

**SUPPORTING JUSTIFICATION
REQUEST FOR EXPRESSIONS OF INTEREST
HIGH SPEED RAIL CORRIDORS**

- 1. EXPLAIN THE CIRCUMSTANCES THAT MAKE THE COLLECTION OF INFORMATION NECESSARY. IDENTIFY ANY LEGAL OR ADMINISTRATIVE REQUIREMENTS THAT NECESSITATE THE COLLECTION. ATTACH A COPY OF THE APPROPRIATE SECTION OF EACH STATUTE AND REGULATION MANDATING OR AUTHORIZING THE COLLECTION OF INFORMATION.**

Railroads were the earliest form of mass transportation, and effectively monopolized transportation on land until the development of the automobile in the early part of the 20th century. Railroads were not only the primary method of moving people, but also served to transport manufactured and other goods over both long and short distances and contributed significantly to the economic development of countries in Europe and Asia, as well as the growing prosperity of the United States. As technology progressed, railroad companies developed streamlined trains to move people and goods more quickly and efficiently from one city to another.

The first high-speed train was developed by the Italians in 1939. The Italian ETR 200 train traveled from Milan to Florence at 165 kilometers per hour (approximately 102 miles per hour), with a top speed of 203 km/h (approximately 126 mph), allowing trains to compete with nascent air service. World War II ended these services. In 1957, the Odakyu Electric Railway in Greater Tokyo initiated its Romancecar 3000 SSE. This train set a world record for narrow gauge trains, traveling at a speed of 145 km/h (approximately 90 mph), and this feat of engineering convinced Japanese designers they could build even faster trains at standard gauge. In 1959, Japan began building its Tokaido Shinkansen train and launched this first contemporary high-speed or “bullet train” – so called because of its sleek design – in time for the 1964 Olympics. This line began operation between the cities of Tokyo and Osaka. Covering a distance of 322 miles, these trains sped along at a velocity of approximately 135 miles per hour and reduced travel time between the two cities from the previous six hours to three hours and provided service to 45 million people. The transit time for this line today is an astonishing two hours and 30 minutes, and carries 117,000 passengers a day at speeds of 200 miles per hour.

Japan successfully demonstrated that high-speed trains could both save time and move large numbers of people quickly and safely. It was only a matter of time then before high-speed trains caught on in Europe. In 1984, the first European line began operation in France. The French National Railways launched operation of the first Train a Grande Vitesse (TGV) line that ran from Paris to Lyon, with trains traveling at a speed of 271 km/h (168 mph). By 1989, TGV trains operating on two different routes were carrying 24 million customers annually. In 2002, a new high-speed line called the TGV Med reached Marseilles from Paris, traveling the 480 mile distance in just under three hours.

Previously, this train trip took four hours and 20 minutes. Besides making a side trip to the Mediterranean all the more appealing, the TGV Med provided the added benefit of connecting French cities to other major European cities via the Paris link. As more TGV lines were added, travel times continued to decrease between cities, and the number of train riders continued to increase. In September 2007, the TGV Est (East) line from Paris to Strasbourg began operation, bringing the eastern city on the border with Germany to within two hours and 20 minutes of Paris. Because of the efficiency and popularity of its high-speed rail lines, the French National Railway decided to create a master plan to link the entire nation. The master plan calls for 2,000 miles of high-speed rail lines to be built throughout the country. These lines are projected to cost \$33 billion and to be completed by the year 2015. Top speed on the new TGV lines is 322 km/h (200 mph).

In Germany, the first Intercity Express (ICE) high-speed trains began operations on the Hamburg-Munich line in June 1991. These sleek, white trains traveled at speeds of 250-280 km/h (155-174 mph), whisking riders along in quiet, comfortable cars equipped with video screens (first class), stereo headsets, fax machines, and telephones. In August 1992, ICE initiated service between Bremen and Munich. In late 1998, ICE opened its third high-speed rail line from Hanover to Berlin, cutting travel time down by two-and-a-half hours. In August 2002, ICE opened the Cologne-Frankfurt high-speed line. With trains traveling at speeds up to 300 km/h (186 mph), travel time between the two cities was reduced from two hours and 15 minutes to a little more than one hour. The ensuing popularity of this line caused ICE to run 54 trains hourly between the two cities from 6 a.m. to 8 p.m. Among the four scheduled stops, ICE included a stop at the Frankfurt airport, providing both national and international connections to rail riders. ICE service now operates between many cities at hourly or two-hourly intervals. ICE service even goes as far as Switzerland, Austria, Belgium and the Netherlands. Expansion of ICE service is a top goal of the German government. The German and Danish ministers of transport have made a common declaration in favor of building a tunnel or a suspension bridge across the Fehmarn strait between Denmark and Germany by 2015. The link is to have a four-lane highway and a double-track railway, and will be financed by tolls and loan guarantees by the government. The link would be 18 kilometers long, and cost approximately nine billion Euros (\$11.6 billion). With improvements in track, the new train link would provide a travel time of two-and-a-half hours between Copenhagen and Hamburg. This trip currently takes four-and-a-half hours to complete.

