



**U.S. Department of
Transportation**

BUDGET ESTIMATES

FISCAL YEAR 2012

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

**SUBMITTED FOR THE USE OF
THE COMMITTEES FOR APPROPRIATIONS**

**FISCAL YEAR 2012 PERFORMANCE BUDGET
SUBMISSION TO THE COMMITTEES ON APPROPRIATIONS**

TABLE OF CONTENTS

SECTION 1: Overview

Administrator’s Overview	1-1
FY 2012 Proposed Appropriation Language	1-5
Exhibit 1: FMCSA Organization Chart	1-7

SECTION 2: Budget Summary Tables

Federal Motor Carrier Safety Administration: Proposed Funding Classification	2-1
Exhibit II-1: FY 2012 New Budget Authority	2-2
Exhibit II-2: FY 2012 Total Budgetary Resources by Appropriation Account.....	2-3
Exhibit II-3: FY 2012 Budget Request by DOT Strategic and Organization Goals.....	2-4
Exhibit II-3-A: FY 2012 Budget Request by DOT Outcomes	2-5
Exhibit II-4: FY 2012 Budget Authority	2-6
Exhibit II-5: FY 2011 Outlays	2-7
Exhibit II-6-A: Summary of Requested Funding Changes from Base Motor Carrier Safety Operations and Programs	2-8
Exhibit II-6-B: Summary of Request Funding Changes from Base Motor Carrier Safety Grants	2-9
Exhibit II-7: Working Capital Fund.....	2-10
Exhibit II-8: Personnel Resource Summary – Total Full Time Equivalents	2-11
Exhibit II-9: Personnel Resource Summary – Full-Time Permanent Positions	2-12
Reauthorization Table.....	2-13

**FISCAL YEAR 2012 PERFORMANCE BUDGET
SUBMISSION TO THE COMMITTEES ON APPROPRIATIONS**

TABLE OF CONTENTS

SECTION 3: Budget Request by Appropriation Account

SECTION 3A: Motor Carrier Safety Operations and Programs

Motor Carrier Safety Operations and Programs Legislative Proposal.....	3Ai-1
Motor Carrier Safety Operations and Programs Program and Financing.....	3Ai-2
Motor Carrier Safety Operations and Programs Object Classification.....	3Ai-3
Motor Carrier Safety Operations and Programs Liquidation of Contract Authority	3Ai-4
Motor Carrier Safety Operations and Programs Overview.....	3Ai-5
Motor Carrier Safety Operations and Programs Program and Performance Statement	3Ai-7
Motor Carrier Safety Operations and Programs Personnel Summary	3Ai-8
Exhibit III-1-A: Motor Carrier Safety Operations and Programs Appropriation	
Summary by Program Activity	3Ai-9
Exhibit III-1-A-1: Motor Carrier Safety Operations and Programs Summary Analysis of	
Changes from FY 2011 Annualized CR to FY 2012 Request	3Ai-10
Section 3A-1: Research.....	3A1-1
Section 3A-2: IT Development.....	3A2-1
Section 3A-3: Enforcement and Intervention	3A3-1
Section 3A-4: Safety Mission Support	3A4-1

SECTION 3B: Motor Carrier Safety Grants

Motor Carrier Safety Grants Legislative Proposal.....	3Bi-1
Motor Carrier Safety Grants Program and Financing.....	3Bi-2
Motor Carrier Safety Grants Object Classification.....	3Bi-3
Motor Carrier Safety Grants Liquidation of Contract Authority	3Bi-4
Motor Carrier Safety Grants Overview.....	3Bi-5

**FISCAL YEAR 2012 PERFORMANCE BUDGET
SUBMISSION TO THE COMMITTEES ON APPROPRIATIONS**

TABLE OF CONTENTS

Motor Carrier Safety Grants Program and Performance Statement 3Bi-7

Exhibit III-1-B: Motor Carrier Safety Grants:

Appropriations Summary by Program Activities 3Bi-8

Exhibit III-1-B-1: Motor Carrier Safety Grants: Summary Analysis of Changes
from FY 2011 Annualized CR to FY 2012 Request..... 3Bi-9

Section 3B: Motor Carrier Safety Grants.....3B-1

SECTION 3i: Other Budgetary Tables

Exhibit III-2: Annual Performance Results and Targets..... 3i-1

Motor Carrier Safety Liquidation of Contract Authority..... 3i-5

National Motor Carrier Safety Program Liquidation of Contract Authority 3i-6

National Motor Carrier Safety Program Limitation on Obligations..... 3i-7

Motor Carrier Safety Program and Financing 3i-8

Motor Carrier Safety Grants Program and Financing..... 3i-9

SECTION 4: Research, Development and Technology Exhibits

Exhibit IV-1: Research, Development and Technology: Budget Authority..... 4-1

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Administrator's Overview

The Federal Motor Carrier Safety Administration (FMCSA) is the primary enforcement and regulatory Agency responsible for safe operation of large trucks and buses, the companies that own them, and the drivers who operate them. From the time of its creation in 1999, the Agency has implemented enforcement programs, rules, and systems to reduce crashes involving large trucks and buses. In recent years, the results of that work have contributed to a dramatic reduction in severe and fatal commercial motor vehicle (CMV) related crashes, with a combined 1,497 fewer lives lost between 2007, 2008 and 2009, when fatalities in crashes with large trucks and buses numbered 5,116; 4,545; and 3,619, respectively.

