. State Infrastructure Bank Program.
 - (1) 23 U.S.C. § 610.
 - (2) Section 1511 of TEA-21, 23 U.S.C. § 181 note.
 - (3) Section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. § 101 note.
 - i. National Intelligent Transportation Systems Research and Development.
 - (1) SAFETEA-LU, § 5306, 23 U.S.C. 512 note.
4. FRA Program.
- (a) AMTRAK, 49 U.S.C. chapter 243.
 - (b) Various Appropriations Acts from FY 2001 forward.
 - (c) Passenger Rail Investment and Improvement Act of 2008, Pub. L. 110-432, October 16, 2008 (PRIIA)
 - (1) PRIIA – Buy America - 49 U.S.C. § 24405(a) added by section 301(a) of PRIIA
 - (2) PRIIA – Procurement of Rolling Stock - 49 U.S.C. § 24405(a) added by section 301(a) of PRIIA
 - (d) Railway Labor Act, 45 U.S.C. §§ 151 *et seq.*, as it affects Davis-Bacon wage requirements of 40 U.S.C. §§3141-3144, 3146, and 3147
 - (e) Motor Carrier Safety - 49 U.S.C. § 21104(e).
5. Special Notification Requirement for States.
6. Type of Award.
- a. Grant Agreement – 31 U.S.C. § 6304.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

- b. Cooperative Agreement – 31 U.S.C. § 6305.
 - c. Procurement Contract – 31 U.S.C. § 6303.
 - d. Line of Credit – 23 U.S.C. § 601(a)(5).
 - e. Loan Guarantee – 23 U.S.C. § 601(a)(6).
 - f. Secured Loan – 23 U.S.C. § 601(a)(11).
7. Eligibility for Award.
- a. Various provisions of FTA and FHWA enabling legislation.
 - b. Suspension and Debarment.
 - (1) U.S. DOT regulations, “Nonprocurement Suspension and Debarment,” 2 C.F.R. Part 1200.
 - (2) U.S. Office of Management and Budget (U.S. OMB) “Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” 2 C.F.R. Part 180.
 - (3) Executive Orders Nos. 12549 and 12689, “Debarment and Suspension,” 31 U.S.C. § 6101 note.
 - (4) “Excluded Parties Listing System” at <http://epls.gov>.
8. Lobbying.
- a. Restricting use of Federal Funds for Lobbying Congress.
 - (1) Byrd Amendment 31 U.S.C. § 1352, as amended.
 - (2) Subsequent miscellaneous Federal appropriations provisions.
 - b. Lobbying Certification and Disclosure.
 - (1) Byrd Amendment 31 U.S.C. § 1352, as amended.
 - (2) U.S. DOT regulations, “New Restrictions on Lobbying,” 49 C.F.R. Part 20, modified as necessary by amendments to 31 U.S.C. § 1352.
9. Trafficking in Persons
- a. Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended, 22 U.S.C. § 7104(g).
 - b. U.S. OMB guidance, “Trafficking in Persons: Grants and Cooperative Agreements,” 2 C.F.R. Part 175.
10. Planning, including Private Enterprise Protections.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

- a. 49 U.S.C. §§ 5303, 5304, 5306, and 5323(k).
- b. Joint FHWA/FTA regulations, “Planning Assistance and Standards,” 23 C.F.R. Part 450 and 49 C.F.R. Part 613.
- c. FTA regulations, “Major Capital Investment Projects,” 49 C.F.R. Part 611, to the extent that those regulations are consistent with Federal law.

11. Management and Monitoring.

- a. Joint FHWA/FTA regulations, “Management and Monitoring Systems,” 23 C.F.R. Part 500.
- b. Joint FHWA/FTA regulations, “Management and Monitoring Systems” 49 C.F.R. Part 614.

12. General Management Requirements.

- a. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” 49 C.F.R. Part 18. *(Also applicable to Indian tribal governments).*
- b. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” 49 C.F.R. Part 19. *(Also applicable to for-profit organizations unless FTA specifies otherwise).*
- c. The most recent FTA Circular 5010.1, “Grant Management Requirements.”

13. Procurement.

- a. General.
 - (1) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” at 49 C.F.R. § 18.36, to the extent those regulations are consistent with SAFETEA-LU provisions.
 - (2) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations,” at 49 C.F.R. §§ 19.40 through 19.48, to the extent those regulations are consistent with SAFETEA-LU provisions.
 - (3) FTA Circular 4220.1F, “Third Party Contracting Guidance,” November 1, 2008, and any later revisions thereto.
 - (4) FTA “Best Practices Procurement Manual,” to the extent those regulations are consistent with SAFETEA-LU and other Federal statutory and regulatory requirements.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