In contrast to the development and great popularity of high-speed train travel in Japan and Europe, travel from city to city in the United States developed differently. Early in the 20th century, Americans became infatuated with the automobile. In 1908, Henry Ford produced the first Model T automobile. In mastering the automobile assembly line, Henry Ford and his company increased manufacturing efficiency, lowered cost per unit, and began producing automobiles in great numbers. Henry Ford's inspired idea to raise wages so that Ford factory workers could afford to purchase the cars they produced resulted in other companies following suit. Incomes of workers across the board were raised and, as a result, the automobile became affordable for millions of Americans. Other car companies came into existence and began producing a wide variety of new

models that Americans eagerly purchased. The auto quickly replaced the trolley and other early train systems, and became the main mode of transport throughout the United States. In the 1950s, the Eisenhower Administration began construction of the 41,000 mile Interstate Highway System. Over the years, the Federal government invested hundreds of billions of dollars in completing this ambitious highway system, viewed as an engineering marvel throughout the world. As the years passed and American prosperity increased, more and more cars were produced. America became the target market for both domestic and foreign auto makers. Since 1960, the number of motor vehicles purchased in the United States has grown steadily, rising by an estimated 3.69 million cars per year. Soon two and three car households became the norm. Between 1998-1999 and 2000-2001, the number of automobiles purchased increased by eight million from the prior years. Americans purchased 15 million autos in 2004 and 17 million autos in 2005. Similar numbers to 2005 were sold in 2006 and 2007. According to a Bureau of Transportation Statistics study, there were an estimated 250,851,833 registered passenger vehicles in the United States in 2006.

With this many vehicles, traffic on roadways throughout the United States quickly became congested. As quickly as new roads were built, auto and truck traffic immediately filled them up. The result was – and continues to be – ever worsening gridlock across the nation, causing millions of Americans to sit unproductively in their cars while waiting to drive to work. Not surprisingly, frustration reached sky high levels among motorists. For businesses, the cost of doing business went up. Demand for oil in the United States has continued to increase decade after decade, helped along recently by the huge popularity of big sports utility vehicles and trucks. The demand for ever increasing amounts of oil from undemocratic and unstable regimes in the Middle East and Latin America has sent political, economic, and security reverberations across the American political establishment. Perhaps even more importantly, the tremendous amounts of carbon dioxide emitted from the tens of millions of vehicles operating daily on American roads -- and millions more operating on roads throughout the rest of the world -- have generated a profound impact on the environment. These emissions are believed responsible for the phenomenon known as global warming, causing rising world air and sea temperatures and leading to the steady melting of the polar ice caps.

The situation with air travel closely followed that of automobiles. Over time, air travel became hugely popular with Americans, particularly after deregulation of the airline industry in the 1980s. Deregulation caused the birth of new air lines and more competition among all airlines, with corresponding decreases in prices to attract customers to remain economically viable. Millions of Americans began to fly, and airports expanded to accommodate all the new fliers. Besides taking long amounts of time to complete and become functional, these airport expansions have cost great amounts of money. The proliferation of airlines, large and ever increasing number of fliers, and failure to upgrade the country's outdated air traffic control system soon produced an overloaded system. As with American highways, congested skies and long waits to reach intended destinations soon ensued.

In light of these developments, rethinking and restructuring the U.S. transportation system is clearly an idea whose time has come. Currently, rail service in the United States is spotty and not well funded. America is at a critical crossroad, and the country can either continue to spend on roads and runways and see mobility decrease and get more expensive, or the country can refocus its priorities on sustainability, mobility, prosperity and national security by emulating countries like Japan, France, and Germany by constructing a national high-speed train network to link its multitude of large and small cities.

It is against this backdrop that President Bush, on October 16, 2008, signed into effect Public Law 110-690, the Passenger Rail Investment and Improvement Act of 2008. Among its provisions, this law re-authorized Amtrak. Further, section 502 of “the Act” requires the Secretary of Transportation to “issue a request for proposals for projects for the financing, design, construction, operation, and maintenance of a high-speed intercity passenger rail system operating within” either the Northeast Corridor (NEC) or 10 other Federally-designated High Speed Rail (HSR) corridors. To satisfy this mandate, FRA is soliciting and encouraging the submission of Expressions of Interest for potential projects along any of these 11 corridors to finance, design, construct, operate, and maintain an improved high-speed rail intercity passenger system. FRA envisions this as the first phase of a qualification process that Congress may follow with more specific actions regarding particular concepts in one or more corridors.

2. INDICATE HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED. EXCEPT FOR A NEW COLLECTION, INDICATE THE ACTUAL USE THE AGENCY HAS MADE OF THE INFORMATION RECEIVED FROM THE CURRENT COLLECTION.