The Agency's Fiscal Year (FY) 2012 budget requests of \$606 million and 1,169 FTE launches the next generation of safety programs and flexibilities needed to continue the downward trend in severe and fatal CMV-related crashes. FMCSA's strategy, known as the Rule of Three, is based on three core principles: 1) Raise the bar to entry into the commercial motor vehicle industry; 2) Require operators to maintain standards to remain in the industry; and 3) Remove high-risk carriers, vehicles, drivers, and service providers from operating (Table 1). This budget would enable the Agency to deploy program initiatives, IT system enhancements, critical rules, and strategic mission support needed to implement the Rule of Three. The strategy includes implementing three comprehensive grant programs: 1) the Compliance, Safety and Accountability (CSA) grant; 2) the Driver Safety grant and 3) the Safety Data and Technology grant with the flexibility to distribute funds across sub-grants. This structure provides flexibility to align financial assistance to address mission requirements, emerging safety concerns and State needs, resulting in more-targeted programs necessary to accomplish improved motor carrier safety. It is within this framework that FMCSA proposes a FY 2012 budget in support of the Department's number one priority – Safety.

FMCSA FY 2012 Budget Priorities

Within FY 2012 Motor Carrier Safety Operations and Programs (\$276 million), FMCSA requests \$9.5 million for Research; \$42.2 million for IT Development; \$154.3 million for Enforcement and Intervention; and \$70.0 million for Safety Mission Support. With regard to Motor Carrier Safety Grants (\$330 million), FMCSA proposes to streamline multiple safety grants and grant administration into 3 categories: \$262 million for Compliance, Safety and Accountability Grant Program, \$38 million for Driver Safety Grant Program and, \$30 million for Data and Technology Grant Program. Through this funding, FMCSA expects to achieve the following outcomes:

- Complete critical programs that close driver and company loopholes;
- Fully integrate Compliance Safety Accountability (CSA) (formerly CSA 2010) into FMCSA's commercial vehicle enforcement work;
- Leverage the power of state commercial vehicle enforcement units, registration and licensing agencies and other grantees to target unsafe driver and carrier operations;
- Deliver a robust and responsive suite of rules and systems; and
- Empower the most important resource – its workforce – by solidifying mission-critical support functions.

Raise the bar to enter the CMV industry:

In FY 2012, the Agency expects to complete its rulemaking on Entry Level Driver Training which as a notice of proposed rulemaking recommended more stringent training requirements for new commercial vehicle drivers. In addition, the Agency will complete the IT systems and begin training required to support the Medical Certification in Commercial Drivers Licenses (CDL) and National Registry of Certified Medical Examiners final rules. These rules are expected to yield safer behaviors by drivers and medical examiners.

The FY 2012 budget proposal includes support for the Agency’s New Applicant Screening Program for ALL applicants for motor carrier operating authority. The screening uses an IT application that helps identify “chameleon” or reincarnated carriers. In FY 2009, the Agency began testing the screening program on applicants for Household Goods and Passenger Carrier authority and was successful in blocking reincarnation of unsafe carriers. Putting these carriers out of business requires near constant attention, ample resources and incredible diligence to stay ahead of chameleon carriers. The FY 2012 expanded program is one of the key ways that FMCSA is ensuring safer behaviors by carriers when they enter the industry.

TABLE 1: FMCSA’S CORE PRINCIPLES

Core Principles	Commercial Motor Carrier	Driver	Vehicle
Raise the bar to enter the commercial motor vehicle industry	New entrant vetting and audit processes, use of online tools to improve carrier fitness and knowledge	Focus on entry qualifications (driver training, medical qualifications, and CDL requirements), and driver fatigue management	Partner with modes on safety standards and impacts on new safety technologies
Require operators to maintain high standards to remain in the industry	CSA (Compliance-Safety-Accountability, formerly CSA 2010); strengthen data systems to measure and identify high-risk behavior, increase interventions, and strengthen enforcement resources for detection of unsafe drivers, vehicles and carriers		
Remove high-risk carriers, vehicles, drivers, and service providers from operating	Activities focus on penalties, holding carriers accountable, and removing arbitration loopholes	Drug and alcohol clearinghouse; fatigue-detection measures; eliminate driver record loopholes, certify medical examiners	Roadside enforcement technologies for screening unsafe vehicles and removing them from service

The Agency’s budget request includes more robust grant programs to fully fund new entrant safety audits. In the **Driver Safety Grant** program, funds are requested for improving CDL programs at the State Driver Licensing Agencies and their compliance with Commercial Driver License Information System (CDLIS) standards. These programs focus on the USDOT goal to create safer behaviors, which results in safer roadways.

Require operators to maintain high standards to remain in the industry:

The Agency's **Compliance, Safety and Accountability Grants**, which include funding under the Motor Carrier Safety Assistance Program (MCSAP) grants, provide funding to State and local law enforcement agencies to conduct enforcement activities including roadside inspections, interventions and compliance reviews. Founded on the principals of CSA 2010, these activities provide data and critical inputs to identify unsafe carriers. With its Motor Carrier Management Information Systems database (MCMIS) populated with more comprehensive, accurate, and current performance data, the Agency and its State partners can conduct more effective interventions, depending on the carriers' problem areas. As a result, carriers are required to maintain a higher level of safety to avoid FMCSA enforcement. These grant programs expand FMCSA's reach through collaboration for roadway safety with the Agency's safety partners.

FMCSA is fully engaged in Secretary LaHood's ONE DOT Safety Council and in developing and implementing the Roadway Safety Plan. These efforts further support the demand for timely, accurate data in setting safety priorities and supporting data-driven program development.

Remove high-risk carriers, drivers and vehicles from operating:

FMCSA is moving forward with programs and activities that provide tools for enforcement officers, employers and others to detect and remove unsafe carriers, vehicles and drivers from the roadways and unscrupulous providers from the industry. New programs include grant funds to target rogue household goods movers, brokers and freight forwarders.