- b. Special Public Transportation Assistance Procurement Requirements Within 49 U.S.C. chapter 53, and Title 23, United States Code.
- (1) 49 U.S.C. § 5325(a) – Full and Open Competition.
 - (2) 49 U.S.C. § 5325(b) – Special Procurement Procedures for Architectural and Engineering Services.
 - (a) 40 U.S.C. chapter 11 – Use “Brooks Act” procurement procedures
 - (b) 48 C.F.R. Part 31 – Use the Cost Principles of the Federal Acquisition Regulation.
 - (c) 49 U.S.C. § 5325(b)(2)(D) – Maintain Confidentiality of Cost Data.
 - (3) 49 U.S.C. § 5325(c) – Award to Other than the Lowest Bidder.
 - (4) 49 U.S.C. § 5325(d) – Design-Build Authority.
 - (5) 49 U.S.C. § 5325(e)(1) – Five-year Limit on Options to Purchase Rolling Stock.
 - (6) 49 U.S.C. § 5325(e)(2) – Cooperative Purchases.
 - (7) 49 U.S.C. § 5325(f) – Method of Acquiring Rolling Stock.
 - (8) 49 U.S.C. § 5325(g) – Access to Third Party Contract Records.
 - (9) 49 U.S.C. § 5325(h) – Exclusionary or Discriminatory Specifications.
 - (10) 49 U.S.C. § 5325(i) – In-State Bus Dealer Restrictions.
 - (11) 49 U.S.C. § 5325(j) – Award to Responsible Contractors.
 - (a) 49 U.S.C. § 5309(l)(2) – Contractor Performance Assessment Reports.
 - (12) 49 U.S.C. § 5323(m) – Pre-Award and Post-Delivery Reviews.
 - (a) FTA regulations, “Pre-Award and Post-Delivery Audits of Rolling Stock Purchases,” 49 C.F.R. Part 664, except as superseded by SAFETEA-LU amendments to 49 U.S.C. § 5323(m).
 - (13) 49 U.S.C. § 5318(e) – Bus Testing.
 - (a) FTA regulations, “Bus Testing,” 49 C.F.R. Part 665.
 - (14) SAFETEA-LU, § 5307(c), 23 U.S.C. § 512 note – Intelligent Transportation System Architecture and Standards.
 - (a) FTA Notice, “FTA National ITS Architecture Policy on Transit Projects” 66 *Fed. Reg.* 1455 *et seq.*, January 8, 2001.
- c. Other Cross-Cutting Procurement Laws, Regulations, and Policies.
- (1) Section 306 of the Clean Air Act, as amended, 42 U.S.C. § 7606, and other applicable provisions of the Clean Air Act, as amended, 42 U.S.C. §§ 7401 through 7671q.
 - (2) Section 508 of the Clean Water Act, as amended, 33 U.S.C. § 1368, and other applicable provisions of the Clean Water Act, as amended, 33 U.S.C. §§ 1251 through 1377.
 - (4) Section 508 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794d.
 - (a) U.S. ATBCB regulations “Electronic Information Technology Accessibility Standards,” 40 C.F.R. Part 1194.
 - (5) Executive Order No. 13502, “Use of Project Labor Agreements [PLA] for Federal Construction Projects,” February 6, 2009, 41 U.S.C. § 41 U.S.C. Subtitle I, Div.C, Ch. 39, Refs. & Annos – Permitting recipients to use Project Labor Agreements
 - (a) [Repealed] Executive Order No. 13202, “Preservation of Open Competition and Government Neutrality Towards Government Contractors’ Labor Relations on Federal and Federally Funded Construction Projects,” February 17, 2001, amended by Executive Order No. 13208, April 6, 2001, 41 U.S.C. § 251 note.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

d. Acquisition by Lease.

(1) FTA regulations, “Capital Leases,” 49 C.F.R. Part 639.

14. Domestic Preferences.

a. Buy America.

(1) 49 U.S.C. § 5323(j).

(a) FTA regulations, “Buy America Requirements,” 4 C.F.R. Part 661.

b. Cargo Preference.

(1) 46 U.S.C. § 55305.

(a) U.S. Maritime Administration regulations, “Cargo Preference-U.S.-Flag Vessels.”
46 C.F.R Part 381.

c. Air Carriers.

(1) International Air Transportation Fair Competitive Practices Act of 1974, as amended,
49 U.S.C. § 40118.

(a) U.S. General Services Administration regulations, “Use of United States-Flag Air
Carriers,” 41 C.F.R. §§ 301-10.131 through 301-10.143.

15. Relocation and Real Property Acquisition Protections.

a. 49 U.S.C. § 5324(a), which requires compliance with 42 U.S.C. §§ 4601 *et seq.*

b. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as
amended, 42 U.S.C. §§ 4601 *et seq.*

(1) U.S. DOT regulations, “Uniform Relocation and Real Property Acquisition for
Federal and Federally Assisted Programs,” 49 C.F.R. Part 24.

16. Property Ownership and Management

a. General.

(1) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and
Cooperative Agreements to State and Local Governments,” at 49 C.F.R. §§ 18.31
through 18.34, to the extent those regulations are consistent with SAFETEA-LU
provisions.

