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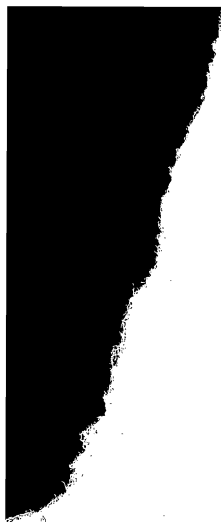
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FACTS ABOUT THE  
TRI-STATE TRANSPORTATION COMMITTEE

Submitted by the  
New Jersey State Highway Department

August 14, 1964

New Jersey State Library



## FACTS ABOUT THE TRI-STATE TRANSPORTATION COMMITTEE

### I. Origin

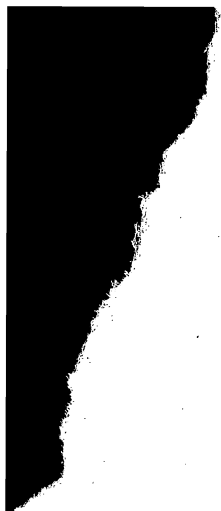
On August 30, 1961 Governors Meyner of New Jersey, Rockefeller of New York and Ribicoff of Connecticut jointly announced the establishment of the Tri-State Transportation Committee.

It was designed to bring major State programs involving the rapidly growing metropolitan region surrounding New York harbor to a common focus. As background for this decision, there had been repeated meetings to resolve how best to cope with regional growth and transport problems and there had been repeated urging on the part of federal agencies to develop a regional planning program.

(Copy of news release - Appendix "A").

The Tri-State Transportation Committee started functioning September 1, 1961, when arrangements were made for the loan of Roger H. Gilman, Director of Port Development, Port of New York Authority, to the Committee as its executive director. Mr. Gilman's services together with a supporting staff were contributed by the Port of New York Authority, and salaries of these first personnel were paid by the Port Authority.

The first half year (to March 1962) was devoted to planning and developing a program of work.



The second year (April 1, 1962 - March 31, 1963) was devoted to establishing mass transportation demonstration projects, initiating immediate action studies, and to recruitment of professional staff for the long range planning work.

The third year (April 1, 1963 - March 31, 1964) was devoted to initiating long range planning work and carrying forward immediate action studies and mass transportation demonstration projects.

## II. Financing

The legal basis for sharing the costs of this work was established by signed agreement between the heads of the highway departments of the three states executed February 6, 1962. (Signed agreement attached - Appendix "B").

This agreement established the following:

1. Cost of the work of the Committee would be shared 45% New Jersey, 45% New York and 10% Connecticut.  
(Subsequently excepted from this formula were the costs of mass transportation demonstration projects which were to be paid for by the state or states in which the projects were located).
2. New York State would provide the funds for the cash expenditures of the Committee in the first instance. At the end of each accounting period, all charges and contributions would be assembled and appropriate billing would be prepared by the State of New York to balance all accounts.



3. It was intended that the work of the Committee be supported in the main by federal grants to be matched by state funds and/or contributions from agencies such as the Port of New York Authority, City of New York, or other local governments. The following provides detail on these sources of funds:

Federal Aid

- A. United States Housing Act administered by United States Housing and Home Finance Agency. Up to 2/3 of the costs of approved projects can be granted for metropolitan planning. Lacking any formal agency, the Department of Conservation and Economic Development must be the applicant for these grants. Grants for mass transit demonstration and improvements also can be made for up to 2/3 of the cost and these grants can be applied for by the Division of Rail Transportation.
- B. Highway Act of 1962 administered by United States Department of Commerce, Bureau of Public Roads, provides that up to 1½% of all federal aid for highway construction may be used for planning or research. After June 30, 1965 these funds, if not used for planning or research, will lapse and be returned to the federal government. (See Appendix "C").





The 1964-65 apportionment of federal highway aid to New Jersey provided a total of \$88,559,672.

The state was required to appropriate a total of \$24,216,687 to match the federal grants. Because of the mixture of 90-10 and 50-50 funds, 1 $\frac{1}{2}$ % of the federal grants worked out to a total of \$1,328,391, matched by \$397,099 in state funds -- or a total of \$1,725,490 available solely for planning and research work (See Appendix "D").

#### State Funds

State funds are required (a) to match federal aid and (b) to pay costs of any work not eligible for such aid but approved by the Committee. These monies come from regular appropriations for highway planning work contained within the Capital Construction appropriation or from appropriations for matching HHFA grants contained within General State Operations Section of the budget.

#### Work in Lieu of Cash

To the extent that services and work by state agencies or other governmental agencies can be substituted, state funds are not required. Some regular work of state departments and contributions or work by such agencies as the Port of New York Authority, the City of New York or the New York - New Jersey Transportation Agency reduce the need for state highway planning funds.



NEW JERSEY PARTICIPATION IN TRI-STATE

|  | <u>Total Tri-State<br/>Expenditures</u> | <u>N.J. Share<br/>45%</u> | <u>Est. Fed.<br/>Aid to<br/>N. J.</u> | <u>Contribution<br/>by Port of N.Y.<br/>Authority Credited<br/>to New Jersey</u> | <u>New Jersey<br/>Contributing<br/>State Dollars</u> |             |
|--|---|---------------------------|---------------------------------------|--|--|-------------|
|  |   |                           |                                       |  | <u>Work</u>  | <u>Cash</u> |
| <u>First Year</u>                                    |   |                           |                                       |  |  |             |
| Sept. 1961 - Mar. 1962                               | 198,347                                 | 89,256                    | 21,887                                | 40,088   | 21,557   | 5,724       |
| <u>Second Year</u>                                   |   |                           |                                       |  |  |             |
| April 1962 - Mar. 1963                               | 1,107,275                               | 499,024                   | 203,051                               | 108,153  | 86,241   | 101,579     |
| <u>Third Year</u>                                    |   |                           |                                       |  |  |             |
| April 1963 - Mar. 1964                               |   |                           |                                       |  |  |             |
| N.J. Highway Dept.                                   | 4,183,790                               | 1,882,705                 | 1,385,173                             | 73,971   | 120,271  | 303,290     |
| Dept. of Conserv.<br>& Econ. Developmt.              | 830,358                                 | 304,557                   | 170,827                               | 35,087   | 70,273   | 28,370      |
| <u>Total Third Year</u>                              | \$5,014,148                             | \$2,187,262               | \$1,556,000                           | \$109,058  | \$190,544  | \$331,660   |
| <u>Fourth Year Est.</u>                              |   |                           |                                       |  |  |             |
| * Costs Apr. 1 -Aug. 15,<br>1964                     | 2,153,900                               | 834,700                   | 606,900                               | 15,300   | 153,000  | 59,500      |
| Projected Costs -<br>Aug. 16, 1964 -Mar. 31,<br>1965 | 2,534,000                               | 982,000                   | 714,000                               | 18,000   | 180,000  | 70,000      |
| <u>Total Fourth Year</u>                             | \$4,687,900                             | \$1,816,700               | \$1,320,900                           | \$33,300   | \$333,000  | \$129,500   |
| <u>Total Sept. 1, 1961 -<br/>August 15, 1964</u>     | \$8,473,670                             | \$3,610,242               | \$2,387,838                           | \$272,599  | \$451,342  | \$498,463   |

\*All covered by appropriations prior to June 30, 1964

(Details - Appendix "F")



Shown in the preceding table, fourth accounting period, are unpaid costs to date. Should New Jersey officially withdraw from participation in the work of the Tri-State Transportation Committee right now, adequate funds have been budgeted in the Division of Planning, Soils and Tests current program to pay these costs and all highway costs through March 31, 1965. There has been no approval of Committee work beyond these budgeted funds.

The program of work for the Committee is planned to require less each succeeding year to completion of work program than was spent in 1963-64.

|                                | <u>Total Tri-State</u> | <u>N.J. Est. Share</u> |
|--------------------------------|------------------------|------------------------|
| 5th yr. Est. 4/1/65 -- 3/31/66 | 4,081,000              | 1,800,000              |
| 6th yr. Est. 4/1/66 -- 3/31/67 | 2,439,000              | 1,100,000              |
| 7th yr. Est. 4/1/67 -- 3/31/68 | 1,800,000              | 810,000                |

The long range planning program is based in large degree on HHFA funds which must be obtained by the Department of Conservation and Economic Development under the U. S. Housing legislation. It is for this reason that an appropriation of \$320,000 for the Conservation Department will be required in November to obtain \$640,000 in federal aid.

### III. Personnel

The Committee has sought to do most of its work by using employees of existing agencies and by hiring new employees rather than by consulting contracts.



Average Number of Employees by Selected Months

|               | <u>Ass't. by<br/>Coop. Agencies</u> | <u>Tri-State<br/>Employees</u> | <u>New Jersey<br/>Transp. Study</u> | <u>Total</u> |
|---------------|-------------------------------------|--------------------------------|-------------------------------------|--------------|
| January 1963  | 20                                  | 48                             | ----                                | 68           |
| July 1963     | 22                                  | 388                            | 113                                 | 523          |
| November 1963 | 22                                  | 659                            | 217                                 | 898          |
| January 1964  | 20                                  | 532                            | 134                                 | 686          |
| July 1964     | 6                                   | 407                            | 52                                  | 465          |

Place of Residence

Of the 465 total employees in July 1964, 144 lived in New Jersey, 309 in New York and 10 in Connecticut.