The Agency's Commercial Vehicle Information Systems and Networks (CVISN) and Performance and Registration Information Systems Management (PRISM) grant programs are essential components of the Agency's efforts to improve roadside enforcement effectiveness and to link carrier safety performance with State vehicle credentials (i.e., license plate registration and renewal). Funding for CVISN and PRISM is continued in the **Data and Technology Grant Program**.

The Agency's initiatives to continue migrating legacy IT functionality into the COMPASS architecture and to complete the Drug and Alcohol Testing Clearinghouse rulemaking and its associated database are also part of the FY 2012 funding proposal. Once complete, the Drug/Alcohol Database will provide enforcement officers and employers a current database of drivers who tested positive for drugs or alcohol or refused to be tested, thereby closing a loophole that currently allows certain unfit drivers to escape detection.

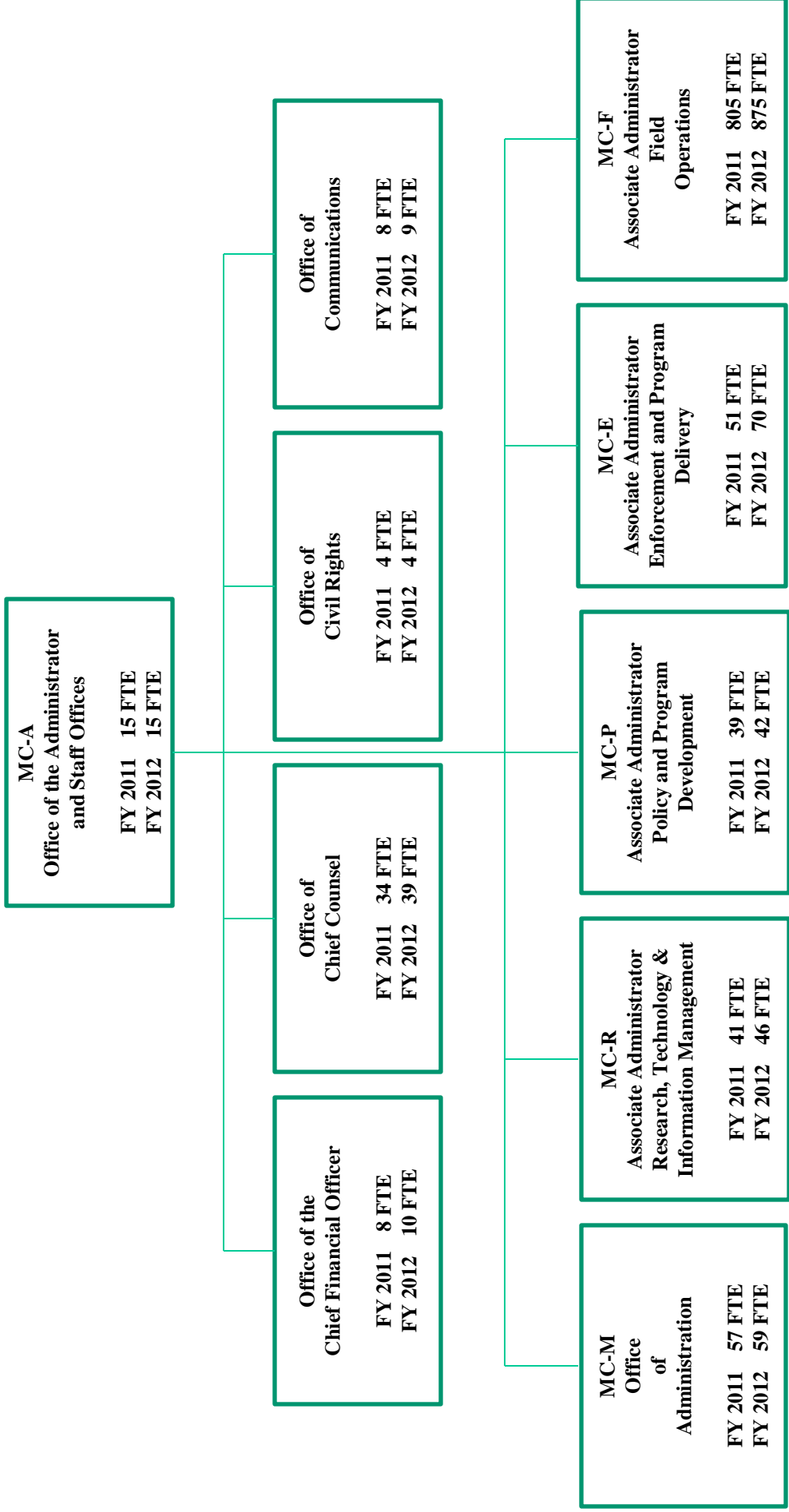
Conclusion

FMCSA's vision to eliminate severe and fatal crashes involving CMVs carries with it a strong sense of urgency to set the safety bar high for the motor carrier industry. The FMCSA budget request for Fiscal Year 2012 reflects the safety tools and resources necessary to leverage the power of its workforce, State and local partners, industry participants and advocates to make significant strides towards this outcome.