(2) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and
Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit
Organizations,” at 49 C.F.R. §§ 19.30 through 19.37, to the extent those regulations
are consistent with SAFETEA-LU provisions.

(3) FTA Circular 5010.1D, “Grant Management Requirements,” November 1, 2008.

b. Satisfactory Continuing Control of Property.

(1) 49 U.S.C. § 5307(d)(1)(B).

(2) 49 U.S.C. § 5309(c)(1)(B)(ii).

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

c. Insurance.

(1) Section 102(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. § 4012a(a) – Requirements to have flood insurance.

d. Patent Rights.

(1) 35 U.S.C. §§ 200 *et seq.* – for all FTA recipients.

(a) U.S. Department of Commerce regulations, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” 37 C.F.R. Part 401.

e. Requirements to Release Data.

(1) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations,” at 49 C.F.R. § 19.36(d).

f. Transfer of Assets.

(1) 49 U.S.C. § 5334(h)(1) through (3) – Transfer of Property to another Public Body.

(2) 49 U.S.C. § 5334(h)(4) – Disposition and Transfer of Property.

g. Export Restrictions.

(1) U.S. Department of Commerce, “Export Administration Regulations,” 15 C.F.R. Parts 730 *et seq.*

(2) U.S. State Department Regulations.

(3) U.S. Treasury Department Regulations.

(4) U.S. Defense Department Regulations.

17. Metric Usage.

a. Metric Conversion Act, as amended by the Omnibus Trade and Competitiveness Act, 15 U.S.C. §§ 205a *et seq.*

b. Executive Order No. 12770, “Metric Usage in Federal Government Programs,” 15 U.S.C. § 205a note.

18. Private Enterprise Protections.

a. Planning.

(1) 49 U.S.C. § 5306.

(a) Joint FHWA/FTA regulations, “Planning Assistance and Standards,” 23 C.F.R. Part 450 and 49 C.F.R. Part 613.

b. Property and Operations.

(1) 49 U.S.C. § 5323(a)(1).

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

c. Charter Service.

(1) 49 U.S.C. §§ 5323(d) and 5323(g).

(a) FTA regulations, “Charter Service,” 49 C.F.R. Part 604.

d. School Transportation Operations.

(1) 49 U.S.C. §§ 5323(f) and 5323(g).

(a) FTA regulations, “School Bus Operations,” 49 C.F.R. Part 605.

e. Infrastructure Privatization.

(1) Executive Order No. 12803, “Infrastructure Privatization,” 31 U.S.C. § 501 note.

(2) Executive Order No. 12893, “Principles for Federal Infrastructure Investments,” 31 U.S.C. § 601 note.

19. Labor Protections.

a. Transit Employee Protections.

(1) 49 U.S.C. § 5333(b).

(a) U.S. Department of Labor (U.S. DOL) “Guidelines, Section 5333(b), Federal Transit Law,” 29 C.F.R. Part 215.

(2) 49 U.S.C. § 5311(i), “Special Warranty for the Nonurbanized Area Formula Program.”

(a) U.S. Department of Labor (U.S. DOL) “Guidelines, Section 5333(b), Federal Transit Law,” 29 C.F.R. Part 215.

(3) 49 U.S.C. § 5310(b)(2) – as necessary or appropriate for a governmental authority subrecipient participating in the Elderly Individuals and Individuals with Disabilities Formula Program.

(4) Subsection 3012(b) of SAFETEA-LU, 49 U.S.C. § 5310 note – as necessary or appropriate for a governmental authority subrecipient participating in the Elderly Individuals and Individuals with Disabilities Pilot Program.

b. Employees including Construction Employees.

(1) Section 102 of the Contract Work Hour and Safety Standards Act, 40 U.S.C. §§ 3702.

(a) U.S. DOL regulations, “Labor Standards Provisions Applicable to Contracts Governing Federally Financed and Assisted Construction (also Labor Standards Provisions Applicable to Nonconstruction Contracts Subject to the Contract Work Hours and Safety Standards Act),” 29 C.F.R. Part 5, § 5.5(b).

(2) Fair Labor Standards Act, as amended, 29 U.S.C. §§ 201 *et seq.*

c. Construction Employees.

(1) 49 U.S.C. § 5333(a) invoking the Davis-Bacon Act.

(2) Davis-Bacon Act, 40 U.S.C. §§ 3141 *et seq.*

(a) U.S. DOL regulations, “Labor Standards Provisions Applicable to Contracts Governing Federally Financed and Assisted Construction (also Labor Standards Provisions Applicable to Nonconstruction Contracts Subject to the Contract Work Hours and Safety Standards Act),” 29 C.F.R. Part 5, § 5.5.(a).