This is a new collection of information. The information collected will be used by the Federal Railroad Administration (FRA), commissions to be formed in accordance with Section 502 of Public Law 110-690, and Congress. The collection of information – responses that describe high speed rail proposals – will be used to inform the Department, FRA, and Congress about the benefits to the public and the national transportation system from high speed rail proposals received. Each proposal must address the financing, design, construction, and operation of high-speed rail projects, and must include all the information spelled-out in Section 502(a)(2). Upon receipt of proposals and after the close of the Expression of Interest solicitation period, FRA will evaluate them and determine if each Expression of Interest is complete and if there is evidence provided in the proposal that would support conclusions that such proposals are cost-effective. If FRA determines that one or more Expressions of Interest satisfy this screening evaluation, FRA would establish commissions as stipulated under Section 502(b)(2) for the relevant high-speed rail corridor to review and consider the response(s). There are 11 Federally-designated high-speed rail corridors included under Public Law 110-690.

Section 502(c) of the Act requires FRA to establish and support the formation of

commissions, composed of governors of the affected State or States or their designees, a rail labor representative, a representative from a rail freight carrier using the relevant corridor as well as a representative from a commuter authority using the relevant corridor, the mayors of the three largest municipalities serviced by the proposed high-speed rail corridor, and the President of Amtrak/his designee, that would assess the responses. Under Section 502(d), not later than 90 days after the establishment of commissions, each commission must prepare and transmit to the Secretary of Transportation and the chair and ranking minority members of the House Transportation and Infrastructure Committee and the Senate Commerce, Science, and Transportation Committee a report that includes the following: (i) A summary of each proposal received; (ii) A ranking of the order of the proposals according to cost effectiveness, advantages over existing services, projected revenue, and cost and benefit to the public and private parties; (iii) An indication of which proposal or proposals are recommended by the commission; and (iv) An identification of any proposed legislative provisions which would facilitate implementation of the recommended project. Under this section, proposing entities must be given an opportunity to make a verbal presentation to the commission to explain their proposals. As of this date, no funds have been appropriated for this purpose.

Not later than 60 days after receiving a report from a commission, the Secretary of Transportation/FRA must transmit to Congress a report that ranks all of the recommended proposals according to cost effectiveness, advantages over existing services, projected revenue, and cost and benefit to the public and private parties.

Subject to appropriations and after submission of reports to Congress, up to \$5,000,000.00 may be made available for preliminary engineering under 49 U.S.C. Section 26104(a) for one selected proposal per corridor.

3. DESCRIBE WHETHER, AND TO WHAT EXTENT, THE COLLECTION OF INFORMATION INVOLVES THE USE OF AUTOMATED, ELECTRONIC, MECHANICAL, OR OTHER TECHNOLOGICAL COLLECTION TECHNIQUES OR OTHER FORMS OF INFORMATION TECHNOLOGY, E.G. PERMITTING ELECTRONIC SUBMISSION OF RESPONSES, AND THE BASIS FOR THE DECISION FOR ADOPTING THIS MEANS OF COLLECTION. ALSO DESCRIBE ANY CONSIDERATION OF USING INFORMATION TECHNOLOGY TO REDUCE BURDEN.

FRA strongly supports and highly encourages the use of advanced information technology, wherever possible, to reduce burden on respondents. FRA has championed the use of advanced information technology, particularly electronic recordkeeping, for many years now. In compliance with both the requirements of the Paperwork Reduction Act (PRA) and the Government Paperwork Elimination Act (GPEA), FRA provides for electronic submission of responses to this request. The Department's electronic docket, accessible through www.regulations.gov, will be used to collect the information and make it generally available. Only documents that are impractical to submit

electronically, such as oversized engineering drawings, may be transmitted to FRA exclusively in paper format.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSES DESCRIBED IN ITEM 2 ABOVE.

The Request for Expressions of Interest is a new collection of information and new initiative mandated by Congress. To our knowledge, the information to be collected is not duplicated anywhere. The information collection requirements were developed for the sole purpose of satisfying the statutory requirements of Public Law 110-690.

Similar data are not available from any other source nor would any other source satisfy the Congressional mandate.

5. IF THE COLLECTION OF INFORMATION IMPACTS SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 5 OF OMB FORM 83-I), DESCRIBE ANY METHODS USED TO MINIMIZE BURDEN.

Participation in the Request for Expressions of Interest process is completely voluntary. Eligibility to participate is open to any individual or entity that is willing to submit a proposal. However, high speed rail systems are large, technically complex, specialized, and very costly investments. Implementation of any conceivable high speed rail system would, at a minimum, cost hundreds of millions of dollars, exceeding the small business size standards. Therefore, it is exceedingly unlikely that small businesses will participate.

Likewise, it is not likely that small governmental entities would be able to implement a high speed rail system and, therefore, are unlikely to participate. Respondents are most likely to be combinations of private companies, possibly including one or more railroads, with a State or group of States.