Salaries

The following lists the 11 employees receiving salaries of \$15,000 or more per year.

| <u>Name</u>       | <u>Position</u>                        | <u>Residence</u>    | <u>Salary</u> |
|-------------------|--|---------------------|---------------|
| J. D. Carrol, Jr. | Executive Director                     | Westfield, N.J.     | \$30,000      |
| W. L. Mertz       | Technical Director                     | Livingston, N.J.    | \$20,600      |
| P. C. Watt        | Planning Director                      | Morristown, N.J.    | \$20,000      |
| J. Mahoney        | Chief - RR Freight<br>Planning Section | Short Hills, N.J.   | \$17,500      |
| M. Schneider      | Chief - Development<br>Research        | Westfield, N.J.     | \$16,520      |
| E. F. Sullivan    | Chief - Travel<br>Analysis             | Livingston, N.J.    | \$16,520      |
| R. E. Barraclough | Chief - Land Develop.                  | Brooklyn, N. Y.     | \$16,300      |
| S. Carroll        | Chief - Regional Plan<br>Development   | Somerville, N. J.   | \$16,000      |
| D. Ornstein       | Chief - Plan Anal.                     | Yorktown Hgts. N.Y. | \$15,000      |





| <u>Name</u> | <u>Position</u>                   | <u>Residence</u>  | <u>Salary</u> |
|-------------|-----------------------------------|-------------------|---------------|
| R. DeTurk   | Chief - Plan<br>Coordination      | Garden City, N.Y. | \$15,000      |
| G. Sarames  | Chief Transportation<br>Economist | Englewood, N.J.   | \$15,000      |

#### Employees Loaned

A specific question was raised with respect to state employees loaned to the Tri-State Transportation Committee. Only one employee of the State Highway Department falls into this category. Mr. Vincent C. Berberich, Assistant Supervising Engineer, Bureau of Planning and Traffic, was loaned to the Tri-State Committee as of November 21, 1961 and is still with them as of this date. His salary for the above period was as follows:

|  |                 |
|--|-----------------|
| 1961 Nov. 21 to Dec. 31, 1961          | \$ 417.81       |
| 1962                                   | 11,357.00       |
| 1963                                   | 11,851.00       |
| 1964 (Annual \$12,959) Jan. to June 30 | <u>6,480.00</u> |
|  | \$30,105.81     |

#### IV. What is New Jersey's Return?

Much of the Committee effort supported by New Jersey has been for long range planning. This work consists of fact gathering, analysis and fashioning of forecasts at this stage, from which the natural benefits of urban planning will inevitably follow. This investment in planning is a form of insurance that new construction of highways and public action for mass transportation improvements is well placed, designed and timed to best meet future needs. This is comparable to the years of planning that have gone into a new highway like Interstate 80 before the first car drives over it.



A demonstration project has been established at New Brunswick where a new station and parking lot have been built to encourage more travel by railroad. Additional studies of possible express bus rights-of-way and improved rail services are in process to find means of improving commuter travel from Bergen, Rockland and Passaic Counties.

Immediate action studies have been completed or substantially moved along to point up the need for rail consolidation of marine services. This report has recommended building a new lighterage terminal on the waterfront at Jersey City. This project could free up land presently in rail yards for industrial, residential or park development.

Complete aerial maps have been developed and made available to counties and municipalities at reproduction cost.

Census tapes have been bought and converted to make unpublished census data available to localities on a small area basis.

Land use survey facts in preliminary results of travel surveys have been made available to Monmouth and Essex County planning commissions.

A detailed report on the age and condition of all commuter rail equipment was made. This provided needed evidence to identify the magnitude of the task if rail commuting equipment in New Jersey is to be modernized or replaced.

While these are examples of current by-products of value to New Jersey, of most significance is the fact that through the planning work of this Committee, the three states will:



1. Meet the requirement of the Federal Highway Act of 1962 (Exhibit "E") for a continuous, comprehensive planning process carried out cooperatively by states and localities by July 1, 1965.
2. Meet the requirement of the new Federal Mass Transit legislation that "no federal assistance ... shall be provided unless the Administrator determines that the facilities and equipment for which the assistance is sought are needed for carrying out a program for a unified or official coordinated urban transportation system as part of the comprehensively planned development of the urban area". Both federal agencies are insisting on area-wide plans as a necessary condition for federal assistance for transit and for highway improvement. (Exhibit "E" - Urban Mass Transportation Act).

Maximum aid any state may received under the new Mass Transit Program is \$47 million. How close New Jersey may come to obtaining approved grants in this amount will in large measure depend upon how closely the requirements quoted above are met. Work on this aspect of area-wide planning is therefore most urgent.

Tri-State is not an executing agency. It serves only as the planning arm for the state agencies and only the states can execute any project. No plans recommended by Tri-State are mandatory and can be only implemented by state approval and action.



## APPENDIX

Exhibit "A" - Joint Statement of Governors John Dempsey, Robert B. Meynor, and Nelson A. Rockefeller, August 30, 1961.

Exhibit "B" - Formal Signed Agreement creating Tri-State Transportation Committee.

Exhibit "C" - Copy of Public Law 87 - 866, dated October 23, 1962, concerning transportation planning and highway planning and research funds.

Exhibit "D" - Derivation and total of New Jersey Highway Planning Survey Funds for 1964 - 65 fiscal year.

Exhibit "E" - Urban Mass Transportation Act of 1964.

Exhibit "F" - Analysis of Expenditures, Tri-State Transportation Committee.

Exhibit "G" - Major Activities, Tri-State Transportation Committee.

Exhibit "H" - Housing and Home Finance Agency letter verifying the necessity of Tri-State Planning Program.

Exhibit "I" - Letter from Rex M. Whitton, Federal Highway Administrator, re necessity of Urban area transportation planning.

Exhibit "J" - Statement by John A. Swanson, Regional Engineer, Bureau of Public Roads, at New Jersey Legislative Hearing, April 22, 1964.

Exhibit "K" - Letter from Mr. William J. Ronan, dated May 6, 1964, re New York State attitude on bi-state vs tri-state approach.





**Joint Statement of Governors John Dempsey of Connecticut, Robert B. Meyner of New Jersey and Nelson A. Rockefeller of New York Creating the Tri-State Transportation Committee**

August 30, 1961

The New York Metropolitan Area, comprising portions of the states of Connecticut, New Jersey and New York, is the nation's largest urban complex. The expeditious movement of millions of persons and tons of goods throughout the region is essential for the continued economic growth of the area and the well-being of the 16 million people who reside within it.

The three states have a vital concern in finding a solution to the critical transportation problems facing the region. Accordingly, we are appointing a Tri-State Transportation Committee to conduct a broad scale examination and make recommendations for meeting the region's immediate and long-term needs.

Because of the national impact of the region's problems, federal cooperation is invited. Arrangements are also being made for local government participation so that individual communities within the region can contribute to the comprehensive program and at the same time plan realistically for their own development.

The region is fortunate in that considerable thought has already been given to transportation issues by both public and private agencies, among them - The Port of New York Authority and other public authorities, the Interstate Staff Committee on the New Haven Railroad, the New York-New Jersey Transportation Agency, the Regional Plan Association, the Metropolitan Regional Council, state and local highway agencies, local and state planning boards and others.

The Committee's work will be action-oriented and will be organized, so far as practicable, to make information developed in its inquiries currently available to state, local and federal officials directly responsible for decisions determining the regional transportation system. The studies will be concerned both with present problems and with the formulation of plans and action programs for the longer term future.

**The Research Program**

The study will include an inventory of the problems, available resources and other research efforts. The Committee will be charged with conducting studies designed to form the bases for solutions to the area's transportation problems. Illustrative of the studies to be undertaken are the following:

1. Analysis of the economic and financial resources available to support a coordinated transportation system.
2. Analysis of railroad and highway passenger transportation as to adequacy and compatibility as parts of an integrated regional transportation network.
3. Analysis of freight movements by rail, highway, water and air looking toward a flexible, efficient system that can contribute positively to the region's economic development.
4. Analysis of the region's airport needs, including short-haul taxi service, intermediate ranges and intercontinental requirements.

(more)



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5. Forecasting the impact of any proposed transportation plans on land use patterns in the region.

6. Evaluation of methods, including technological developments, for improving the service and economics of mass transit.

7. Study of methods and machinery to insure continuing inter-governmental cooperation on the region's transportation matters.

#### Organization for the Study

Over-all direction of the study is vested in the Tri-State Transportation Committee. The Committee consists of:

Carl Lalumia, Executive Aide to the Governor of Connecticut

Howard Ives, Connecticut Commissioner of Highways

Eugene Loughlin, Chairman, Public Utilities Commission of Connecticut

Graham Treadway, Chairman, Connecticut Development Commission

Dwight R. G. Palmer, New Jersey Commissioner of Highways

Otto H. Fritzsche, State Highway Engineer, New Jersey

Herbert A. Thomas, Jr., Director, Division of Railroads, State of New Jersey

Matt Adams, Commissioner of Conservation and Economic Development, State of New Jersey

William J. Ronan, Secretary to the Governor, New York State

J. Burch McMorran, New York Superintendent of Public Works

Arne C. Wiprud, Director of Office of Transportation, State of New York

George A. Dudley, Director of Office for Regional Development, State of New York

James Felt, Chairman, New York City Planning Commission

In addition, it is proposed that a representative of the U. S. Bureau of Public Roads and a representative of the Federal Housing and Home Finance Agency be invited to serve as members of the Committee.

To provide for local government participation, a cooperative representative committee of local officials will be established in each of the three states to consult and work with the Tri-State Transportation Committee.

(more)



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It is expected that the Committee's work will be financed primarily from federal and state funds. In addition, the Committee will enlist the cooperation and support of other public and private agencies in the metropolitan region.

The Committee will have a central staff but it is expected that much of the research will be conducted by existing state and local agencies, both governmental and private. The extensive resources and information already developed will be utilized to the fullest possible extent.

The Committee will be required to report to the Governors periodically, with a comprehensive interim report to be submitted by September 1, 1963.



A G R E E M E N T

AGREEMENT, entered into this 6<sup>th</sup> day of February, 1962, by and between the PEOPLE OF THE STATE OF NEW YORK (hereinafter referred to as "New York"), acting by and through the Superintendent of Public Works (hereinafter referred to as "Superintendent"), with offices at Albany, New York, the STATE OF CONNECTICUT (hereinafter referred to as "Connecticut"), acting by and through the Connecticut State Highway Commissioner, with offices at Wethersfield, Connecticut, THE STATE OF NEW JERSEY (hereinafter referred to as "New Jersey"), acting by and through the New Jersey State Highway Commissioner, with offices at Trenton, New Jersey and TRI-STATE TRANSPORTATION COMMITTEE (hereinafter referred to as "Tri-State"), which has been created by appointment by Governor Nelson A. Rockefeller of New York, pursuant to Article 4 of the Constitution of the State of New York and Section 30 of the New York State Executive Law, by Governor Robert B. Meyner of New Jersey, pursuant to Article 5 of the Constitution of the State of New Jersey and the laws of that State, and by Governor John Dempsey of Connecticut, pursuant to Section 4, Article 4 of the Constitution of the State of Connecticut and Sections 3-1, 13-92 and 14-315 of the Connecticut General Statutes, revision of 1958, with offices at 100 Church Street, New York, N. Y.