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

- (4) Copeland “Anti-Kickback” Act, as amended, 18 U.S.C. § 874 and 40 U.S.C. § 3145.
 - (a) U.S. DOL regulations, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States,” 29 C.F.R. Part 3.
- (3) Section 107 of the Contract Work Hour and Safety Standards Act, 40 U.S.C. § 3074.
 - (a) U.S. DOL regulations, “Safety and Health Regulations for Construction,” 29 C.F.R. Part 1926.

20. Civil Rights.

- a. Nondiscrimination in Federal Public Transportation Programs.
 - (1) 49 U.S.C. § 5332 – Prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age and prohibiting discrimination in employment or business opportunity.
- b. Nondiscrimination in Federally Assisted Programs.
 - (1) Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000d *et seq.*
 - (a) U.S. DOT regulations, “Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act,” 49 C.F.R. Part 21.
 - (b) Most recent FTA Circular 4702.1, “Title VI and Title VI-Dependent Guidelines for Federal Transit Administration Recipients.”
- c. Equal Employment Opportunity in Federal Public Transportation Programs.
 - (1) 49 U.S.C. § 5332 – Prohibiting employment discrimination on the basis of race, color, creed, national origin, sex, or age and prohibiting discrimination in employment or business opportunity.
- d. Equal Employment Opportunity.
 - (1) Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e.
 - (a) U.S. DOL regulations, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor,” 41 C.F.R. Parts 60 *et seq.*
 - (b) Executive Order No. 11246, “Equal Employment Opportunity,” as amended by Executive Order No. 11375, “Amending Executive Order No. 11246 Relating to Equal Employment Opportunity,” 42 U.S.C. § 2000(e) note.
- e. Disadvantaged Business Enterprise.
 - (1) Section 1101(b) of SAFETEA-LU, 23 U.S.C. § 101 note.
 - (2) HIRE Act, “Hiring Incentives to Restore Employment Act”. Pub.L. 111-147, Title IV, § 451, March 18, 2010, 124 Stat. 96, 23 U.S.C. 101 note
 - (a) U.S. DOT regulations, “Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs,” 49 C.F.R. Part 26.
 - (b) U.S. DOT regulations, “Disadvantaged Business Enterprise: Program Improvements,” regulations, amending 49 C.F.R. Part 26 at 76 Fed. Reg. 5083 *et seq.*, January 28, 2011.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

- f. Fair Housing.
 - (1) Title VIII of the Civil Rights Act of 1968, as amended, 42 U.S.C. §§ 3601 *et seq.*
 - (a) Executive Order No. 12892, “Leadership and Coordination of Fair Housing in Federal Programs: Affirmatively Furthering Fair Housing,” 42 U.S.C. § 3608 note.
- g. Education.
 - (1) Title IX of the Education Amendments of 1972, as further amended, 20 U.S.C. §§ 1681 *et seq.*
 - (a) U.S. DOT regulations, “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 C.F.R. Part 25.
- h. Age Discrimination.
 - (1) The Age Discrimination Act of 1975, as amended, 42 U.S.C. §§ 6101 *et seq.*,
 - (a) U.S. Health and Human Services regulations, “Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance,” 45 C.F.R. Part 90.
 - (2) The Age Discrimination in Employment Act (ADEA) 29 U.S.C. §§ 621 through 634.
 - (a) U.S. Equal Employment Opportunity Commission (U.S. EEOC) regulations, “Age Discrimination in Employment Act,” 29 C.F.R. Part 1625.
- i. Accessibility for Elderly Individuals and Individuals with Disabilities.
 - (1) 49 U.S.C. § 5301(d), “Elderly Individuals and Individuals with Disabilities” – FTA Accessibility Policy.
 - (2) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794 – Accessibility in federally assisted programs.
 - (3) Americans with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12101 *et seq.* – General accessibility requirements.
 - (4) Architectural Barriers Act of 1968, as amended, 42 U.S.C. §§ 4151 *et seq.* – Detailed accessibility requirements.
 - (5) Section 508 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794d – Accessibility to electronic and information technology.
 - (6) U.S. DOT regulations, “Transportation Services for Individuals with Disabilities (ADA),” 49 C.F.R. Part 37.
 - (7) U.S. DOT regulations, “Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance,” 49 C.F.R. Part 27.
 - (8) FTA regulations, “Transportation for Elderly and Handicapped Persons,” 49 C.F.R. Part 609.
 - (9) Joint U.S. Architectural and Transportation Barriers Compliance Board (ATBCB)/U.S. DOT regulations, “Americans With Disabilities (ADA) Accessibility Specifications for Transportation Vehicles,” 36 C.F.R. Part 1192 and 49 C.F.R. Part 38.
 - (10) U.S. DOJ regulations, “Nondiscrimination on the Basis of Disability in State and Local Government Services,” 28 C.F.R. Part 35.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

- (11) U. S. DOJ regulations, “Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities,” 28 C.F.R. Part 36.
- (12) U.S. General Services Administration (U.S. GSA) regulations, “Accommodations for the Physically Handicapped,” 41 C.F.R. Subpart 101-19.
- (13) U. S. Equal Employment Opportunity Commission, “Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act,” 29 C.F.R. Part 1630.
- (14) U. S. Federal Communications Commission regulations, “Telecommunications Relay Services and Related Customer Premises Equipment for the Hearing and Speech Disabled,” 47 C.F.R. Part 64, Subpart F.
- (15) U.S. ATBCB regulations, “Electronic and Information Technology Accessibility Standards,” 36 C.F.R. Part 1194.

j. Limited English Proficiency.