6. DESCRIBE THE CONSEQUENCE TO FEDERAL PROGRAM OR POLICY ACTIVITIES IF THE COLLECTION IS NOT CONDUCTED OR IS CONDUCTED LESS FREQUENTLY, AS WELL AS ANY TECHNICAL OR LEGAL OBSTACLES TO REDUCING BURDEN.

If this information were not collected, then FRA would be unable to fulfill a very important Congressional mandate. Specifically, without this collection of information, FRA would be unable to issue a request for proposals for projects for the financing, design, construction, operation, and maintenance of a high-speed intercity passenger rail system operating within the Northeast Corridor (NEC) of the United States or any of the other 10 Federally-designated high-speed rail corridors throughout the country. Also, without this collection of information, FRA would be unable evaluate any proposals for high speed rail projects to determine whether such proposals are cost effective.

Further, without this collection of information, FRA would be unable to establish commissions mandated by Congress under Section 502(b) of the Act for those corridors for which one or more proposals were determined cost effective. Without this collection of information, commissions would be unable to review proposals and complete and transmit the report required under Section 502(d) to the Secretary of Transportation and leading members of the House and Senate Transportation Committees. Without this report, the Secretary of Transportation and the leaders of the two Congressional Transportation Committees would be unable to review and evaluate a summary of the proposals received, rank proposals according to cost effectiveness, ascertain an indication of which proposal or proposals are recommended by the commission, and identify any proposed legislative provisions which would facilitate implementation of the recommended project.

Finally, without this collection of information, the Secretary of Transportation would be unable to complete and transmit the report required under Section 502(e) to Congress that ranks all of the recommended proposals according to cost effectiveness, advantages over existing services, projected revenue, and cost and benefit to the public and private parties.

The collection of information is a critical first step in determining the feasibility of funding and building an advanced high speed rail transportation system throughout the 11 Federally-designated rail corridors in the United States that would rival those already operating in Japan, France, and Germany. The realization of such an advanced high speed passenger rail system – with trains operating at speeds of 125 miles per hour or higher – would provide significant transportation, economic, security, and environmental benefits to both the nation at large and to States and communities along the affected rail corridors, as well as considerable economic benefits to businesses impacted by the increased movement of greater numbers of people and goods.

In sum, this collection of information enables FRA to fulfill an important Congressional mandate and furthers DOT's goals and objectives as well as its core agency mission of promoting and enhancing rail transportation throughout the United States.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES THAT WOULD CAUSE AN INFORMATION COLLECTION TO BE CONDUCTED IN A MANNER:

- **REQUIRING RESPONDENTS TO REPORT INFORMATION TO THE AGENCY MORE OFTEN THAN QUARTERLY;**
- **REQUIRING RESPONDENTS TO PREPARE A WRITTEN RESPONSE TO A COLLECTION OF INFORMATION IN FEWER THAN 30 DAYS AFTER RECEIPT OF IT;**
- **REQUIRING RESPONDENTS TO SUBMIT MORE THAN AN ORIGINAL AND TWO COPIES OF ANY DOCUMENT;**

- **REQUIRING RESPONDENTS TO RETAIN RECORDS, OTHER THAN HEALTH, MEDICAL, GOVERNMENT CONTRACT, GRANT-IN-AID, OR TAX RECORDS FOR MORE THAN THREE YEARS;**
- **IN CONNECTION WITH A STATISTICAL SURVEY, THAT IS NOT DESIGNED TO PRODUCE VALID AND RELIABLE RESULTS THAT CAN BE GENERALIZED TO THE UNIVERSE OF STUDY;**
- **REQUIRING THE USE OF A STATISTICAL DATA CLASSIFICATION THAT HAS NOT BEEN REVIEWED AND APPROVED BY OMB;**
- **THAT INCLUDES A PLEDGE OF CONFIDENTIALITY THAT IS NOT SUPPORTED BY AUTHORITY ESTABLISHED IN STATUTE OR REGULATION, THAT IS NOT SUPPORTED BY DISCLOSURE AND DATA SECURITY POLICIES THAT ARE CONSISTENT WITH THE PLEDGE, OR WHICH UNNECESSARILY IMPEDES SHARING OF DATA WITH OTHER AGENCIES FOR COMPATIBLE CONFIDENTIAL USE; OR**
- **REQUIRING RESPONDENTS TO SUBMIT PROPRIETARY TRADE SECRET, OR OTHER CONFIDENTIAL INFORMATION UNLESS THE AGENCY CAN DEMONSTRATE THAT IT HAS INSTITUTED PROCEDURES TO PROTECT THE INFORMATION'S CONFIDENTIALITY TO THE EXTENT PERMITTED BY LAW.**

All the information collection requirements are in compliance with this section.