W I T N E S S E T H:

WHEREAS, the Governors of Connecticut, New Jersey and New York have indicated a vital common concern in finding a solution to the critical transportation problems facing their respective States and especially that portion of their States in and adjacent to the New York Metropolitan Area (hereinafter referred to as "Tri-State Area") and have established Tri-State and charged Tri-State with the responsibility of conducting a broadscale examination and making recommendations for meeting the Tri-State Area's immediate and long-term transportation needs; and

WHEREAS, the party States desire to cooperate with Tri-State, and to take advantage of the availability of Federal funds under Title 23 of the United States Code and the Housing Act of 1961; and

WHEREAS, it is the understanding of the parties that certain departments, agencies, public authorities and municipal subdivisions, organized or existing under the laws of one or more party States, including, without limitation, the Port of New York Authority and the City of New York, will, under the direction of Tri-State, aid in and contribute to the achievement of the goals of Tri-State, as expressed by the Governors of Connecticut, New Jersey and New York; and

WHEREAS, each of the party States hereto is willing to assume its proportionate share of the costs necessary to achieve co-ordinated solutions to regional transportation problems affecting such party State.

NOW THEREFORE, in consideration of the mutual covenants and promises hereinafter provided, the parties hereto mutually covenant and agree as follows:

I. Tri-State will conduct action-oriented studies (hereinafter referred to as "Studies") which will be designed to form the bases for both immediate and long-range action providing solutions to the transportation problems of the Tri-State Area. The Studies, unless otherwise agreed by the parties hereto, shall substantially include, without limitation, the following:

Contract No. 6254





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- A. Analysis of the economic and financial resources available to support a coordinated transportation system.
- B. Analysis of railroad and highway passenger transportation as to adequacy and compatibility as parts of an integrated regional transportation network.
- C. Analysis of freight movements by rail, highway, water and air looking toward a flexible, efficient system that can contribute positively to the region's economic development.
- D. Analysis of the Tri-State Area's airport needs, including short-haul service, intermediate range and intercontinental requirements.
- E. Forecasting the interrelation of any proposed transportation plans and land use patterns in the region.
- F. Evaluation of methods, including technological developments, for improving the service and economics of mass transit.
- G. Study of methods and machinery to insure continuing intergovernmental cooperation on the Tri-State Area's transportation matters.

II. Each of the parties hereto will cooperate with each of the others and with the Bureau of Public Roads of the United States Department of Commerce (hereinafter referred to as "Bureau") and the Housing and Home Finance Agency (hereinafter referred to as "Agency") to the fullest possible extent in the making of the Studies. On or before March 31, 1962 Tri-State shall prepare and submit to the party States, the Bureau and the Agency a prospectus indicating the specific objectives and subject matter of the Studies and general technical methods to be used in the making of the Studies, which shall be, to the extent that funds are to be made available under Title 23 of the United States Code, subject to the approval of the Bureau, and, to the extent that funds are to be made available under the Housing Act of 1961, subject to the approval of the Agency. Such prospectus may be modified from time to time with such approval.

III. All obligations incurred by Tri-State pursuant to this Agreement shall in the first instance be paid by New York, on the audit and warrant of the Comptroller of the State of New York (hereinafter referred to as "Comptroller"). Accounts or vouchers shall be certified or approved by the Chairman or Executive Director of Tri-State and certified or approved for submission to the Comptroller for audit by the Superintendent or his designee. The Comptroller shall make available for audit by the accounting departments of the other party States all accounts or vouchers submitted to him under this section.

IV. No member of Tri-State shall receive any compensation under this Agreement or share in any profits resulting from this Agreement.

V. Tri-State may assign employees of the party States hereto or of any department, agency, public authority or municipal subdivision organized or existing under the laws of the party States hereto, or of any intergovernmental agency or public authority organized or existing under the laws of two or more of the party States hereto, with the consent of the department, agency, public



authority or municipal subdivision concerned, to assist in carrying out the Studies. The status under applicable civil service laws and rules of any employee so assigned shall in no way be affected by such assignment and the payroll costs of any employee so assigned shall continue to be paid by the department, agency, public authority or municipal subdivision as if such employee had not been so assigned.

VI. Within 90 days after the end of each Accounting Period, as herein defined, each party State shall determine and notify Tri-State of its Individual Cost, as herein defined, for such Accounting Period. The first Accounting Period shall be the period beginning September 8, 1961 and ending March 31, 1962. Subsequent Accounting Periods shall begin April 1 in each year and end the following March 31, or when Tri-State's responsibilities under this Agreement are fulfilled, whichever is sooner. Each party State's Individual Cost shall be the total of (i) all amounts paid or advanced by such party State for obligations incurred by Tri-State in carrying out the Studies, including, without limitation, Tri-State payroll costs and additives, travel and other necessary and incidental expenses, costs of consultant services and costs of materials, equipment and supplies, (ii) all costs incurred by such party State for materials, equipment and supplies contributed to and accepted by Tri-State and for services of employees assigned by Tri-State pursuant to section V of this Agreement, and (iii) all costs, including payroll costs and additives, travel and other necessary and incidental expenses, costs of consultant services and costs of materials, equipment and supplies, incurred by such party State in undertaking studies related to the Studies at the request of Tri-State. Each party State shall include in its Individual Cost (i) amounts paid or advanced and costs incurred by any department, agency, public authority or municipal subdivision organized or existing under its laws as if paid, advanced or incurred by such party State, and (ii) that part, which is proportionate to such party State's relative interest in any intergovernmental agency or public authority organized under the laws of two or more party States, of amounts paid or advanced and costs incurred by such agency or authority, as if such part had been paid, advanced or incurred by such party State. All costs included in each party State's Individual Cost under this section shall be determined in accordance with the regular accounting and operating procedures of the party State, department, agency, public authority or municipal subdivision incurring such costs.

VII. Upon receipt of notification from all party States pursuant to section VI of this Agreement, Tri-State shall determine the total of the Individual Costs of such party States (hereinafter referred to as "Total Cost") for the Accounting Period and shall notify each party State of the Individual Cost of each other party State, of the Total Cost, and of the amount by which each party State's Individual Cost exceeds or is exceeded by its Assigned Amount for the Accounting Period, which in the case of Connecticut shall be 10 per cent, in the case of New Jersey shall be 45 per cent, and in the case of New York shall be 45 per cent of the Total Cost for the Accounting Period.

VIII. Each party State agrees that whenever it shall have been notified by Tri-State that its Individual Cost is exceeded by its Assigned Amount for the Accounting Period, it shall within thirty days thereafter pay the amount of the difference as follows: if such party State is the only party State whose Individual Cost is exceeded by its Assigned Amount, it shall pay each other party State the amount by which such other party State's Individual Cost exceeds such other party State's Assigned Amount; if such party State is not the only party State whose Individual Cost is exceeded by its Assigned Amount for the Accounting Period, it shall pay the amount of the difference to the party State whose Individual Cost exceeds its Assigned Amount for the Accounting Period.



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IX. Tri-State shall transmit to each party State not later than February 15, 1962, and thereafter not later than December 15 each year, including 1962, a budget setting forth the estimates of all amounts and costs entering into the computation of Total Cost, as defined in section VII of this Agreement, for the next Accounting Period and the current Accounting Period. Such estimates shall be subject to the approval in writing of the officers of each party State executing this Agreement on behalf of such party State, or their successors, and no amounts shall be paid or advanced or costs incurred under this Agreement during the next Accounting Period until the estimates for such Accounting Period have received the approval of each such officer. Such estimates may from time to time be revised with the approval in writing of such officers. No amounts shall be paid or advanced or costs incurred under this Agreement during the next Accounting Period in excess of such estimates. Total cost shall not be greater than three hundred forty thousand five hundred (\$340,500) dollars for the first Accounting Period.

X. A. Tri-State agrees to consult and coordinate with the personnel of the Bureau and of the Agency and to conform to their policies, procedures and practices to assure Federal participation in funds under Title 23 of the United States Code and the Housing Act of 1961 in connection with the Studies.

B. Tri-State will, at an early time, in consultation with appropriate personnel of the party States, of the Bureau and of the Agency, prepare an outline of operating and accounting procedures to be followed by Tri-State which will assure conformance with procedural and documentation requirements of the party States, of the Bureau, and, to the extent that funds are to be made available under the Housing Act of 1961, of the Agency.

XI. The materials and information developed for the Studies shall be kept by Tri-State at such place and under such conditions as it shall deem convenient and proper. Five copies of all final reports, completed maps and master plans shall be furnished to each party State and to the representatives of the Bureau and of the Agency. All parties to this Agreement shall have reasonable access to all materials and information, including the right to make duplications thereof, provided that any duplication be made at the expense and at the risk of the party desiring it.

XII. Tri-State specifically agrees, as required by the New York State Finance Law, Section 138, that it is prohibited by law from assigning, transferring, conveying, subletting or otherwise disposing of this Agreement or of its right, title or interest therein, or its power to execute such Agreement, to any other person, company or corporation, without the previous consent in writing of the Superintendent. This Agreement may not be assigned in whole or in part by any of the parties hereto without the consent of all the other parties hereto.

XIII. Tri-State hereby warrants that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees or bona fide established commercial or selling agencies maintained by Tri-State for the purpose of securing business, for the breach or violation of which warranty any party State shall have the right to annul such contract without liability or in its discretion to deduct from the contract price or consideration the full amount of such commission, percentage, brokerage or contingent fee.



XIV. This Agreement shall be null and void unless Tri-State shall secure compensation for the benefit of and keep insured during the life of this Agreement, such Tri-State employees engaged thereon as are required to be insured by the provisions of the New York State Workmen's Compensation Law.