- (1) Executive Order No. 13166, “Improving Access to Services for Persons with Limited English Proficiency,” August 11, 2000, 42 U.S.C. § 2000d-1 note.
- (2) U.S. DOT Notice “DOT Policy Guidance Concerning Recipients’ Responsibilities to Limited English Proficiency (LEP) Persons,” 70 *Fed. Reg.* 74087, December 14, 2005.

k. Confidentiality – Alcohol Treatment.

- (1) Drug Abuse Office and Treatment Act of 1972, as amended, 21 U.S.C. §§ 1101 *et seq.*
- (2) Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, as amended, 42 U.S.C. §§ 4541 *et seq.*
- (3) Public Health Service Act of 1912, as amended, 42 U.S.C. §§ 290dd through 290dd-2.

l. Environmental Justice.

- (1) Executive Order No. 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” 42 U.S.C. § 4321 note.
- (2) DOT Order 5620.3, “Department of Transportation Actions To Address Environmental Justice in Minority Populations and Low-Income Populations,” 62 *Fed. Reg.* 18377 *et seq.*, April 15, 1997.

21. Environmental Protections

a. General.

- (1) National Environmental Policy Act of 1969, as amended, 42 U.S.C. §§ 4321 through 4335.
 - (a) 42 U.S.C. § 5159 – Exceptions for Stafford Act projects.
- (2) Executive Order No. 11514, as amended, “Protection and Enhancement of Environmental Quality,” 42 U.S.C. § 4321 note.
- (3) U.S. Council on Environmental Quality regulations on compliance with the National Environmental Policy Act of 1969, as amended, 40 C.F.R. Parts 1500 through 1508.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

- (4) 49 U.S.C. § 5324(b) – FTA environmental protections.
 - (5) 23 U.S.C. § 139 – Efficient environmental procedures.
 - (6) 23 U.S.C. § 326 – Assignment to States of responsibility for categorical exclusions.
 - (6) Joint FHWA/FTA regulations, “Environmental Impact and Related Procedures,” 23 C.F.R. Part 771 and 49 C.F.R. Part 622.
 - (7) Joint FHWA/FTA final guidance, “SAFETEA-LU Environmental Review Process (Public Law 109-59),” 71 Fed. Reg. 66576 et seq., November 15, 2006.
- b. Special Statutory Requirements for FTA and FHWA.
- (1) 49 U.S.C. § 5324(b) – General Environmental Requirements for EPA standards.
 - (2) 23 U.S.C. §§ 139 and 326 – Environmental Requirements for FHWA.
 - (3) Amendments to 23 U.S.C. § 138 – Environmental Requirements for FHWA.
 - (4) FHWA/FTA final guidance, “SAFETEA-LU Environmental Review Process (Public Law 109-59),” 71 *Fed. Reg.* 66576 et seq. November 15, 2006.
 - (5) Department of Transportation Act, 49 U.S.C. §§ 303(b) and 303(c) [“Section 4(f)”].
 - (6) Joint FHWA/FTA regulations, “Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites,” 23 C.F.R. Part 774, and referenced in 49 C.F.R. Part 622.
- c. Air Quality.
- (1) Clean Air Act, as amended, 42 U.S.C. §§ 7401 through 7671q, in particular, Section 176(c) of the Clean Air Act 42 U.S.C. § 7506(c).
 - (2) Scattered sections of Title 29, United States Code.
 - (3) Section 306 of the Clean Air Act, as amended, 42 U.S.C. § 7606 – Notice of violating facilities.
 - (a) Executive Order No. 11738, “Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants, or Loans,” 42 U.S.C. § 7606 note.
 - (4) U.S. EPA regulations, “Determining Conformity of Federal Actions to State or Federal Implementation Plans,” 40 C.F.R. Part 93.
 - (5) U.S. EPA regulations, “Control of Air Pollution from Mobile Sources,” 40 C.F.R. Part 85.
 - (6) U.S. EPA regulations, “Control of Air Pollution from New and In-Use Motor Vehicles and New and In-Use Motor Vehicle Engines,” 40 C.F.R. Part 86.
 - (7) U.S. EPA regulations, “Fuel Economy of Motor Vehicles,” 40 C.F.R. Part 600.
- d. Water.
- (1) Clean Water Act, as amended, 33 U.S.C. §§ 1251 through 1377.
 - (2) Section 508 of the Clean Water Act, as amended, 33 U.S.C. § 1368 – Notice of violating facilities.
 - (a) Executive Order No. 11738, “Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants, or Loans,” 42 U.S.C. § 7606 note.
 - (3) Safe Drinking Water Act of 1974, as amended, 42 U.S.C. §§ 300f through 300j-6.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

e. Protection of Public Parks and Recreation Lands, Wildlife and Waterfowl Refuges.