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Federal Motor Carrier Safety Administration

Organization Chart



Total FY 2011 Annualized CR: 1,062 FTE / 1,136 FTP
Total FY 2012 Request: 1,169 FTE / 1,350 FTP

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FMCSA
Performance
Budget
Estimates

Fiscal Year
2012

SECTION 2

BUDGET SUMMARY TABLES

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**FISCAL YEAR 2012 PERFORMANCE BUDGET
SUBMISSION TO THE COMMITTEES ON APPROPRIATIONS**

TABLE OF CONTENTS

SECTION 2: Budget Summary Tables

Federal Motor Carrier Safety Administration: Proposed Funding Classification	2-1
Exhibit II-1: FY 2012 New Budget Authority	2-2
Exhibit II-2: FY 2012 Total Budgetary Resources by Appropriation Account.....	2-3
Exhibit II-3: FY 2012 Budget Request by DOT Strategic and Organization Goals.....	2-4
Exhibit II-3-A: FY 2012 Budget Request by DOT Outcomes	2-5
Exhibit II-4: FY 2012 Budget Authority	2-6
Exhibit II-5: FY 2011 Outlays	2-7
Exhibit II-6-A: Summary of Requested Funding Changes from Base	
Motor Carrier Safety Operations and Programs	2-8
Exhibit II-6-B: Summary of Request Funding Changes from Base	
Motor Carrier Safety Grants	2-9
Exhibit II-7: Working Capital Fund.....	2-10
Exhibit II-8: Personnel Resource Summary – Total Full Time Equivalents	2-11
Exhibit II-9: Personnel Resource Summary – Full-Time Permanent Positions	2-12
Reauthorization Table.....	2-13

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FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
Proposed Funding Classification

All surface transportation funding and spending are mandatory, attributed to the Transportation Trust Fund (TTF), and are proposed to be subject to PAYGO. Outlays flowing from contract authority, prior obligations of the Highway Trust Fund, baseline discretionary budget authority and outlays of programs merged into the TTF are now classified as mandatory and subject to PAYGO in all years. Additionally, 2010 enacted and 2011 estimated discretionary budget authority and outlays for programs merged into the TTF are also reclassified as mandatory for comparability purposes.

EXHIBIT II-1

**FY 2012 NEW BUDGET AUTHORITY
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

(\$000)

ACCOUNT NAME	FY 2010 ACTUAL	FY 2011 CR ANNUALIZED	FY 2012 REQUEST
Motor Carrier Safety Operations & Programs	\$239,828	\$239,828	\$276,000
Less Rescission	\$0	\$0	\$0
Motor Carrier Safety Operations & Programs	\$239,828	\$239,828	\$276,000
Motor Carrier Safety Grants	\$307,000	\$310,070	\$330,000
Less Rescission	-\$1,611	-\$1,611	
Motor Carrier Safety Grants	\$305,389	\$308,459	\$330,000
Motor Carrier Safety Operations & Programs	\$0	\$0.000	\$0.000
Less Rescission	-\$6,416	-\$6,415	\$0.000
Motor Carrier Safety Operations & Programs	-\$6,416	-\$6,415	\$0.000
Motor Carrier Safety Grants	\$0	\$0	\$0
Less Rescission	-\$3,233	-\$3,233	\$0
Motor Carrier Safety Grants	-\$3,233	-\$3,233	\$0
TOTAL	\$535,569	\$538,639	\$606,000

EXHIBIT II-2

**FY 2012 TOTAL BUDGETARY RESOURCES BY APPROPRIATION ACCOUNT
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
Appropriations, Obligation Limitations, and Exempt Obligations
(\$000)**

ACCOUNTS	FY 2010 ACTUAL	FY 2011 CR ANNUALIZED	FY 2012 REQUEST
Motor Carrier Safety Operations & Programs	\$ 239,828	\$ 239,828	\$ 276,000
Operating Expenses	\$ 183,050	\$ 182,896	\$ 234,584
Research & Technology	\$ 8,543	\$ 8,543	\$ 8,586
IT Development	\$ -	\$ -	\$ 25,792
Information Management	\$ 34,618	\$ 34,772	\$ -
Rulemaking	\$ -	\$ -	\$ 3,900
Regulatory Development	\$ 9,728	\$ 9,728	\$ -
Communication & Outreach	\$ -	\$ -	\$ 3,138
Outreach & Education	\$ 2,889	\$ 2,889	\$ -
CMV Operators Grants	\$ 1,000	\$ 1,000	\$ -
Motor Carrier Safety Grants	\$ 310,070	\$ 310,070	\$ 330,000
Compliance, Safety and Accountability Program	\$ 247,070	\$ 250,070	\$ 263,160
MCSAP Basic Grants	\$ 194,392	\$ 197,392	\$ 214,497
Border Enforcement	\$ 32,000	\$ 32,000	\$ 25,500
SaDIP	\$ 3,000	\$ 3,000	\$ 4,250
MCSAP High Priority	\$ 15,000	\$ 15,000	\$ 15,000
Takedown Compliance, Safety and Accountability Grants	\$ 2,678	\$ 2,678	\$ 3,913
Driver Safety Grant Program	\$ 25,000	\$ 30,000	\$ 36,420
CDL	\$ 25,000	\$ 30,000	\$ 35,900
Takedown Driver Safety Grants	\$ -	\$ -	\$ 520
Data and Technology Grant Program	\$ 38,000	\$ 30,000	\$ 30,420
CVISN	\$ 25,000	\$ 25,000	\$ 25,000
PRISM	\$ 5,000	\$ 5,000	\$ 5,000
CDLIS	\$ 8,000	\$ -	\$ -
Takedown Data and Technology Grants	\$ -	\$ -	\$ 420
TOTALS:	\$ 549,898	\$ 549,898	\$ 606,000

EXHIBIT II-3

**FY 2012 BUDGET REQUEST BY DOT STRATEGIC AND ORGANIZATION GOALS
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
(\$000)**

	Safety	Environmental Sustainability	State of Good Repair/ Infrastructure	Livable Communities	Economic Competitiveness	Organizational Excellence	
MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS	255,370	0.000	0.000	0.000	3,452	17,177	276,000
SAFETY	255,370						255,370
Enforcement & Intervention (Programs)	150,873						150,873
IT Development	42,254						42,254
Research & Technology	9,462						9,462
Safety Mission Support	52,781						52,781
ENVIRONMENTAL SUSTAINABILITY		0.000					-
STATE OF GOOD REPAIR/ INFRASTRUCTURE			0.000				-
LIVABLE COMMUNITIES				0.000			-
ECONOMIC COMPETITIVENESS					3,452		
Enforcement & Intervention (Programs)					3,452		3,452
ORGANIZATIONAL EXCELLENCE						17,177	17,177
Mission Support						17,177	17,177
MOTOR CARRIER SAFETY GRANTS	330,000	0.000	0.000	0.000	0.000	0.000	330,000
SAFETY	330,000	0.000	0.000	0.000	0.000	0.000	330,000
Enforcement & Intervention (Grants)	330,000	0.000	0.000	0.000	0.000	0.000	330,000
TOTAL FY 2012 REQUEST	585,370				3,452	17,177	606,000

FTE (direct funded only)

1,132

25

12

1,169

+/- 1 due to rounding.