XV. Tri-State specifically agrees to the provisions of the New York State Finance Law, Sections 139-a and 139-b, which require that upon the refusal of a person, when called before a grand jury to testify concerning any transaction or contract had with New York State, any political subdivision thereof, a public authority or with any public department, agency or official of New York State or of any political subdivision thereof or of a public authority, to sign a waiver of immunity against subsequent criminal prosecution or to answer any relevant question concerning such transaction or contract,

- A. such person, and any firm, partnership or corporation of which he is a member, partner, director or officer shall be disqualified from thereafter selling to or submitting bids to or receiving awards from or entering into any contracts with New York State or any public department, agency or official thereof, for goods, work or services, for a period of five years after such refusal, and
- B. any and all contracts made with the State of New York or any public department, agency or official thereof, since the effective date of this law, by such person, and by any firm, partnership, or corporation of which he is a member, partner, director or officer may be cancelled or terminated by New York State without incurring any penalty or damages on account of such cancellation or termination, but any monies owing by the State of New York for goods delivered or work done prior to the cancellation or termination shall be paid.

XVI. This Agreement shall be deemed executory only to the extent of the monies available and no liability shall be incurred by any of the party States hereto beyond the monies available for the purpose thereof.

IN WITNESS WHEREOF, this Agreement has been duly executed by the parties hereto on the day and year first above written.

Approved pursuant to New York  
State Public Works Law, Sec. 8

THE PEOPLE OF THE STATE OF NEW YORK

T. N. Hard  
For the New York State Budget  
Director

By J. Burch McMorran  
J. Burch McMorran  
New York State Superintendent of  
Public Works

Date: 2/7/62

2-7-62

Approved:

Louis J. Lefkowitz  
Louis J. Lefkowitz  
New York State Attorney General

THE STATE OF CONNECTICUT

By [Signature]  
Connecticut State Highway  
Commissioner

By [Signature]  
Date: 2/6/62

3-30-62





-6-

Approved as to form:

Albert R. Coles  
Connecticut State Attorney  
General

By *Arthur J. Sills*  
Deputy Attorney General

Date: MAR 30 1962

Approved as to form:

*Arthur J. Sills*  
Arthur J. Sills  
New Jersey State Attorney  
General

By *Frederick W. Haight*

Date: 3/8/62

Approved:

*John W. Sullivan*  
For the U.S. Bureau of Public  
Roads

Date: APR 2 1962

THE STATE OF NEW JERSEY

By *William J. Ronan*  
New Jersey State Highway  
Commissioner

TRI-STATE TRANSPORTATION COMMITTEE

By *William J. Ronan*  
William J. Ronan  
Chairman

APPROVED:

Date: 4/4/62

*Frederick W. Haight*  
FREDERICK W. HAIGHT  
First Deputy Comptroller

New York State Comptroller  
Under New York State Finance Law,  
Sec. 112

|                    |
|--------------------|
| Recommended<br>FRC |
| Date<br>3/8/62     |
| Recommended        |
| Date               |
| Approved           |
| Date<br>3/8/62     |



On this 7<sup>th</sup> day of February 1962, before me personally came J. BURCH McMORRAN, to me known and known to me to be the New York State Superintendent of Public Works, the person described as such in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same as such Superintendent of Public Works for the purposes mentioned therein.

On this 30<sup>th</sup> day of March, 1962, before me personally came Howard S. Jure, to me known and known to me to be the Connecticut State Highway Commissioner, the person described as such in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same as such State Highway Commissioner for the purposes mentioned therein.

On this day of 1962, before me personally came , to me known and known to me to be the New Jersey State Highway Commissioner, the person described as such in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same as such State Highway Commissioner for the purposes mentioned therein.

On this 6<sup>th</sup> day of June 1962, before me personally came WILLIAM J. RONAN, to me known and known to me to be the Chairman of the Tri-State Transportation Committee, and acknowledged that he executed the foregoing instrument for the purposes therein contained, pursuant to authorization so to do.

UNIVERSITY OF CALIFORNIA  
LIBRARY  
DIVERSITY



Pub. Law 87-866  
76 STAT. 1148.

-4-

October 23, 1962

TRANSPORTATION PLANNING IN CERTAIN URBAN AREAS

Ante, p. 1146.

SEC. 9. (a) Chapter 1 of title 23, United States Code, is amended by adding immediately following section 133 the following new section:

§ 134. Transportation planning in certain urban areas

"It is declared to be in the national interest to encourage and promote the development of transportation systems, embracing various modes of transport in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective the Secretary shall cooperate with the States, as authorized in this title, in the development of long-range highway plans and programs which are properly coordinated with plans for improvements in other affected forms of transportation and which are formulated with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. After July 1, 1965, the Secretary shall not approve under section 105 of this title any program for projects in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"134. Transportation planning in certain urban areas."

RURAL DELIVERY AND STAR ROUTE MILEAGE

72 Stat. 889;  
73 Stat. 146.

SEC. 10. (a) Subsection (b) (1) of section 104 of title 23 of the United States Code is amended by striking out "preceding fiscal year" and inserting in lieu thereof "preceding calendar year".

(b) The amendment made by subsection (a) of this section shall be applicable only with respect to apportionments made after the date of enactment of this Act.

HIGHWAY PLANNING AND RESEARCH FUNDS

72 Stat. 913.

SEC. 11. Subsection (c) of section 307 of title 23 of the United States Code is amended by inserting "(1)" immediately after "(c)", by striking out "any year" and inserting in lieu thereof "each fiscal year prior to the fiscal year 1964", and by adding at the end thereof the following:

"(2) One and one-half per centum of the sums apportioned for each fiscal year beginning with the fiscal year 1964 to any State under section 104 of this title shall be available for expenditure by the State highway department only for the purposes enumerated in paragraph (1) of this subsection.

"(3) In addition to the percentage provided in paragraph (2) of this subsection, not to exceed one-half of one per centum of sums apportioned for each fiscal year beginning with the fiscal year 1964 under paragraphs (1), (2), and (3) of section 104(b) of this title shall be available for expenditure upon request of the State highway department for the purposes enumerated in paragraph (1) of this subsection.

"(4) Sums made available under paragraphs (2) and (3) of this subsection shall be matched by the State in accordance with section 120 of this title unless the Secretary determines that the interests of the Federal-aid highway program would be best served without such matching."



ALLOCATED FUNDS  
1964 - 1965 FISCAL YEAR

|                              | <u>Federal</u>    | <u>State Matching</u> | <u>1½% Fed. App.</u> | <u>State Matching</u> |
|------------------------------|-------------------|-----------------------|----------------------|-----------------------|
| Primary                      | \$6,166,540       | \$6,166,540           | \$92,498             | \$92,498              |
| Urban                        | 10,405,791        | 10,405,791            | 156,086              | 156,086               |
| Secondary                    | 2,140,434         |                       | 32,104               | 32,104                |
| Interstate                   | <u>69,846,907</u> | <u>7,644,356</u>      | <u>1,047,703</u>     | <u>116,411</u>        |
|                              | \$88,559,672      | \$24,216,687          | \$1,328,391          | \$397,099             |
|                              |                   |                       | <u>397,099</u>       |                       |
| Total HPS. Funds 1964 - 1965 |                   |                       | \$1,725,490          |                       |





HIGHWAY PLANNING SURVEY FUNDS1964 - 1965 FISCAL YEAR

|                                   |                  |
|-----------------------------------|------------------|
| Estimated Balance June 30, 1964   | \$2,794,158      |
| Allocated 1964 - 1965             | <u>1,725,490</u> |
| Total Available                   | \$4,519,648      |
| Programmed 1964 - 1965            | <u>4,017,600</u> |
| Anticipated Balance June 30, 1965 | \$ 502,048       |



PROPERTY OF AUG 7 1964  
TRI-STATE TRANSPORTATION COMMITTEE  
LIBRARY

88TH CONGRESS  
2D SESSION

# URBAN MASS TRANSPORTATION ACT OF 1964

(As Signed by President Johnson, July 9, 1964)

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## AN ACT

To authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes.

1      *Be it enacted by the Senate and House of Representa-*  
2      *tives of the United States of America in Congress assembled,*  
3      *That this Act may be cited as the "Urban Mass Transpor-*  
4      *tation Act of 1964".*

### 5                      FINDINGS AND PURPOSES

6              *SEC. 2. (a) The Congress finds—*

7              *(1) that the predominant part of the Nation's popu-*



1        *lation is located in its rapidly expanding metropolitan*  
2        *and other urban areas, which generally cross the bound-*  
3        *ary lines of local jurisdictions and often extend into*  
4        *two or more States;*

5        *(2) that the welfare and vitality of urban areas, the*  
6        *satisfactory movement of people and goods within such*  
7        *areas, and the effectiveness of housing, urban renewal,*  
8        *highway, and other federally aided programs are being*  
9        *jeopardized by the deterioration or inadequate provision*  
10       *of urban transportation facilities and services, the inten-*  
11       *sification of traffic congestion, and the lack of coordi-*  
12       *nated transportation and other development planning*  
13       *on a comprehensive and continuing basis; and*

14       *(3) that Federal financial assistance for the devel-*  
15       *opment of efficient and coordinated mass transportation*  
16       *systems is essential to the solution of these urban*  
17       *problems.*

18       *(b) The purposes of this Act are—*

19       *(1) to assist in the development of improved mass*  
20       *transportation facilities, equipment, techniques, and*  
21       *methods, with the cooperation of mass transportation com-*  
22       *panies both public and private;*

23       *(2) to encourage the planning and establishment of*  
24       *areawide urban mass transportation systems needed for*  
25       *economical and desirable urban development, with the*



1       *cooperation of mass transportation companies both pub-*  
2       *lic and private; and*

3               *(3) to provide assistance to State and local govern-*  
4       *ments and their instrumentalities in financing such*  
5       *systems, to be operated by public or private mass*  
6       *transportation companies as determined by local needs.*

7               *FEDERAL FINANCIAL ASSISTANCE*

8       *SEC. 3. (a) In accordance with the provisions of this*  
9       *Act, the Administrator is authorized to make grants or loans*  
10       *(directly, through the purchase of securities or equipment*  
11       *trust certificates, or otherwise) to assist States and local*  
12       *public bodies and agencies thereof in financing the acquisi-*  
13       *tion, construction, reconstruction, and improvement of facili-*  
14       *ties and equipment for use, by operation or lease or*  
15       *otherwise, in mass transportation service in urban areas and*  
16       *in coordinating such service with highway and other trans-*  
17       *portation in such areas. Eligible facilities and equipment*  
18       *may include land (but not public highways), buses and*  
19       *other rolling stock, and other real or personal property*  
20       *needed for an efficient and coordinated mass transportation*  
21       *system. No grant or loan shall be provided under this sec-*  
22       *tion unless the Administrator determines that the applicant*  
23       *has or will have (1) the legal, financial, and technical*  
24       *capacity to carry out the proposed project, and (2) satis-*  
25       *factory continuing control, through operation or lease or*





1 otherwise, over the use of the facilities and equipment. No  
2 such funds shall be used for payment of ordinary govern-  
3 mental or nonproject operating expenses.