8. **IF APPLICABLE, PROVIDE A COPY AND IDENTIFY THE DATE AND PAGE NUMBER OF PUBLICATION IN THE FEDERAL REGISTER OF THE AGENCY'S NOTICE, REQUIRED BY 5 CFR 1320.8(d), SOLICITING COMMENTS ON THE INFORMATION COLLECTION PRIOR TO SUBMISSION TO OMB. SUMMARIZE PUBLIC COMMENTS RECEIVED IN RESPONSE TO THAT NOTICE AND DESCRIBE ACTIONS TAKEN BY THE AGENCY IN RESPONSE TO THOSE COMMENTS. SPECIFICALLY ADDRESS COMMENTS RECEIVED ON COST AND HOUR BURDEN.**

DESCRIBE EFFORTS TO CONSULT WITH PERSONS OUTSIDE THE AGENCY TO OBTAIN THEIR VIEWS ON THE AVAILABILITY OF DATA, FREQUENCY OF COLLECTION, THE CLARITY OF INSTRUCTIONS AND RECORDKEEPING, DISCLOSURE, OR REPORTING FORMAT (IF ANY), AND ON THE DATA ELEMENTS TO BE RECORDED, DISCLOSED, OR REPORTED.

CONSULTATION WITH REPRESENTATIVES OF THOSE FROM WHOM

INFORMATION IS TO BE OBTAINED OR THOSE WHO MUST COMPILE RECORDS SHOULD OCCUR AT LEAST ONCE EVERY 3 YEARS--EVEN IF THE COLLECTION OF INFORMATION ACTIVITY IS THE SAME AS IN PRIOR PERIODS. THERE MAY BE CIRCUMSTANCES THAT MAY PRECLUDE CONSULTATION IN A SPECIFIC SITUATION. THESE CIRCUMSTANCES SHOULD BE EXPLAINED.

In accordance with the Paperwork Reduction Act of 1995, Public Law No.104-13, § 2, 109 Stat. 163 (1995) (codified as revised at 44 U.S.C. §§ 3501-3520), and its implementing regulations, 5 C.F.R. Part 1320, FRA published a notice in the Federal Register on December 16, 2008 (see 73 FR 76442) soliciting public comments on these information collection requirements. FRA received no comments either from the railroad community, the general public, or any other interested party in response to this notice.

9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEES.

There are no monetary payments provided or gifts made to respondents in connection with this proposed collection of information.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR THE ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.

Confidential treatment with respect to a document or portion thereof may be made on the basis that the information is -- (1) Exempt from the mandatory disclosure requirements of the Freedom of Information Act (5 U.S.C. 552); (2) Required to be held in confidence by 18 U.S.C. 1905; or (3) Otherwise exempt by law from public disclosure.

FRA fully complies with all applicable laws and regulations regarding confidentiality of information that it obtains from the public, private corporations, government supported entities, public authorities, and other entities.

11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF A SENSITIVE NATURE, SUCH AS SEXUAL BEHAVIOR AND ATTITUDES, RELIGIOUS BELIEFS, AND OTHER MATTERS THAT ARE COMMONLY CONSIDERED PRIVATE. THIS JUSTIFICATION SHOULD INCLUDE THE REASONS WHY THE AGENCY CONSIDERS THE QUESTIONS NECESSARY, THE SPECIFIC USES TO BE MADE OF THE INFORMATION, THE EXPLANATION TO BE GIVEN TO PERSONS FROM WHOM THE INFORMATION IS REQUESTED, AND ANY STEPS TO BE TAKEN TO OBTAIN THEIR CONSENT.

There are no questions or information of a sensitive nature or data that would normally be

considered private contained in this information collection.

12. PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION OF INFORMATION. THE STATEMENT SHOULD:

- **INDICATE THE NUMBER OF RESPONDENTS, FREQUENCY OF RESPONSE, ANNUAL HOUR BURDEN, AND AN EXPLANATION OF HOW THE BURDEN WAS ESTIMATED. UNLESS DIRECTED TO DO SO, AGENCIES SHOULD NOT CONDUCT SPECIAL SURVEYS TO OBTAIN INFORMATION ON WHICH TO BASE HOUR BURDEN ESTIMATES. CONSULTATION WITH A SAMPLE (FEWER THAN 10) OF POTENTIAL RESPONDENTS IS DESIRABLE. IF THE HOUR BURDEN ON RESPONDENTS IS EXPECTED TO VARY WIDELY BECAUSE OF DIFFERENCES IN ACTIVITY, SIZE, OR COMPLEXITY, SHOW THE RANGE OF ESTIMATED HOUR BURDEN, AND EXPLAIN THE REASONS FOR THE VARIANCE. GENERALLY, ESTIMATES SHOULD NOT INCLUDE BURDENS HOUR FOR CUSTOMARY AND USUAL BUSINESS PRACTICES**