EXHIBIT II-4

**FY 2012 BUDGET AUTHORITY
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
(\$000)**

ACCOUNTS	FY 2010 ACTUAL	FY 2011 CR ANNUALIZED	FY 2012 REQUEST
Motor Carrier Safety Operations & Programs M	\$ 239,828	\$ 239,828	\$ 276,000
	\$ -	\$ -	\$ -
Motor Carrier Safety Operations & Programs	\$ 239,828	\$ 239,828	\$ 276,000
Motor Carrier Safety Grants M	\$ 307,000	\$ 310,070	\$ 330,000
Less Rescission M/D	\$ (1,611)	\$ (1,611)	\$ -
Motor Carrier Safety Grants	\$ 305,389	\$ 308,459	\$ 330,000
Motor Carrier Safety Operations & Programs	\$ -	\$ -	\$ -
Less Rescission M/D	\$ (6,416)	\$ (6,416)	\$ -
Motor Carrier Safety Operations & Programs	\$ (6,416)	\$ (6,416)	\$ -
Motor Carrier Safety Grants	\$ -	\$ -	\$ -
Less Rescission M/D	\$ (3,233)	\$ (3,233)	\$ -
Motor Carrier Safety Grants	\$ (3,233)	\$ (3,233)	\$ -
Total	\$ 535,569	\$ 549,898	\$ 606,000
[Mandatory]	\$ 535,569	\$ 549,898	\$ 606,000
[Discretionary]	\$ -	\$ (11,260)	\$ -

EXHIBIT II-5

FY 2011 OUTLAYS
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
(\$000)

ACCOUNT NAME	(A) FY 2010 ACTUAL	(B) FY 2011 CR ANNUALIZED	(C) FY 2012 REQUEST
Motor Carrier Safety (Limitation on Administrative Expenses)	1,013	(7,468)	-
National Motor Carrier Safety Program	729	-	-
Motor Carrier Safety Operations & Programs	236,646	302,185	272,303
Motor Carrier Safety Grants	274,584	447,894	314,490
TOTAL	512,972	742,611	586,793
[Mandatory]	511,230	750,079	586,793
[Discretionary]	1,742	(7,468)	-

EXHIBIT II-6-A

SUMMARY OF REQUESTED FUNDING CHANGES FROM BASE
 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
 Appropriations, Obligation Limitations, and Exempt Obligations
 (\$000)

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

69-X-8159

	FY 2011 CR Annualized	FTE Annualization	2011 Pay Adj	2012 Pay Raises	One Less Compensable Day GSA Rent	WCF Increase/ Decrease	Inflation/ Deflation	FY 2012 Adjusted Base	Program Increases/ Decreases	FY 2012 Request
ADMINISTRATIVE EXPENSES										
PERSONNEL RESOURCES (FTE)										
Direct FTE	1,062	0					1,062	107		1,169
GENERAL OPERATING EXPENSES										
Personnel Pay, Compensation & Benefits (10)	113,455				(436)		113,018	8,941		121,959
Contractual Services & Supplies (20)	14,175						14,175	(1,018)		13,156
Travel (21)	-						-	-		-
Transportation (22)	-						-	-		-
Rent/Comm/Util (23)	-						-	-		-
Printing/Reproductions (24)	-						-	700		700
Other Services (25) (Contracts)	23,144						23,144	32,588		55,732
Supplies (26)	3,186						3,186	136		3,321
Equipment (31)	2,329						2,329	(1,229)		1,100
GSA Rent (23.1)	11,738						11,738	1,021		12,759
Training	3,574						3,574	692		4,266
Fleet	1,776						1,776	92		1,868
FPS	286						286	144		430
Academy Training	-						-	1,384		1,384
Bonded Facilities Leases	-						-	2,225		2,225
Facility Improvements	1,200						1,200	3,800		5,000
Uniform Support Services	-						-	451		451
WCF/IT Franchise Fund	8,188					2,045	10,233	-		10,233
OPERATIONS TOTAL	183,050				(436)	2,045	184,658	49,926		234,584
CONTRACT ACTIVITIES										
Research & Technology Program	8,543						8,543	43		8,586
IT Development	-						0	25,792		25,792
Information Management	34,618						34,618	(34,618)		-
Rulemaking	-						0	3,900		3,900
Regulatory Development	9,728						9,728	(9,728)		-
Outreach & Education	2,889						2,889	(2,889)		-
Communication & Outreach	-						0	3,138		3,138
TOTAL	55,778						55,778	(14,362)		41,416
GRANTS										
CMV Operators Grants	1,000						1,000	(1,000)		-
GRANTS TOTAL	1,000						1,000	(1,000)		-
OPERATIONS & PROGRAMS ACCOUNT TOTAL	239,828				(436)	2,045	241,436	34,564		276,000

EXHIBIT II-6-B

SUMMARY OF REQUESTED FUNDING CHANGES FROM BASE
 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
 Appropriations, Obligation Limitations, and Exempt Obligations
 (\$000)