4 (b) No loan shall be made under this section for any  
5 project for which a grant is made under this section, except  
6 grants made for relocation payments in accordance with sec-  
7 tion 7(b). Loans under this section shall be subject to the  
8 restrictions and limitations set forth in paragraphs (1), (2),  
9 and (3) of section 202(b) of the Housing Amendments of  
10 1955. The authority provided in section 203 of such Amend-  
11 ments to obtain funds for loans under clause (2) of section  
12 202(a) of such Amendments shall (except for undisbursed  
13 loan commitments) hereafter be exercised by the Adminis-  
14 trator (without regard to the proviso in section 202(d) of  
15 such Amendments) solely to obtain funds for loans under  
16 this section.

17 (c) No financial assistance shall be provided under  
18 this Act to any State or local public body or agency thereof  
19 for the purpose, directly or indirectly, of acquiring any in-  
20 terest in, or purchasing any facilities or other property of,  
21 a private mass transportation company, or for the purpose  
22 of constructing, improving, or reconstructing any facili-  
23 ties or other property acquired (after the date of the enact-  
24 ment of this Act) from any such company, or for the pur-  
25 pose of providing by contract or otherwise for the opera-



1 tion of mass transportation facilities or equipment in  
2 competition with, or supplementary to, the service pro-  
3 vided by an existing mass transportation company, unless  
4 (1) the Administrator finds that such assistance is essential  
5 to a program, proposed or under active preparation, for a  
6 unified or officially coordinated urban transportation sys-  
7 tem as part of the comprehensively planned development  
8 of the urban area, (2) the Administrator finds that such  
9 program, to the maximum extent feasible, provides for the  
10 participation of private mass transportation companies,  
11 (3) just and adequate compensation will be paid to such  
12 companies for acquisition of their franchises or property to  
13 the extent required by applicable State or local laws, and  
14 (4) the Secretary of Labor certifies that such assistance  
15 complies with the requirements of section 10(c) of this Act.

16 LONG-RANGE PROGRAM

17 SEC. 4. (a) Except as specified in section 5, no Federal  
18 financial assistance shall be provided pursuant to section 3  
19 unless the Administrator determines that the facilities and  
20 equipment for which the assistance is sought are needed for  
21 carrying out a program, meeting criteria established by him,  
22 for a unified or officially coordinated urban transportation  
23 system as a part of the comprehensively planned development  
24 of the urban area, and are necessary for the sound, economic,  
25 and desirable development of such area. Such program shall



1 encourage to the maximum extent feasible the participation  
2 of private enterprise. Where facilities and equipment are to  
3 be acquired which are already being used in mass transpor-  
4 tation service in the urban area, the program must provide  
5 that they shall be so improved (through modernization, ex-  
6 tension, addition, or otherwise) that they will better serve  
7 the transportation needs of the area. The Administrator,  
8 on the basis of engineering studies, studies of economic  
9 feasibility, and data showing the nature and extent of ex-  
10 pected utilization of the facilities and equipment, shall esti-  
11 mate what portion of the cost of a project to be assisted under  
12 section 3 cannot be reasonably financed from revenues—  
13 which portion shall hereinafter be called "net project cost".  
14 The Federal grant for such a project shall not exceed two-  
15 thirds of the net project cost. The remainder of the net  
16 project cost shall be provided, in cash, from sources other  
17 than Federal funds, and no refund or reduction of that  
18 portion so provided shall be made at any time unless there  
19 is at the same time a refund of a proportional amount of the  
20 Federal grant.

21 (b) To finance grants under this Act there is hereby  
22 authorized to be appropriated at any time after its enactment  
23 not to exceed \$75,000,000 for fiscal year 1965; \$150,  
24 000,000 for fiscal year 1966; and \$150,000,000 for fiscal  
25 year 1967. Any amount so appropriated shall remain avail-



1 able until expended; and any amount authorized but not  
2 appropriated for any fiscal year may be appropriated for  
3 any succeeding fiscal year. The Administrator is authorized,  
4 notwithstanding the provisions of section 3648 of the Revised  
5 Statutes, as amended, to make advance or progress payments  
6 on account of any grant made pursuant to this Act.

7

#### EMERGENCY PROGRAM

8 SEC. 5. Prior to July 1, 1967, Federal financial assist-  
9 ance may be provided pursuant to section 3 where (1) the  
10 program for the development of a unified or officially co-  
11 ordinated urban transportation system, referred to in section  
12 4(a), is under active preparation although not yet com-  
13 pleted, (2) the facilities and equipment for which the assist-  
14 ance is sought can reasonably be expected to be required for  
15 such a system, and (3) there is an urgent need for their  
16 preservation or provision. The Federal grant for such a  
17 project shall not exceed one-half of the net project cost:  
18 Provided, That where a Federal grant is made on such a  
19 one-half basis, and the planning requirements specified in  
20 section 4(a) are fully met within a three-year period after  
21 the execution of the grant agreement, an additional grant  
22 may then be made to the applicant equal to one-sixth of the  
23 net project cost. The remainder of the net project cost shall  
24 be provided, in cash, from sources other than Federal funds,  
25 and no refund or reduction of that portion so provided shall





1 *be made at any time unless there is at the same time a refund*  
2 *of a proportional amount of the Federal grant.*

3 *RESEARCH, DEVELOPMENT, AND DEMONSTRATION*

4 *PROJECTS*

5 *SEC. 6. (a) The Administrator is authorized to under-*  
6 *take research, development, and demonstration projects in*  
7 *all phases of urban mass transportation (including the de-*  
8 *velopment, testing, and demonstration of new facilities,*  
9 *equipment, techniques, and methods) which he determines*  
10 *will assist in the reduction of urban transportation needs,*  
11 *the improvement of mass transportation service, or the con-*  
12 *tribution of such service toward meeting total urban trans-*  
13 *portation needs at minimum cost. He may undertake such*  
14 *projects independently or by contract (including working*  
15 *agreements with other Federal departments and agencies).*  
16 *In carrying out the provisions of this section, the Adminis-*  
17 *trator is authorized to request and receive such information*  
18 *or data as he deems appropriate from public or private*  
19 *sources.*

20 *(b) The Administrator may make available to finance*  
21 *projects under this section not to exceed \$10,000,000 of the*  
22 *mass transportation grant authorization provided in section*  
23 *4(b), which limit shall be increased to \$20,000,000 on*  
24 *July 1, 1965, and to \$30,000,000 on July 1, 1966. In*  
25 *addition, notwithstanding the provisions of section 4 of this*



1 Act or of section 103(b) of the Housing Act of 1949, the  
2 unobligated balance of the amount available for mass trans-  
3 portation demonstration grants pursuant to the proviso in  
4 such section 103(b) shall be available solely for financing  
5 projects under this section.

6 (c) Nothing contained in this section shall limit any  
7 authority of the Administrator under section 602 of the  
8 Housing Act of 1956 or any other provision of law.

9 RELOCATION REQUIREMENTS AND PAYMENTS

10 SEC. 7. (a) No financial assistance shall be extended to  
11 any project under section 3 unless the Administrator deter-  
12 mines that an adequate relocation program is being carried  
13 on for families displaced by the project and that there are  
14 being or will be provided (in the same area or in other areas  
15 generally not less desirable in regard to public utilities and  
16 public and commercial facilities and at rents or prices within  
17 the financial means of the displaced families) an equal num-  
18 ber of decent, safe, and sanitary dwellings available to those  
19 displaced families and reasonably accessible to their places  
20 of employment.

21 (b) Notwithstanding any other provision of this Act,  
22 financial assistance extended to any project under section 3  
23 may include grants for relocation payments, as herein de-  
24 fined. Such grants may be in addition to other financial  
25 assistance for the project under section 3, and no part of the



1 amount of such relocation payments shall be required to be  
2 contributed as a local grant. The term "relocation pay-  
3 ments" means payments by the applicant to individuals,  
4 families, business concerns, and nonprofit organizations for  
5 their reasonable and necessary moving expenses and any  
6 actual direct losses of property, except goodwill or profit,  
7 for which reimbursement or compensation is not otherwise  
8 made, resulting from their displacement by the project.  
9 Such payments shall be made subject to such rules and regu-  
10 lations as may be prescribed by the Administrator, and shall  
11 not exceed \$200 in the case of an individual or family, or  
12 \$3,000 (or if greater, the total certified actual moving ex-  
13 penses) in the case of a business concern or nonprofit organi-  
14 zation. Such rules and regulations may include provisions  
15 authorizing payment to individuals and families of fixed  
16 amounts (not to exceed \$200 in any case) in lieu of their  
17 respective reasonable and necessary moving expenses and  
18 actual direct losses of property.

19 COORDINATION OF FEDERAL ASSISTANCE FOR HIGHWAYS  
20 AND FOR MASS TRANSPORTATION FACILITIES

21 SEC. 8. In order to assure coordination of highway and  
22 railway and other mass transportation planning and develop-  
23 ment programs in urban areas, particularly with respect to  
24 the provision of mass transportation facilities in connection  
25 with federally assisted highways, the Administrator and the



1 Secretary of Commerce shall consult on general urban trans-  
2 portation policies and programs and shall exchange informa-  
3 tion on proposed projects in urban areas.