- **IF THIS REQUEST FOR APPROVAL COVERS MORE THAN ONE FORM, PROVIDE SEPARATE HOUR BURDEN ESTIMATES FOR EACH FORM AND AGGREGATE THE HOUR BURDENS IN ITEMS 13 OF OMB FORM 83-I.**

- **PROVIDE ESTIMATES OF ANNUALIZED COST TO RESPONDENTS FOR THE HOUR BURDENS FOR COLLECTIONS OF INFORMATION, IDENTIFYING AND USING APPROPRIATE WAGE RATE CATEGORIES. THE COST OF CONTRACTING OUT OR PAYING OUTSIDE PARTIES FOR INFORMATION COLLECTION ACTIVITIES SHOULD NOT BE INCLUDED HERE. INSTEAD, THIS COST SHOULD BE INCLUDED IN ITEM 14.**

Note: As stipulated below, Section 502 of Public Law 110-690 mandates that the Secretary of Transportation issue requests for proposals concerning high-speed rail projects. Section 501 of this Act charges the Secretary of Transportation “to establish and implement a high-speed rail corridor program.” Section 501(c) provides the general authority for the Secretary to make grants to an applicant to finance capital projects in high-speed rail corridors that may in the future be applied for to support proposals submitted under Section 502. Under Section 501, applicants can be a State, a group of States, an Interstate Compact, a public agency established by one or more States and having responsibility for providing high-speed rail Service, or Amtrak. States can be any of the 50 States or the District of Columbia. Thus, FRA anticipates that requests for proposals will come from any of the potential future applicants for grant money described herein. Respondents then are expected to be businesses, States, individuals, and other eligible entities. Respondent universe is expected to number 100.

Section 502 Additional High Speed Projects

(a) Solicitation of Proposals

(1) IN GENERAL.

(A) **NORTHEAST CORRIDOR**-Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall issue a request for proposals for projects for the financing, design, construction, and operation of an initial high-speed rail system operating between Washington, D.C., and New York City. Such proposals shall be submitted to the Secretary not later than 150 days after publication of such request for proposals.

(B) **OTHER PROJECTS**-After a report is transmitted under subsection (e) with respect to projects described in subparagraph (A), the Secretary of Transportation may issue a request for proposals for additional projects for the financing, design, construction, and operation of a high-speed rail system operating on any other corridor in the United States. Such proposals shall be submitted to the Secretary not later than 150 days after publication of such request for proposals.

(2) CONTENTS-A proposal submitted under paragraph (1) must include –

(A) the names and qualifications of the persons submitting the proposal;

(B) a detailed description of the proposed route and its engineering characteristics and of all infrastructure improvements required to achieve the planned operating speeds and trip times;

(C) how the project would comply with Federal rail safety regulations which govern the track and equipment safety requirements for high-speed rail operations;

(D) the peak and average operating speeds to be attained;

(E) the type of equipment to be used, including any technologies for –

(i) maintaining an operating speed the Secretary determines appropriate; or

(ii) in the case of a proposal submitted under paragraph (1)(A), achieving less than 2-hour express service between Washington, D.C., and New York City;

(F) the locations of proposed stations, identifying, in the case of a proposal submitted under paragraph (1)(A), a plan allowing for station stops at or in close proximity to the busiest Amtrak stations;

(G) a detailed description of any proposed legislation needed to facilitate the project;
(H) a financing plan identifying –

(i) sources of revenue;

(ii) the amount of any proposed public contribution toward capital costs or operations;

(iii) ridership projections;

(iv) the amount of private investment;

(v) projected revenue;

(vi) annual operating and capital costs;

(vii) the amount of projected capital investments required (both initially and in subsequent years to maintain a state of good repair); and

(viii) the sources of private investment required, including the identity of any person or entity that has made or is expected to make a commitment to provide or secure funding and the amount of such commitment;

(I) a description of how the project would contribute to the development of a national high-speed rail system, and an intermodal plan describing how the system will connect with other transportation links;

(J) labor protections that would comply with the requirements of section 504;

(K) provisions to ensure that the proposal will be designed to operate in harmony with existing and projected future intercity, commuter, and freight service;

(L) provisions for full fair market compensation for any asset, property right or interest, or service acquired from, owned, or held by a private person or non-Federal entity that would be acquired, impaired, or diminished in value as a result of a project, except as otherwise agreed to by the private person or entity; and

(M) a detailed description of the environmental impacts of the project, and how any adverse impacts would be mitigated.

To implement the requirements of **Section 502**, FRA published a **Federal Register** Notice on December 16, 2008, (*see* 73 FR 76443), requesting proposals and spelling out all the above requirements plus additional agency requirements, as well as optional contents that FRA is asking for inclusion in submissions by all respondents.

All responses must be submitted to FRA in hard copy and electronic format.

FRA estimates that it will receive approximately 10 proposals/responses (with the necessary supporting documentation) over the next year. It is estimated that it will take approximately 3,400 hours to prepare and submit each response to the agency. Total burden for this requirement is 34,000 hours.