- (1) Department of Transportation, 49 U.S.C. §§ 303(b) and 303(c) [“Section 4(f)”].
- (2) Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. §§ 1271 through 1287.
 - (a) U.S. Forest Service regulations, “Wild and Scenic Rivers,” 36 C.F.R. Part 297.
 - (b) U.S. Bureau of Land Management regulations, “Management Areas,” 43 C.F.R. Part 8350.
- (3) Coastal Zone Management Act of 1972, as amended, 16 U.S.C. §§ 1451 through 1465.
- (4) Endangered Species Act of 1973, as amended, 16 U.S.C. §§ 1531 through 1544.
- (5) Magnuson Stevens Fisheries Conservation Act, as amended, 16 U.S.C. §§ 1801 *et seq.*
- (6) Executive Order No. 11990, as amended, “Protection of Wetlands,” at 42 U.S.C. § 4321 note.
- (7) Executive Order No. 11988, as amended, “Floodplain Management,” 42 U.S.C. § 4321 note.

f. Protection of Historic Sites.

- (1) Department of Transportation, 49 U.S.C. §§ 303(b) and 303(c) [“Section 4(f)”].
- (2) Section 106 of the National Historic Preservation Act, as amended, 16 U.S.C. § 470f.
- (3) Archaeological and Historic Preservation Act of 1974, as amended, 16 U.S.C. §§ 469a through 469c.
 - (a) Executive Order No. 11593, “Protection and Enhancement of the Cultural Environment,” 16 U.S.C. § 470 note.
 - (b) U.S. Advisory Council on Historic Preservation regulations, “Protection of Historic and Cultural Properties,” 36 C.F.R. Part 800.
- (4) American Indian Religious Freedom Act, 42 U.S.C. § 1996.
 - (a) Executive Order No. 13007, “Indian Sacred Sites,” 42 U.S.C. § 1996 note.

g. Conservation and Recycling.

- (1) Resource Conservation and Recovery Act, as amended, 42 U.S.C. §§ 6901 through 6992k.

h. Hazardous Waste.

- (1) Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. §§ 9601 through 9675.

22. Energy Conservation.

- a. Energy Policy and Conservation Act, as amended, 42 U.S.C. §§ 6321 *et seq.*
- b. FTA regulations, “Requirements for Energy Assessments,” 49 C.F.R. Part 622, Subpart C.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

23. Geographic Information and Related Spatial Data.

- a. U.S. OMB Circular A-16, "Coordination of Geographic Information and Related Spatial Data Activities," August 19, 2002.
- b. OMB Circular A-16 Supplemental Guidance, "Geospatial Line of Business," November 10, 2010.

24. Security.

- a. Section 101(e) of the Aviation and Transportation Security Act, 49 U.S.C. § 40119(b).
 - (1) U.S. DOT regulations, "Protection of Sensitive Security Information," 49 C.F.R. Part 15.
- b. 49 U.S.C. § 114(r).
 - (1) U.S. Department of Homeland Security, Transportation Security Administration regulations, "Protection of Sensitive Security Information," 49 C.F.R. Part 1520.

25. Safety.

- a. FTA Circular 5800.1, "Safety and Security Management Guidance for Major Capital Projects," August 1, 2007.
- b. Facilities and Operations.
 - (1) Motor Carrier.
 - (a) U.S. Federal Motor Carrier Safety Administration (FMCSA) regulations, "Minimum Levels of Financial Responsibility for Motor Carriers," 49 U.S.C. Part 387, as modified by 49 U.S.C. § 31138(e)(4).
 - (b) U.S. FMCSA regulations, Subpart B, "Federal Motor Carrier Safety Regulations," at 49 CFR Parts 390 through 396.
 - (c) U.S. FMCSA regulations, "Commercial Driver's License Standards, Requirements, and Penalties," 49 C.F.R. Part 383.
 - (d) U.S. FMCSA's regulations, "Drug and Alcohol Use and Testing Requirements," 49 C.F.R. Part 382.
 - (2) Rail Safety.
 - (a) 49 U.S.C. § 5330.
 - (b) FTA regulations, "Rail Fixed Guideway Systems; State Safety Oversight," 49 C.F.R. Part 659.
 - (3) Hazardous Material Shipments.
 - (a) U.S. Pipeline and Hazardous Materials Safety Administration regulations, "Shippers - General Requirements for Shipments and Packagings," 49 C.F.R. Part 173.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

(4) Lead Paint.

- (a) Section 401(b) of the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. § 4831(b).
- (b) U.S. Housing and Urban Development regulations, “Lead-based Paint Poisoning in Certain Residential Structures,” 42 C.F.R. Part 35.