MOTOR CARRIER SAFETY GRANTS
69-X-8158

	FY 2011 CR ANNUALIZED	FTE Annualization	2011 Pay Adj	2012 Pay Raises	One Less Compensable Day	GSA Rent	WCF Increase/ Decrease	Inflation/ Deflation	FY 2012 Adjusted Base	Program Increases/ Decreases	FY 2012 Request
COMPLIANCE, SAFETY AND ACCOUNTABILITY PROGRAM											
MCSAP	165,392								165,392	12,855	178,247
New Entrant	32,000							32,000	3,000	35,000	
Border Enforcement	32,000							32,000	(6,500)	25,500	
MCSAP High Priority	15,000							15,000	-	15,000	
Commercial Motor Vehicle(CMV)	-							-	1,250	1,250	
SaDIP	3,000							3,000	1,250	4,250	
Takedown Compliance, Safety and Accountability Grants	2,678							2,678	1,235	3,913	
Total Compliance, Safety and Accountability Grants	250,070							250,070	13,090	263,160	
DRIVER SAFETY GRANTS PROGRAM											
CDL	30,000							30,000	5,900	35,900	
Takedown Driver Safety Grants	-							-	520	520	
Total Driver Safety Grants	30,000							30,000	6,420	36,420	
DATA AND TECHNOLOGY PROGRAM											
CVISN	25,000							25,000	-	25,000	
PRISM	5,000							5,000	-	5,000	
Takedown Data and Technology Grants	-							-	420	420	
Total Data and Technology Grants	30,000							30,000	420	30,420	
GRAND TOTAL	310,070							310,070	19,930	330,000	

EXHIBIT II-7

WORKING CAPITAL FUND
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
(\$000)

	FY 2010 ACTUAL	FY 2011 CR ANNUALIZED	FY 2012 REQUEST	CHANGE FY 2012 from FY 2011
DIRECT				
Motor Carrier Safety Operations & Programs	6,056	8,188	10,233	2,045
TOTAL	6,056	8,188	10,233	2,045

EXHIBIT II-8

**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
PERSONNEL RESOURCE SUMMARY
TOTAL FULL-TIME EQUIVALENTS**

	FY 2010 ACTUAL	FY 2011 CR ANNUALIZED	FY 2012 REQUEST
DIRECT FUNDED BY APPROPRIATION			
Motor Carrier Safety Operations & Programs	1,026	1,062	1,169
SUBTOTAL, DIRECT FUNDED	1,026	1,062	1,169
REIMBURSEMENTS/ALLOCATIONS/OTHER			
Motor Carrier Safety Operations & Programs	38	61	61
SUBTOTAL, REIMBURSE./ALLOC./OTH.	38	61	61
TOTAL FTEs	1,064	1,123	1,230

EXHIBIT II-9

**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
PERSONNEL RESOURCE SUMMARY
FULL-TIME PERMANENT POSITIONS**

	FY 2010 ACTUAL	FY 2011 CR ANNUALIZED	FY 2012 REQUEST
DIRECT FUNDED BY APPROPRIATION			
Motor Carrier Safety Operations & Programs	1,040	1,136	1,350
SUBTOTAL, DIRECT FUNDED	1,040	1,136	1,350
REIMBURSEMENTS/ALLOCATIONS/OTHER			
Motor Carrier Safety Operations & Programs	35	61	61
SUBTOTAL, REIMBURSE./ALLOC./OTH.	35	61	61
TOTAL POSITIONS	1,075	1,197	1,411

REAUTHORIZATION TABLE

Program Account - Motor Carrier Safety Operations & Programs

	2012	2013	2014	2015	2016	2017
TOTAL MOTOR CARRIER SAFETY OPERATIONS & PROGRAMS	276,000,000	342,000,000	388,000,000	429,000,000	478,000,000	511,000,000
<u>Program Account - Motor Carrier Safety Grants</u>						
	2012	2013	2014	2015	2016	2017
Compliance, Safety and Accountability Grant Program	263,160,000	280,340,000	294,450,640	322,614,517	351,483,553	394,647,644
Driver Safety Grant Program	36,420,000	39,670,000	40,933,360	44,107,483	48,540,447	54,960,356
Data and Technology Grant Program	30,420,000	35,490,000	44,616,000	47,278,000	48,976,000	57,392,000
TOTAL MOTOR CARRIER GRANTS	330,000,000	355,500,000	380,000,000	414,000,000	449,000,000	507,000,000
GRAND TOTAL	606,000,000	697,500,000	768,000,000	843,000,000	927,000,000	1,018,000,000

FMCSA
Performance
Budget
Estimates

Fiscal Year
2012

SECTION 3

BUDGET REQUEST BY
APPROPRIATION ACCOUNT

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**FISCAL YEAR 2012 PERFORMANCE BUDGET
SUBMISSION TO THE COMMITTEES ON APPROPRIATIONS**

TABLE OF CONTENTS

SECTION 3: Budget Request by Appropriation Account

SECTION 3A: Motor Carrier Safety Operations and Programs

Motor Carrier Safety Operations and Programs Legislative Proposal.....	3Ai-1
Motor Carrier Safety Operations and Programs Program and Financing.....	3Ai-2
Motor Carrier Safety Operations and Programs Object Classification.....	3Ai-3
Motor Carrier Safety Operations and Programs Liquidation of Contract Authority	3Ai-4
Motor Carrier Safety Operations and Programs Overview.....	3Ai-5
Motor Carrier Safety Operations and Programs Program and Performance Statement	3Ai-7
Motor Carrier Safety Operations and Programs Personnel Summary	3Ai-8
Exhibit III-1-A: Motor Carrier Safety Operations and Programs Appropriation	
Summary by Program Activity	3Ai-9
Exhibit III-1-A-1: Motor Carrier Safety Operations and Programs Summary Analysis of	
Changes from FY 2011 Annualized CR to FY 2012 Request	3Ai-10
Section 3A-1: Research.....	3A1-1
Section 3A-2: IT Development.....	3A2-1
Section 3A-3: Enforcement and Intervention	3A3-1
Section 3A-4: Safety Mission Support	3A4-1