Respondent Universe:

100
Eligible
Entities

Burden time per response:

3,400
hours

Frequency of Response:

One-time

Annual number of Responses: 10 proposals/responses

Annual Burden: 34,000 hours

Calculation: 10 proposals/responses x 3,400 hours = 34,000 hours

Potential participants will be asked to send letters identifying themselves to FRA and may meet with FRA to ask questions and attend an information session.

FRA estimates that approximately 100 participants/interested parties will send letters over the next year. It is estimated that it will take approximately 30 minutes to complete each letter. Total annual burden for this requirement is 50 hours.

Respondent Universe:

100
Eligible
Entities

Burden time per response:

30
minute
s

Frequency of Response: One-time
Annual number of Responses: 100 letters
Annual Burden: 50 hours

Calculation: 100 letters x 30 min. = 50 hours

Additionally, FRA estimates that approximately 100 participants/interested parties will attend an information session over the next year that will take approximately two (2) hours to complete. Total annual burden for this requirement is 200 hours.

Respondent Universe:

100
Eligibl
e
Entitie
s

Burden time per response:

2 hours

Frequency of Response: One-time
Annual number of Responses: 100 informed attendees
Annual Burden: 200 hours

Calculation: 100 informed attendees x 2 hrs. = 200 hours

Total burden for this entire information collection is 34,250 hours (34,000 + 50 + 200).

13. PROVIDE AN ESTIMATE OF THE TOTAL ANNUAL COST BURDEN TO RESPONDENTS OR RECORDKEEPERS RESULTING FROM THE

COLLECTION OF INFORMATION. (DO NOT INCLUDE THE COSTS OF ANY HOUR BURDEN SHOWN IN ITEMS 12 AND 14).

- **THE COST ESTIMATES SHOULD BE SPLIT INTO TWO COMPONENTS: (A) A TOTAL CAPITAL AND START-UP COST COMPONENT (ANNUALIZED OVER ITS EXPECTED USEFUL LIFE); AND (B) A TOTAL OPERATION AND MAINTENANCE AND PURCHASE OF SERVICES COMPONENT. THE ESTIMATES SHOULD TAKE INTO ACCOUNT COSTS ASSOCIATED WITH GENERATING, MAINTAINING, AND DISCLOSING OR PROVIDING THE INFORMATION. INCLUDE DESCRIPTIONS OF METHODS USED TO ESTIMATE MAJOR COSTS FACTORS INCLUDING SYSTEM AND TECHNOLOGY ACQUISITION, EXPECTED USEFUL LIFE OF CAPITAL EQUIPMENT, THE DISCOUNT RATE(S), AND THE TIME PERIOD OVER WHICH COSTS WILL BE INCURRED. CAPITAL AND START-UP COSTS INCLUDE, AMONG OTHER ITEMS, PREPARATIONS FOR COLLECTING INFORMATION SUCH AS PURCHASING COMPUTERS AND SOFTWARE; MONITORING, SAMPLING, DRILLING AND TESTING EQUIPMENT; AND RECORD STORAGE FACILITIES.**

- **IF COST ESTIMATES ARE EXPECTED TO VARY WIDELY, AGENCIES SHOULD PRESENT RANGES OF COST BURDENS AND EXPLAIN THE REASONS FOR THE VARIANCE. THE COST OF PURCHASING OR CONTRACTING OUT INFORMATION COLLECTION SERVICES SHOULD BE A PART OF THIS COST BURDEN ESTIMATE. IN DEVELOPING COST BURDEN ESTIMATES, AGENCIES MAY CONSULT WITH A SAMPLE OF RESPONDENTS (FEWER THAN 10), UTILIZE THE 60-DAY PRE-OMB SUBMISSION PUBLIC COMMENT PROCESS AND USE EXISTING ECONOMIC OR REGULATORY IMPACT ANALYSIS ASSOCIATED WITH THE RULEMAKING CONTAINING THE INFORMATION COLLECTION, AS APPROPRIATE.**

- **GENERALLY, ESTIMATES SHOULD NOT INCLUDE PURCHASES OF EQUIPMENT OR SERVICES, OR PORTIONS THEREOF, MADE (1) PRIOR TO OCTOBER 1, 1995, (2) TO ACHIEVE REGULATORY COMPLIANCE WITH REQUIREMENTS NOT ASSOCIATED WITH THE INFORMATION COLLECTION, (3) FOR REASONS OTHER THAN TO PROVIDE INFORMATION OR KEEP RECORDS FOR THE GOVERNMENT, OR (4) AS PART OF CUSTOMARY AND USUAL BUSINESS OR PRIVATE PRACTICES.**

There are no additional costs to respondents other than the costs/hours listed above.