(5) Earthquake.

- (a) Earthquake Hazards Reduction Act of 1977, as amended, 42 U.S.C. §§ 7701 *et seq.*
- (b) U.S. DOT regulations, “Seismic Safety,” 49 C.F.R. Part 41, (specifically, 49 C.F.R. § 41.117).
- (c) Executive Order No. 12699, “Seismic Safety of Federal and Federally-Assisted or Regulated New Building Construction,” 42 U.S.C. § 7704 note.

(6) Seat Belt Use.

- (a) Executive Order No. 13043, “Increasing Seat Belt Use in the United States,” April 16, 1997, 23 U.S.C. § 402 note.

(7) Distracted Driving.

- (a) Executive Order No. 13513, “Federal Leadership on Reducing Text Messaging While Driving,” October 1, 2009, 23 U.S.C. § 402 note.
- (b) DOT Order 3902.10, “Text Messaging While Driving,” December 30, 2009, 23 U.S.C. § 402 note.

c. Drug and Alcohol.

(1) Workplace.

- (a) Drug-Free Workplace Act of 1988, 41 U.S.C. § 8103.
- (b) U.S. DOT regulations, “Governmentwide Requirements for Drug-Free Workplace (Financial Assistance),” 49 C.F.R. Part 32.
- (c) U.S. OMB Guidance, “Governmentwide Requirements for Drug-Free Workplace (Financial Assistance),” 2 C.F.R. Part 182.

(2) Public Transportation Operations.

- (a) 49 U.S.C. § 5331.
- (b) FTA regulations, “Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations,” 49 CFR Part 655.
- (c) U.S. FMCSA regulations, “Drug and Alcohol Use and Testing Requirements,” 49 C.F.R. Part 382.

d. Research Project Protections.

(1) People.

- (a) National Research Act, Pub. L. 93-348, July 12, 1974, as amended, 42 U.S.C. §§ 289 *et seq.*

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

(b) U.S. DOT regulations, “Protection of Human Subjects,” 49 C.F.R. Part 11.

(2) Animals.

(a) Animal Welfare Act, as amended, 7 U.S.C. §§ 2131 *et seq.*

(b) U.S. Department of Agriculture regulations, “Animal Welfare,” 9 C.F.R. Subchapter A, Parts 1, 2, 3, and 4.

26. \$1 Coins.

Section 104 of the Presidential \$1 Coin Act of 2005, 31 U.S.C. § 5112(p).

27. Political Activity Restrictions.

a. Hatch Act.

(1) 5 U.S.C. §§ 1501 through 1508, 7324 through 7326 – Hatch Act prohibitions.

(a) U.S. Office of Personnel Management regulations, “Political Activity of State or Local Officers or Employees,” 5 C.F.R. Part 151.

(2) 49 U.S.C. § 5307(k)(2)(B) and 23 U.S.C. § 142(g) – Exceptions to Hatch Act prohibitions for transit employees.

28. Qualification for Half-Fare Privileges in Certain Programs.

a. Title II of the Social Security Act, 42 U.S.C. §§ 401 *et seq.*

b. Title XVIII of the Social Security Act, 42 U.S.C. §§ 1395 *et seq.*

29. Cost Participation Restrictions.

a. Federal/local share requirements – Various provisions of FTA and FHWA enabling legislation.

b. 49 U.S.C. § 5302(a)(8) – Definition of net project cost.

c. 49 U.S.C. § 5323(h) – Ordinary governmental or nonproject operating cost.

d. U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” at 49 C.F.R. § 18.22(b), and U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” at 49 C.F.R. § 19.27 citing the following Office of Management and Budget U.S. OMB circulars and the Federal Acquisition Regulation as follows:

(1) U.S. OMB Guidance for Grants and Agreements, “Cost Principles for State and Local Governments (OMB Circular A-87)” 2 C.F.R. Part 225.

(2) U.S. OMB Guidance for Grants and Agreements, “Cost Principles for Educational Institutions (OMB Circular A-21)” 2 C.F.R. Part 220.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

- (3) U.S. OMB Guidance for Grants and Agreements, “Cost Principles for Nonprofit Organizations (OMB Circular A-122)” 2 C.F.R. Part 230.
- (4) Federal Acquisition Regulation, 48 C.F.R. Chapter I, Subpart 31.2, “Contracts with Commercial Organizations.”

30. Cash Withdrawal Restrictions.

- a. Section 5(b) of the Cash Management Improvement Act of 1990, as amended, 31 U.S.C. § 6503(b).
- b. U.S. Department of Treasury regulations, “Rules and Procedures for Funds Transfers,” 31 C.F.R. Part 205.
- c. U.S. Department of Treasury-U.S. Department of Justice regulations, “Standards for the Administrative Collection of Claims,” 31 C.F.R. § 901 *et seq.*, in particular, subsection 901.9(i).
- d. U.S. Department of Treasury Circular 1075, Part 205, “Withdrawal of Cash from the Treasury for Advances Under Federal Grants and Other Programs.”
- e. Treasury Financial Manual, Vol. 1, Part 6, Chapter 2000, Debt Collection Act of 1982, as amended, 31 U.S.C. §§ 3701 through 3720.
- f. ECHO System Operations Manual, “Guidelines for Disbursements” for FTA Projects.