SECTION 3B: Motor Carrier Safety Grants

Motor Carrier Safety Grants Legislative Proposal.....	3Bi-1
Motor Carrier Safety Grants Program and Financing.....	3Bi-2
Motor Carrier Safety Grants Object Classification.....	3Bi-3
Motor Carrier Safety Grants Liquidation of Contract Authority	3Bi-4
Motor Carrier Safety Grants Overview.....	3Bi-5
Motor Carrier Safety Grants Program and Performance Statement	3Bi-7

**FISCAL YEAR 2012 PERFORMANCE BUDGET
SUBMISSION TO THE COMMITTEES ON APPROPRIATIONS**

TABLE OF CONTENTS

Exhibit III-1-B: Motor Carrier Safety Grants:

Appropriations Summary by Program Activities	3Bi-8
Exhibit III-1-B-1: Motor Carrier Safety Grants: Summary Analysis of Changes from FY 2011 Annualized CR to FY 2012 Request.....	3Bi-9
Section 3B: Motor Carrier Safety Grants.....	3B-1

SECTION 3i: Other Budgetary Tables

Exhibit III-2: Annual Performance Results and Targets.....	3i-1
Motor Carrier Safety Liquidation of Contract Authority.....	3i-5
National Motor Carrier Safety Program Liquidation of Contract Authority	3i-6
National Motor Carrier Safety Program Limitation on Obligations.....	3i-7
Motor Carrier Safety Program and Financing	3i-8
Motor Carrier Safety Grants Program and Financing.....	3i-9

FMCSA
Performance
Budget
Estimates

Fiscal Year
2012

SECTION 3A

MOTOR CARRIER SAFETY
OPERATIONS AND PROGRAMS

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MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS
(Legislative proposal, not subject to PAYGO)
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
([HIGHWAY] TRANSPORTATION TRUST FUND)

Contingent upon enactment of multi-year surface transportation authorization legislation, \$276,000,000, to be derived from the Transportation Trust Fund (Highway Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, and to remain available until expended, for payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs authorized under title 49, United States Code, and the provisions of Public Law 109-59, as amended by such authorization: Provided, That funds available for implementation, execution or administration of motor carrier safety operations and programs authorized under title 49, United States Code, shall not exceed total obligations of \$276,000,000 for "Motor Carrier Safety Operations and Programs" for fiscal year 2012, of which \$8,586,000, to remain available for obligation until September 30, 2014, is for Research and Technology program; and \$25,792,000 is for IT Development, to remain available for obligation until September 30, 2014: Provided further, that notwithstanding any other provision of law, none of the funds under this heading for outreach and education shall be available for transfer.

[For payment of obligations incurred in the implementation, execution and administration of motor carrier safety operations and programs pursuant to section 31104(0 of title 49, United States Code, and sections 4127 and 4134 of Public Law 109-59, \$259,878,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account), together with advances and reimbursements received by the Federal Motor Carrier Safety Administration, the sum of which shall remain available until expended: *Provided*, That none of the funds derived from the Highway Trust Fund in this Act shall be available for the implementation, execution or administration of programs, the obligations for which are in excess of \$259,878,000, for "Motor Carrier Safety Operations and Programs" of which \$8,586,000, to remain available for obligation until September 30, 2012, is for the research and technology program and \$1,000,000 shall be available for commercial motor vehicle operator's grants to carry out section 4134 of Public Law 109-59: *Provided further*, That notwithstanding any other provision of law, none of the funds under this heading for outreach and education shall be available for transfer.]

**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
MOTOR CARRIER SAFETY OPERATIONS & PROGRAMS
PROGRAM AND FINANCING**

(In thousands of dollars)