14. PROVIDE ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT. ALSO, PROVIDE A DESCRIPTION OF THE METHOD USED TO ESTIMATE COSTS, WHICH SHOULD INCLUDE QUANTIFICATION OF HOURS, OPERATIONAL EXPENSES SUCH AS EQUIPMENT, OVERHEAD, PRINTING, AND SUPPORT STAFF, AND ANY OTHER EXPENSE THAT WOULD NOT HAVE BEEN INCURRED WITHOUT THIS COLLECTION OF INFORMATION. AGENCIES ALSO MAY AGGREGATE COST ESTIMATES FROM ITEMS 12, 13, AND 14 IN A SINGLE TABLE.

FRA estimates the cost to the Federal government to review each grant application at approximately \$5,600 per application. The cost is calculated as follows:

FRA estimates that two agency employees, one an operations person at the GS-13 Step 5 level (\$84.30 per hour including overhead costs) and one an analyst at the GS-14 Step 5 level (\$99.60 per hour including overhead costs), will typically review each response. The review will take approximately 30 hours for each of the agency employees to complete. In addition to the labor cost, there is an estimated cost of \$50 for supplies. Thus, the cost to the Federal government is \$5,567 or \$5,600 per application (rounded off). The total cost for the 10 estimated responses over the next year are as follows:

TOTAL COST

10 applications @ \$5,600 = \$56,000

15. EXPLAIN THE REASONS FOR ANY PROGRAM CHANGES OR ADJUSTMENTS REPORTED IN ITEMS 13 OR 14 OF THE OMB FORM 83-I.

This is a new collection of information mandated by Section 502 of Public Law 110-690. Consequently, there are no program changes or adjustments.

16. FOR COLLECTIONS OF INFORMATION WHOSE RESULTS WILL BE PUBLISHED, OUTLINE PLANS FOR TABULATION, AND PUBLICATION. ADDRESS ANY COMPLEX ANALYTICAL TECHNIQUES THAT WILL BE USED. PROVIDE THE TIME SCHEDULE FOR THE ENTIRE PROJECT, INCLUDING BEGINNING AND ENDING DATES OF THE COLLECTION OF INFORMATION, COMPLETION OF REPORT, PUBLICATION DATES, AND OTHER ACTIONS.

Information submitted may be provided to commissions and incorporated into a report to Congress.

- December 2008 Issue a Request for Expressions of Interest (RFEI) that incorporates legislative requirements and standards established by the Secretary.
- February 2009 Ask respondents to identify

themselves and their interest early (45 days), answer questions.

- Spring 2009 Hold an information session and evaluate need for clarifications.
- September 2009 Responses due and DOT evaluation.
- November 2009 Establish commissions
- February 2010 Commission recommendations
- April 2010 DOT selections and report to Congress

17. IF SEEKING APPROVAL TO NOT DISPLAY THE EXPIRATION DATE FOR OMB APPROVAL OF THE INFORMATION COLLECTION, EXPLAIN THE REASONS THAT DISPLAY WOULD BE INAPPROPRIATE.

Once OMB approval is received, FRA will publish the approval number for these information collection requirements in the Federal Register.

18. EXPLAIN EACH EXCEPTION TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19, "CERTIFICATION FOR PAPERWORK REDUCTION ACT SUBMISSIONS," OF OMB FORM 83-I.

No exceptions are taken at this time.

Meeting Department of Transportation (DOT) Strategic Goals

This information collection supports important DOT goals, namely mobility, fostering economic growth and development, improving the human and natural environment, and national security. Specifically, the collection of information will enable DOT, FRA, corridor commissions, the Secretary of Transportation, the heads of the Transportation Committees in the House and Senate, and Congress at large to review and evaluate proposals and ascertain the feasibility of developing new high-speed rail corridors throughout the country or improving existing rail corridors, such as the Northeast Corridor (NEC). Developing new high-speed rail corridors or improving existing rail corridors will contribute to a transportation system that is accessible, integrated, more efficient, and flexible so that tens of thousands of Americans who currently drive have a different option for intercity travel. Developing new high-speed rail corridors and/or improving existing high-speed rail corridors will help create thousands of jobs and will improve the movement of goods and increase the number of people traveling up and down such corridors, thereby bringing more rail travelers to existing businesses and possibly creating opportunities for new businesses, which would give an economic boost to cities and towns situated along that corridor. Moreover, high-speed rail corridors constructed along the border with Canada and Mexico would likely foster increased trade between the United States and its two important neighbors. Additionally, developing new high-speed rail corridors and improving high-speed rail corridors would improve the human and natural environment by reducing the number of automobiles on the road, thus both reducing congestion on the nation's roads and at airports, as well as reduce the huge amounts of carbon dioxide emitted by American automobiles each year. Finally, building new high-speed rail corridors and/or improving existing high-speed rail corridors would contribute to greater national security by reducing America's unhealthy dependence on foreign oil and by facilitating the rapid movement of soldiers and citizens in the event of a national emergency.

In this information collection, as in all its information collection activities, FRA seeks to do its utmost to fulfill DOT Strategic Goals and to be an integral part of One DOT.