31. Oversight and Audit.

- a. Project Management Oversight.
 - (1) 49 U.S.C. § 5327(a) – Requires project management oversight of major capital projects.
 - (2) FTA regulations, “Project Management Oversight,” 49 C.F.R. Part 633.
 - (3) The most recent edition of FTA Circular 5800.1, “Safety and Security Management Guidance for Major Capital Projects.”
- b. Audit.
 - (1) Single Audit Act Amendments of 1996, 31 U.S.C. §§ 7501 *et seq.* 49 C.F.R. § 19.26.
 - (2) U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments,” at 49 C.F.R. § 18.26 and U.S. DOT regulations, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations,” at 49 C.F.R. § 19.26.
 - (3) U.S. OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations,” Revised.
 - (4) Most recent U.S. OMB A-133 Compliance Supplement provisions for the Department of Transportation.

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

- (5) U.S. Government Accountability Office, “Government Auditing Standards.”
- (6) Federal Cost Principles of:
 - (a) U.S. OMB Guidance for Grants and Agreements, “Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87),” 2 C.F.R. Part 225.
 - (b) U.S. OMB Guidance for Grants and Agreements, “Cost Principles for Educational Institutions (OMB Circular A-21),” 2 C.F.R. Part 220.
 - (c) U.S. OMB Guidance for Grants and Agreements “Cost Principles for Non-profit Organizations (OMB Circular A-122),” 2 C.F.R. Part 230.
 - (d) Federal Acquisition Regulation, at 48 C.F.R. Chapter I, Subpart 31.2, “Contracts with Commercial Organizations.”
- (7) 49 U.S.C. § 5325(g) – U.S. DOT, GAO, and, to the extent appropriate, State access to the Recipient’s records.

32. National Transit Database.

- a. 49 U.S.C. § 5335(a).
- b. FTA regulations, “Uniform System of Accounts and Records and Reporting System,” 49 C.F.R. Part 630.

33. Transparency Act Reporting.

- a. OMB Guidance “Universal Identifier and Central Contractor Registration” 2 C.F.R. Part 25.
- b. OMB Interim Final Guidance “Reporting Subawards and Executive Compensation,” 2 C.F.R. Part 170.
- c. OMB Proposed Guidance, “Recipient Integrity and Performance Matters,” 2 C.F.R. Part 35.

34. Availability of Information.

- a. Freedom of Information Act, 5 U.S.C. § 552.

35. Debts and Claims.

- a. Debts.
 - (1) Cash Management Improvement Act of 1990, as amended, 31 U.S.C. § 6503(b), section 5(b).
 - (2) U.S. Treasury regulations, “Rules and Procedures for Efficient Federal-State Funds Transfers,” 31 C.F.R. Part 205 – Cash management requirements for States and State instrumentalities for debts owed by a State that are NOT a claim.
 - (3) 31 U.S.C. § 3717 – Treasury tax and loan account interest rate.
 - (4) Joint U.S. Treasury and U.S. Department of Justice (joint U.S. Treasury/U.S. DOJ)

**FEDERAL TRANSIT PROGRAMS
FISCAL YEAR 2012
CITATIONS TO FEDERAL LAWS, REGULATIONS, AND DIRECTIVES**

regulations, “Standards for the Administrative Collection of Claims,” at 31 C.F.R. § 901.9(i) – Common law interest requirements for Recipients that are not a State or a State instrumentality.

b. Claims.

(1) Debt Collection Act of 1982, as amended, 31 U.S.C. §§ 3701 *et seq.*

(2) Joint U.S. Treasury and U.S. Department of Justice (joint U.S. Treasury/U.S. DOJ) regulations, “Standards for the Administrative Collection of Claims,” at 31 C.F.R. § 901.9(a) through (g) – Interest requirements for Recipients that are a State or a State instrumentality.

(3) Joint U.S. Treasury and U.S. Department of Justice (joint U.S. Treasury/U.S. DOJ) regulations, “Standards for the Administrative Collection of Claims,” at 31 C.F.R. § 901.9(i) – Common law interest requirements for Recipients that are not a State or a State instrumentality.

36. Fraud.

a. Civil Fraud.

(1) Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. §§ 3801 *et seq.*

(2) U.S. DOT regulations, “Program Fraud Civil Remedies,” 49 C.F.R. Part 31.

b. Criminal Fraud.

(1) 18 U.S.C. § 1001.

(2) 49 U.S.C. § 5323(l), invoking 18 U.S.C. § 1001.