4 GENERAL PROVISIONS

5 SEC. 9. (a) In the performance of, and with respect  
6 to, the functions, powers, and duties vested in him by this  
7 Act, the Administrator shall (in addition to any authority  
8 otherwise vested in him) have the functions, powers, and  
9 duties set forth in section 402, except subsections (c)(2)  
10 and (f), of the Housing Act of 1950. Funds obtained or  
11 held by the Administrator in connection with the perform-  
12 ance of his functions under this Act shall be available for the  
13 administrative expenses of the Administrator in connection  
14 with the performance of such functions.

15 (b) All contracts for construction, reconstruction, or  
16 improvement of facilities and equipment in furtherance of  
17 the purposes for which a loan or grant is made under this  
18 Act, entered into by applicants under other than competitive  
19 bidding procedures as defined by the Administrator, shall  
20 provide that the Administrator and the Comptroller General  
21 of the United States, or any of their duly authorized  
22 representatives, shall, for the purpose of audit and examina-  
23 tion, have access to any books, documents, papers, and  
24 records of the contracting parties that are pertinent to the  
25 operations or activities under such contracts.





1       (c) All contracts for construction, reconstruction, or  
2       improvement of facilities and equipment in furtherance of the  
3       purposes for which a loan or grant is made under this Act  
4       shall provide that in the performance of the work the con-  
5       tractor shall use only such manufactured articles as have  
6       been manufactured in the United States.

7       (d) As used in this Act—

8           (1) the term "States" means the several States,  
9       the District of Columbia, the Commonwealth of Puerto  
10      Rico, and the possessions of the United States;

11          (2) the term "local public bodies" includes  
12      municipalities and other political subdivisions of States;  
13      public agencies and instrumentalities of one or more  
14      States, municipalities, and political subdivisions of  
15      States; and public corporations, boards, and commissions  
16      established under the laws of any State;

17          (3) the term "Administrator" means the Housing  
18      and Home Finance Administrator;

19          (4) the term "urban area" means any area that  
20      includes a municipality or other built-up place which is  
21      appropriate, in the judgment of the Administrator, for  
22      a public transportation system to serve commuters or  
23      others in the locality taking into consideration the local  
24      patterns and trends of urban growth; and

25          (5) the term "mass transportation" means trans-



1     *portation by bus- or rail or other conveyance, either*  
2     *publicly or privately owned, serving the general public*  
3     *(but not including school buses or charter or sightseeing*  
4     *service) and moving over prescribed routes.*

(e) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the funds necessary to carry out all functions under this Act except loans under section 3. All funds appropriated under this Act for other than administrative expenses shall remain available until expended.

11       (f) None of the provisions of this Act shall be construed  
12 to authorize the Administrator to regulate in any manner the  
13 mode of operation of any mass transportation system with  
14 respect to which a grant is made under section 3 or, after  
15 such grant is made, to regulate the rates, fares, tolls, rentals,  
16 or other charges fixed or prescribed for such system by any  
17 local public or private transit agency; but nothing in this  
18 subsection shall prevent the Administrator from taking such  
19 actions as may be necessary to require compliance by the  
20 agency or agencies involved with any undertakings furnished  
21 by such agency or agencies in connection with the application  
22 for the grant.

## LABOR STANDARDS

24 SEC. 10. (a) The Administrator shall take such action  
25 as may be necessary to insure that all laborers and me-



1 *chanics employed by contractors or subcontractors in the*  
2 *performance of construction work financed with the assist-*  
3 *ance of loans or grants under this Act shall be paid wages*  
4 *at rates not less than those prevailing on similar construc-*  
5 *tion in the locality as determined by the Secretary of*  
6 *Labor in accordance with the Davis-Bacon Act, as amended.*  
7 *The Administrator shall not approve any such loan or*  
8 *grant without first obtaining adequate assurance that re-*  
9 *quired labor standards will be maintained upon the*  
10 *construction work.*

11 *(b) The Secretary of Labor shall have, with respect to*  
12 *the labor standards specified in subsection (a), the authority*  
13 *and functions set forth in Reorganization Plan Numbered 14*  
14 *of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z-*  
15 *15), and section 2 of the Act of June 13, 1934, as amended*  
16 *(48 Stat. 948; 40 U.S.C. 276c).*

17 *(c) It shall be a condition of any assistance under this*  
18 *Act that fair and equitable arrangements are made, as deter-*  
19 *mined by the Secretary of Labor, to protect the interests of*  
20 *employees affected by such assistance. Such protective ar-*  
21 *rangements shall include, without being limited to, such pro-*  
22 *visions as may be necessary for (1) the preservation of rights,*  
23 *privileges, and benefits (including continuation of pension*  
24 *rights and benefits) under existing collective bargaining*  
25 *agreements or otherwise; (2) the continuation of collective*



1 bargaining rights; (3) the protection of individual em-  
2 ployees against a worsening of their positions with respect to  
3 their employment; (4) assurances of employment to employ-  
4 ees of acquired mass transportation systems and priority of  
5 reemployment of employees terminated or laid off; and (5)  
6 paid training or retraining programs. Such arrangements  
7 shall include provisions protecting individual employees  
8 against a worsening of their positions with respect to their  
9 employment which shall in no event provide benefits less than  
10 those established pursuant to section 5(2)(f) of the Act of  
11 February 4, 1887 (24 Stat. 379), as amended. The con-  
12 tract for the granting of any such assistance shall specify the  
13 terms and conditions of the protective arrangements.

14 AIR POLLUTION CONTROL

15 SEC. 11. In providing financial assistance to any project  
16 under section 3, the Administrator shall take into considera-  
17 tion whether the facilities and equipment to be acquired,  
18 constructed, reconstructed, or improved will be designed and  
19 equipped to prevent and control air pollution in accordance  
20 with any criteria established for this purpose by the Secre-  
21 tary of Health, Education, and Welfare.

22 STATE LIMITATION

23 SEC. 12. Grants made under section 3 (other than  
24 grants for relocation payments in accordance with section  
25 7(b)) for projects in any one State shall not exceed in





- 1 the aggregate  $12\frac{1}{2}$  per centum of the aggregate amount of  
2 grant funds authorized to be appropriated pursuant to  
3 section 4(b).

Passed the Senate April 4, 1963.

Attest: FELTON M. JOHNSTON,  
*Secretary.*

Passed the House of Representatives with an amend-  
ment June 25, 1964.

Attest: RALPH R. ROBERTS,  
*Clerk.*

88TH CONGRESS  
2d SESSION

S. 6

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## AN ACT

To authorize the Housing and Home Finance Administrator to provide additional assistance for the development of comprehensive and coordinated mass transportation systems, both public and private, in metropolitan and other urban areas, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 26, 1964

Ordered to be printed with the amendment of the  
House of Representatives.



## TRI STATE TRANSPORTATION COMMITTEE

Analysis of Expenditures  
1st Accounting PeriodAugust 30, 1961 - March 31, 1962

|   |                      |
|---|----------------------|
| Total Expenditure of Tri-State  | <u>\$ 198,346.86</u> |
| New Jersey Share - 45%  | <u>\$ 89,256.09</u>  |
| Credits for Cost Contributions:   |                      |
| Port of N. Y. Authority (50%)   | \$ 40,088.50         |
| NY-NJ Transportation Agency (Bi-State)<br>Supported by Commuter Benefit Taxes | 20,575.62            |
| Expenditures - N.J. State Highway Department                                  |                      |
| From 1½% H.P.S. Funds   |                      |
| Planning & Traffic Bureau   | 981.39               |
| Balance of payment to Tri-State<br>1st Accounting Period                      | <u>5,723.43</u>      |
| State Costs - Supported by Highway User Revenues                              | 6,704.82             |
| Bureau of Public Roads  | <u>21,887.15</u>     |
|   | <u>\$ 89,256.09</u>  |



## TRI STATE TRANSPORTATION COMMITTEE

Analysis of Expenditures  
2nd Accounting PeriodApril 1, 1962 - March 31, 1963

|  |                       |                      |
|--|-----------------------|----------------------|
| Total Expenditures of Tri-State  | <u>\$1,107,275.65</u> |                      |
| New Jersey Share - 45%   | <u>\$ 499,024.04</u>  |                      |
| Credits for Cost Contributions:  |                       |                      |
| Port of N. Y. Authority (50%)  |                       | \$ 108,153.49        |
| N.Y.-N.J. Transportation Agency (Bi-State)                                 | 49,783.93             |                      |
| Division of Railroad Transportation<br>Supported by Commuter Benefit Taxes | <u>31,280.74</u>      | 81,064.67            |
| Expenditures - N. J. State Highway Department                              |                       |                      |
| From 1½% H.P.S. Funds  |                       |                      |
| Planning & Traffic Bureau  | 5,176.31              |                      |
| Balance of payments to Tri-State<br>2nd Accounting Period                  | <u>101,578.51</u>     |                      |
| State Costs - Supported by Highway User Revenues                           |                       | 106,754.82           |
| Bureau of Public Roads (77.11%)  |                       | <u>203,051.06</u>    |
|  |                       | <u>\$ 499,024.04</u> |



## TRI STATE TRANSPORTATION COMMITTEE

Analysis of Expenditures  
3rd Accounting PeriodApril 1, 1963 - March 31, 1964

Total Expenditures of Tri-State \$ 5,014,148.

## Less:

Costs of Special Grant Programs  
eligible for HHFA participation \$ 564,125.Mass Transportation & Demonstration  
Grant Costs not eligible for HHFA  
participation 266,233. 830,358.Total adjusted gross expenditures,  
exclusive of Special Grant Programs  
assigned to each state in accordance  
with the Tri-State Agreement. \$ 4,183,790.New Jersey Share - 45% \$ 1,882,705.

## Credits for Cost Contributions:

Port of N. Y. Authority (50%) \$ 73,971.  
Division of Railroad Transportation  
Supported by Commuter Benefit Taxes 3,683.

## Expenditures - N.J. State Highway Dept.

From 1½% H.P.S. Funds  
Planning & Traffic Bureau 116,587.48  
Balance of billing from Tri-State  
3rd Accounting Period 303,290.40

State Costs - Supported by Highway User Revenues 419,877.88

Bureau of Public Roads (76.74%) 1,385,173.12\$1,882,705.00





MAJOR ACTIVITIES - TRI-STATE TRANSPORTATION  
COMMITTEEIMMEDIATE ACTIONAccomplishments

1. Survey by Edwards & Kelcey of present passenger movements - projections to 1970 and an estimate of immediate highway and transit needs. Consultants report received. Contract complete.
2. Regional Highway Systems Report giving status of all current major highway construction in process or committed for 1964 - 85 page report complete and released.
3. Suburban Railroad Equipment Report. Analyzing age and needs of all rail cars and equipment for the regions. Providing estimates of replacement cost. (showing New Jersey Railroads to have 99% of cars over 30 years of age).
4. Cost and revenue studies of 5 or 6 Railroads completed and in process of being consolidated. These reports provide objective measure of the costs and revenues of suburban passenger service.
5. General Aviation - Airports survey (nothing to do with commercial or jetports). Completed report of landings and take-offs received from Consultant. Survey of potential business and private plane usage now underway.
6. Harbor rail freight and marine services consolidation study completed and passed to Railroad Presidents for review. Anticipate savings of \$8.9 million per year from consolidation of car float and lighterage operations. Report also reviews the potential release of waterfront lands for re-use along New Jersey waterfront.



DEMONSTRATION GRANTS

Obtained Federal approval and participation in 4 projects totalling \$3.6 million which are listed below:

- (a) New Brunswick, New Jersey - New Station, Parking and Commuter Services commenced October, 1963. Three reports on progress completed. Improvements still being made in services.
- (b) New Bus Service from Rockland County to New York Central Railroad in Tarrytown - designed and in operation since September, 1963. Currently serving over 400 passengers per day. First progress report printed and released.
- (c) Express train service experiment on Harlem Division of New York Central Railroad to begin in June, 1964 - 1100 parking spaces being added at express station and new and improved train service to be provided
- (d) Experiment in use of automatic ticket validation and station control of fare collection to begin in June, 1964. Equipment designed and purchased, now ready for installation at Kew Gardens Station, Long Island Railroad.
- (e) Consultants study of West Shore Railroad right-of-way in Bergen County being made to consider feasibility of paving and operating an Expressway Bus roadway.

LONG RANGE

1. Aerial photography of entire region flown 1961-62. Detailed and processed mosaics available to all governments at reproduction costs. Cost of flights and maps to Tri-State estimated at \$300,000.



-3-

From the Bergen County Engineer's report-1963 Annual Report, Bergen County, in which he says the following:

Page IV - "The purchase in 1963 of the aforesaid set of negatives from the Tri-State Transportation Committee was made possible by Bergen County's contingent membership in that Committee" (this is where he indicates he bought all the aerial photographs for Bergen County)" A set of prints covering a particular municipality consists of 1 to 5 panels. A few municipalities requested and received as many as four sets of prints. Also 37 requests were satisfied for full or partial sets of prints from County Departments, Commissions and Authorities."

2. Complete storage and availability of all unpublished U. S. Census data. Tri-State has purchased detailed "tapes" for all three States' records. These have been processed and Tri-State is now preparing reports for State and local agencies. This is an important central service using a central computer. A 30-page report has just been released by the Committee on the patterns of journey-to-work travel.
3. Detailed field surveys:-
  - (a) Household surveys - 56,000 homes in area - recorded a detailed travel diary and household profile for all places. This is the first uniform survey of how, why, when and where the people of the region travel. Field work will be complete at a cost of nearly \$1 million in May, 1964.
  - (b) Survey and travel diary of 15,000 trucks and 600 taxis recorded by direct interview - estimated cost to date - \$400,000. Field work completed in February, 1964 - materials about 50% coded.



-4-

- (c) Roadside interviews - a sample of 680,000 vehicles daily entering or leaving region were stopped and interviewed at roadside stations. All field work completed by Highway Departments. Tri-State has coded and is keypunching this survey.
- (d) Detailed land use survey of all parcels of land in area. Field work in all suburban areas completed December, 1963 at cost of \$500,000. (140 blocks listed). Coding and measuring work will provide the first uniform measure of used and vacant land by type for the region; being used by local governments as work proceeds.

These four surveys are the raw materials for use in establishing a "continuous, comprehensive and cooperative planning process" as required by the Federal 1962 Highway Act.

- 4. A survey of regional plans and projects was prepared for joint use by Planning Agencies to provide a regional over-view. Consultants report received (87 pages) is being reviewed by State agencies.
- 5. Design of regional economic study prepared by consultant. This study to assess the growth potential of the region and the possibilities for new employment. First report received from Dr. Newman.
- 6. Contracted with Regional Plan Association to prepare uniform regional map set for Tri-State area. Contract complete and copies made available to local agencies. (separate maps of Railroads, highways, municipal boundaries, terrain, etc. available to local users).
- 7. Have completed /first estimate of revised travel patterns expected to occur on opening of the Verrazzano Bridge. This will be basis for testing





-5-

future travel prediction techniques.

8. Have consolidated the two journey-to-work studies of Lower Manhattan and Mid-Manhattan and prepared combined report on travel time and mode, according to home of commuter.
9. Completed first report on regional goods inflow and outflow by mode. In process now of breaking these figures down by commodities carried and historic trend.
10. Have developed and purchased new equipment for reading and measuring aerial photographs electronically and for plotting new maps using electronic plotting equipment. Both machines delivered and in production.





HOUSING AND HOME FINANCE AGENCY  
URBAN RENEWAL ADMINISTRATION • Washington, D.C. 20410

Exhibit "H"

JUL 7 1964

Honorable Richard J. Hughes  
Governor of New Jersey  
Trenton, New Jersey

Dear Governor Hughes:

This will follow up on our telephone conversation of July 7, 1964, concerning the Tri-State regional planning program.

We have, as you know, been concerned with the apparent lack of support in the New Jersey legislature for a continuation of the interstate regional planning effort in the Greater New York area. A termination of the Tri-State planning program would clearly jeopardize Federal assistance for projects in Northern New Jersey under three important Federal aid programs for which regional or urban area planning is a basic requirement.

The Open-Space Land Program, for which I am responsible and under which New Jersey is receiving substantial aid, requires a comprehensive planning program for the urban area. Federal Highway Administrator Whitton has, I understand, already made clear the implications of the provision in the Federal Highway Act of 1962 requiring that any project approved after July 1, 1965, must be "based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities." The recently enacted Mass Transportation Act carries a similar provision limiting assistance to facilities and equipment needed for a program for a unified or officially coordinated urban transportation system as part of the comprehensive planned development of the urban area.

The statutory language differs for each of the three programs and, moreover, the programs are administered by different agencies. I have, however, met and discussed the problems with Rex Whitton, the Federal Highway Administrator and John Kohl, Assistant Administrator for Transportation of the Housing and Home Finance Agency. I believe that I can report that we are all in agreement on the fundamentals. Eligibility

2

under all three programs is dependent upon a comprehensive regional planning program covering the entire urban area in all three States. These requirements can now be met only by virtue of the existence of the Tri-State planning program. Without the Tri-State planning program (or an alternative with the same basic characteristics), we see no way in which Northern New Jersey could continue to qualify for aid under any of these programs.

We recognize that this is a complex and difficult problem and we will be pleased to assist you in any way you require.

*William L. Clayton*  
Urban Renewal Commissioner



U.S. DEPARTMENT OF COMMERCE  
BUREAU OF PUBLIC ROADS  
WASHINGTON, D.C. 20235

APR 13 1964

IN REPLY REFER TO:

38-36

Mr. Dwight R. G. Palmer  
Commissioner  
New Jersey State Highway Department  
1035 Parkway Avenue  
Trenton, New Jersey 08607

Dear Dwight:

Supplementing my letter to you of March 5, 1964, relative to the status of transportation planning in the urban areas of New Jersey, we are becoming increasingly concerned with the prospect that we may not be able to approve Federal-aid highway programs in the New York-Northeastern New Jersey urbanized area after July 1, 1965. As you know, Chapter 1 of title 23, United States Code was amended by the Federal-Aid Highway Act of 1962 by adding a new section titled "Transportation Planning in Certain Urban Areas." This new section provides that after July 1, 1965, the Secretary of Commerce shall not approve any Federal-aid highway programs in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by the States and local communities. We will have no alternative but to deny program approvals after July 1, 1965, lacking compliance with this planning requirement.

We have been confident that the transportation planning program being carried on by your department in cooperation with the New York Department of Public Works and the Connecticut Highway Department under the Tri-State Transportation Committee would provide the basic plans on which the States and the local communities could reach agreement. It is now reported that because of the shortage of highway planning funds it may become necessary to suspend the planning operations before they have been carried sufficiently far to provide the basis for Federal-aid highway program approvals. To avoid this possibility the States will have to arrange for the required financing over and above the funds available from the Federal-aid highway apportionments. You will recall that when work was started under the Tri-State Committee it was recognized that funds in addition to those available from the Federal-aid highway allocations, plus the State matching share, would be required.

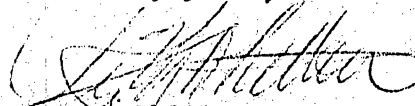
I am aware that efforts have been made to obtain financial assistance from the Housing and Home Finance Agency. I am also informed, however, that these funds can be made available only if New Jersey takes some action to provide their proportionate share of the required matching funds.



The progress that the three State highway departments have made through the regionwide study is outstanding, but unfortunately the entire planning effort will be in jeopardy unless prompt action is taken to assure adequate financing. The effectiveness of the Tri-State Committee in carrying on the planning process has been so well demonstrated that we would hope that means can be found to insure its continuance. I am certain you will agree that we should do everything we can to avoid any delay in the Federal-aid highway program in this important urbanized area.

I should appreciate your informing me of actions you may be able to take, and wish to repeat that Public Roads, through both our field offices and the Washington office, stands ready to help in any way we can.

Sincerely yours,



Rex M. Whitton

Federal Highway Administrator





STATEMENT ON APRIL 22, 1964, BY JOHN A. SWANSON DURING THE NEW JERSEY  
LEGISLATIVE HEARINGS CONCERNING AN INTERSTATE COMPACT BETWEEN THE STATES  
OF NEW JERSEY, NEW YORK, AND CONNECTICUT, CREATING THE  
TRI-STATE TRANSPORTATION COMMISSION

Gentlemen:

I am John A. Swanson, Regional Engineer for Region One, Bureau of Public Roads, U. S. Department of Commerce. My area of responsibility includes all of the New England States, Puerto Rico, New York, and New Jersey. Our regional office is charged with supervising all of the Federal-aid highway expenditures in this nine-division region. Our responsibility includes not only the design and construction of highway projects to be built with Federal-aid money but also planning and research for proper Federal-aid expenditures. This brings us to the reason why the Bureau of Public Roads is interested in the formation of an interstate compact called the Tri-State Transportation Commission.

As you know, the Tri-State Committee was created by the Governors of New Jersey, New York, and Connecticut on August 30, 1961 and was charged with the responsibility of conducting studies and making recommendations for the transportation needs of the New York Metropolitan Area. At that time it was recognized that specific authority and/or recognition by the three State Legislatures was desirable. However, planning needs could not wait for Legislative action and on February 6, 1962, an Agreement was signed by the three States setting forth the responsibilities of the Committee and stipulating that their work would be action-oriented, concerned with both present problems and the formulation of plans and action programs for the future.



- 2 -

The initial agreement by the three Governors, in addition to setting forth the responsibility of the Tri-State staff, also expressed their desire to take advantage of the available Federal funds under Title 23 of the U.S. Code, and the Housing Act of 1961. These funds are generally known as Federal-aid 1-1/2% Highway Planning and Research Funds, and 701 Planning Assistance Grants, respectively.

The initial agreement also included the financial arrangement - that is the State of Connecticut would pay 10% of the cost of the studies and the States of New York and New Jersey would pay 45% each. All three States immediately saw that it would be impossible for them to finance a study of this magnitude with only the Highway Planning and Research money available to them. Therefore, since the Governors had indicated their desire and need to use 701 money, requests for such assistance were made to the Bureau of Public Roads and the Housing and Home Finance Agency. By mutual agreement, the two agencies decided that a logical split of costs on this project would be 50-50. That is, 50% of the cost would be paid from general planning funds and 50% from highway funds. This mutual agreement was arrived at after serious consideration had been given to the type of studies which were to be conducted and the relative acceptability of these studies for financing with each type of funds.

To put in focus the importance of this mutual agreement between the Bureau of Public Roads and the Housing and Home Finance Agency, I would like to explain just how the financing is handled by each agency. Money available from Title 23 of the U.S. Code through the Bureau of Public Roads, is apportioned to the States only through their Highway Departments. For that reason the



- 3 -

Bureau of Public Roads could never allocate any money directly to any organization other than the State Highway Department. Even though the Tri-State Commission Compact were enacted and if 1-1/2% Highway Planning and Research money were to be used in the future the State Highway Departments would of necessity be the organizations to apply for such assistance to the Bureau of Public Roads. This would be done through the standard operating technique of including in a highway planning and research project an item of work for financing the Tri-State Commission. This technique is well established and is familiar to all three highway departments.

The Housing and Home Finance Agency does not apportion their planning money to the States as we do. HHFA allocates money to certain planning projects only after the application for each specific project is submitted and approved. However, they can only approve a project which is submitted by an organization which has official planning status in the State. They can approve applications for assistance on planning projects from cities, counties, regional planning bodies, or States, as long as the planning organizations are official. Until the Tri-State Commission Compact is approved, the Tri-State Committee cannot submit a proposal to HHFA for direct planning assistance. It becomes necessary for the planning organizations in each of the three States to submit the applications to HHFA and thereby finance Tri-State indirectly. The simplicity of submitting an application to HHFA if Tri-State had official status in all three States is obvious.

Although the Bureau of Public Roads could not accept a direct application for assistance from the Tri-State Commission Compact, we believe in and



- 4 -

support the idea of Commission status for the Tri-State study for the following reasons:

1. It would improve central administrative control of the studies.
2. It would provide increased stability for the organization and give additional support to the staff by assuring a future to the organization.
3. With Compact status the Tri-State Commission could set up a central billing operation and improve the control of the cost accounting for their studies.
4. The planning would continue to be done on a regionwide basis by an acknowledged, competent, capable staff which would be recognized as the planning body for the region, without localized interest.

Most of all, however, we believe that the Compact is important to the Tri-State Metropolitan Area because of the provisions of the Highway Act of 1962. This Act stipulated that after July 1, 1965, the Secretary of Commerce, and thereby the Bureau of Public Roads, shall not approve any Federal-aid Highway projects in any urban area of more than 50,000 population unless he finds that such projects are based on a continuing, comprehensive transportation planning process carried on cooperatively by the States and local communities. The continuing aspect of this study would be difficult to support over a long period if the Tri-State Committee were not given Commission status.

Under its present informal operating procedures it is very possible to foresee a breakdown into individual State planning in the area. If this were



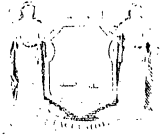


- 5 -

to happen, Federal-aid highway projects in the Metropolitan Area would have to cease immediately since it would not be possible for a Bureau of Public Roads division engineer to state that the planning was comprehensive, that is, including the entire Metropolitan Area. Nor could he say that it was cooperative, since the States would no longer be cooperating but would be planning on an individual State basis. We believe a Tri-State Commission Compact is important because it will show to the Metropolitan Area that the three States do want comprehensive, continuing planning in this area. It will also demonstrate to the U.S. Congress that in this largest of all metropolitan areas, planning can be done cooperatively, comprehensively, and on a continuing basis under an established organization qualified both technically and legally.

In conclusion I want to state that when the Urban Transportation Study for the New York City Metropolitan area was first conceived and discussed, I advised that Public Roads would be unwilling to endorse and/or approve any such study unless it included the areas of all three States -- New Jersey, New York and Connecticut that properly fell within such a study area. Nothing has elapsed since that time to change my opinion.





STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY

WILLIAM J. RONAN  
SECRETARY TO THE GOVERNOR

May 6, 1964

Dear Dwight:

This is in answer to your inquiry regarding the New York State attitude on the possibility of a bi-state (New Jersey-New York) approach to transportation planning in the metropolitan area rather than the tri-state approach which has been followed by the states of New Jersey, New York and Connecticut for the past two years.

New York State has strongly taken the position that New York would not participate in a bi-state (New Jersey-New York) approach. Governor Rockefeller, Speaker Carlino and Senate Majority Leader Mahoney all firmly take this position. In addition, the Minority Leaders of both houses of the New York Legislature also have strongly endorsed the tri-state approach.

The New York position is based upon the following, among other, considerations:

- 1) This metropolitan region has been recognized and defined as consisting of parts of the States of New Jersey, New York and Connecticut.

- 2) The tri-state nature of this metropolitan region was recognized in the creation of the Interstate Sanitation Commission, in the work of the Regional Plan Association and by the landmark studies done by Harvard University under various foundation grants.



-2-

3) Significantly, the Federal Bureau of Public Roads and the Housing and Home Finance Agency have stated that the regional transportation planning program must encompass the three state metropolitan area, if Federal highway aid and HHFA assistance is to be secured by any of the three states under the relevant Federal statutes. Particular attention has been called to all three states by the Bureau of Public Roads that, after July 1, 1965, there can be no federal highway aid granted to the states if they do not have a comprehensive, regional transportation planning program in operation.

4) The fact of the matter is that developments in rail, auto, air and water transportation have closely related implications throughout the region.

5) Finally, New York State will not assume the additional expense, complicated administrative procedures and legal difficulties inherent in two bi-state agencies - one, New Jersey-New York and the other, New York-Connecticut - for dealing with problems that are truly tri-state in character.

As you know, three months ago the legislative leaders of the three states met in New York City and considered various objections that had been raised in New Jersey regarding the proposed tri-state compact. At that meeting, the matter of a bi-state (New York-New Jersey) approach was discussed.

This approach was rejected at the meeting by the Majority and Minority Leaders of both houses of the New York State Legislature.

New Jersey representatives suggested several amendments to the then proposed tri-state compact. These amendments were incorporated in a new version of the compact as drafted by New Jersey State officials. This version was unanimously passed by both houses of the New York State Legislature and approved by the Governor.

You may be interested to note that in the compact, as passed by the New York State Legislature, there is included a



special "bill section" at the end insuring to the localities of New York State that their local powers to plan and zone can not be impaired in any way by the compact. We, in New York State, feel that this gives our localities full protection against the possibility of establishing some kind of "super government."

From the foregoing, it is clear that New York State will not participate in a bi-state New York-New Jersey regional transportation planning program of the sort mentioned in your inquiry.

Your inquiry also prompts me to mention the serious situation confronting the present Tri-State Transportation Committee. New York and Connecticut have made available their proportionate amount of the funds needed to carry on the essential planning studies and action programs already well underway.

The fact that New Jersey, as of this date, has not made provision for its proportionate share for the coming fiscal year threatens the entire program of the Committee.

As you appreciate, the Committee has already invested several millions of dollars in the most comprehensive data gathering operation of its kind ever attempted. The collection of basic information through home interviews, truck-taxi surveys, bus, rail and air surveys and a comprehensive charting of the land use of some 8,000 square miles in the region has been completed.

If funds are not forthcoming to carry on the Committee's work, the data can not be processed, systematized and analyzed. This material, gathered at significant public expense, would therefore not be usable.

The participating states and the many municipalities of the region accordingly would be deprived of essential information required for their own transportation and other planning uses.

Sincerely,

Hon. Dwight R. G. Palmer  
New Jersey Commissioner of  
Highways  
Trenton, New Jersey