Identification code 69-X-8159		FY 2010	FY 2011	FY 2012
		<u>ACTUAL</u>	<u>ANNUALIZED</u>	<u>REQUEST</u>
0001	Obligations by program activity:	183,050	185,028	241,000
0002	IT Development			26,000
0003	Research and Technology	8,390	8,000	8,000
0004	Information Management	34,618	34,000	-
0005	Regulatory Development	9,728	9,000	-
0006	Rulemaking			1,000
0007	Outreach and Education	2,889	2,800	-
0008	Communication and Outreach			-
0009	CMV Operators Grants	1,000	1,000	-
0010	Total direct program	239,675	239,828	276,000
0801	Reimbursable obligations	13,677	27,000	27,000
0900	Total obligations	253,352	266,828	303,000
Budgetary resources available for obligation				
1000	Unobligated balance available, start of year	9,564	13,659	23,259
1020 01	Adjustment to unobligated balance	(1,180)	-	-
1021 01	Resources available from recoveries of prior year obligations	3,305	5,000	5,000
1050	Unobligated balance total	11,689	18,659	28,259
Appropriation (Discretionary)				
1102 01	Appropriation	239,828	239,828	276,000
1137 01	Appropriation applied to liquidated cash contract authority	(239,828)	(239,828)	(276,000)
New budget authority (gross), detail:				
Mandatory				
1600 01	Contract Authority Mandated	239,828	244,144	274,000
1640	Contracted Authority mandated total	239,828	244,144	274,000
1640-20	Contract Authority, Mandatory - computed	239,828	244,144	276,000
Discretionary spending authority from offsetting collections:				
1700 01	Offsetting collections (cash) (unexpired only)	14,877	27,000	27,000
1701	Change in uncollected cust paymts fm Fed sources (unexp)	-	-	-
1750	Spending authority fm offsetting collections (total)	14,877	27,000	27,000
1900	Total new budget authority (gross)	254,705	271,144	301,000
1930	Total budgetary resources available	266,394	289,803	329,259
1941	Memorandum (non-add) entries unexpired unobligated balance, end of year	14,000	23,000	26,000
Change in obligated balances:				
3000	Obligated balance, start of year	86,854	86,341	18,982
3040	Outlays Gross	(251,523)	329,186	(298,559)
3001 01	Adjustments to unpaid obligations	-	-	-
3020	Obligation balance start of year (net)	88,034	86,341	18,982
3030	New obligations	254,705	266,828	303,000
3040	Outlays (gross)	(251,523)	(329,187)	(298,559)
3080	Recoveries of prior year obligations	(3,305)	(5,000)	(5,000)
3090	Unpaid obligation balances end of year	86,341	18,982	239,828
3100	Obligated balance, end of year	86,341	18,982	239,828
Budgetary authority and Outlays (gross), (discretionary detail)				
4010	Outlays from new discretionary authority	14,877	24,300	24,300
4011	Outlays from discretionary balances		6,000	6,000
4020	Total outlays (gross)	14,877	30,300	30,300
Offsets:				
<i>Against gross budget authority and outlays</i>				
4030	Offsetting collections (cash) from:Federal sources	-	-	-
4033	Non-federal sources	(14,877)	(30,300)	(30,300)
4034	Offsetting collection (from non federal sources)	13,677	27,000	27,000
4080	Outlays net discretionary	(1,200)	(3,300)	(3,300)
Mandatory				
4090	Budgetary authority gross	239,828	244,144	274,000
4100	Outlays from new mandatory authority	175,735	215,000	245,303
4101	Outlays from mandatory balances	60,911	84,000	24,000
4110	Outlay, gross (total)	236,646	302,185	272,303
4160	Budget authority, net (mandatory)	239,828	244,144	274,000
4170	Outlay, net (mandatory)	236,647	302,185	272,303
4180	Budget authority, net (total)	239,828	244,144	274,000
4190	Outlays, net (total)	237,000	302,000	272,000
Memorandum (non-add) entries				
5054	Fund balances in excess of liquidating, requirements, SOY: Contract authority	10,000	10,000	6,000
5055	Fund balances in excess of liquidating, requirements, SOY: Contract authority	10,000	10,000	6,000
5061	Limitation on obligations (Transportation Trust Fund)			

**DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

**MOTOR CARRIER SAFETY OPERATIONS & PROGRAMS
OBJECT CLASSIFICATION
(\$ 000)**

	FY 2010 ACTUAL	FY 2011 CR ANNUALIZED	FY 2012 REQUEST
Direct Obligations:			
Personnel compensation			
11.1 Full-time permanent	77,033	77,584	84,000
11.3 Other than full-time	2,000	2,000	2,000
11.9 Total personnel compensation	<u>79,033</u>	<u>79,584</u>	<u>86,000</u>
12.1 Civilian personnel benefits	33,871	33,871	35,959
21.0 Travel and transportation of	13,895	14,175	13,156
22.0 Transportation of Things	691	-	-
23.1 Rental payments to GSA	11,680	11,738	12,759
23.3 Comm., Rent, and Utilities	6,543	-	-
24.0 Printing	1,825	-	700
25.2 Other services (contracts)	79,390	78,567	98,795
25.3 Other services (contracts)	-	6,836	15,624
25.5 Research and development	8,543	8,543	8,586
26.0 Supplies and materials	1,049	3,186	3,321
31.0 Equipment	2,308	2,329	1,100
41.0 Grants, subsidies, and	1,000	1,000	-
99.0 Subtotal, Direct Obligations	239,828	239,828	276,000
Reimbursable Obligations:			
Personnel Compensation			
11.1 Full-time permanent	\$5,000	\$5,000	\$5,000
11.3 Other than full-time	\$0	\$0	\$0
Total personnel compensation	<u>\$5,000</u>	<u>\$5,000</u>	<u>\$5,000</u>
12.1 Civilian personnel benefits	\$1,000	\$1,000	\$1,000
25.0 Other services	<u>\$7,677</u>	<u>\$21,000</u>	<u>\$21,000</u>
99.0 Subtotal, Reimbursable	\$13,677	\$27,000	\$27,000
99.9 Total Obligations:	<u>\$253,505</u>	<u>\$266,828</u>	<u>\$303,000</u>

**MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS
LIQUIDATION OF CONTRACT AUTHORITY (HIGHWAY TRUST FUND)**

ESTIMATES	CONTRACT AUTHORITY
2004	2004
2005	2005
2006 213,000,000	2006 213,000,000
2007 223,000,000	2006 Rescission of Contract
2008 228,000,000	Authority (2,130,000) ¹
2009 234,000,000	2007 223,000,000
2010 239,828,000	2008 228,000,000
2011 244,144,000	2008 Rescission of Contract ²
2012 276,000,000	Authority (1,815,553)
¹ Applied 1.0 % rescission pursuant to FY 2006 Enacted, P.L. 109-148.	2009 234,000,000
² Rescission of Prior Year Carryover	2009 Rescission of Contract ³
³ Enacted rescission of prior year carryover P.L. 111-8	Authority (4,839,259)
	2010 239,828,000
	2011 244,144,000
	2012 276,000,000

ESTIMATES	APPROPRIATION
2004	2004
2005	2005
2006 213,000,000	2006 213,000,000
2007 223,000,000	2006 Rescission of Liquidating Cash.. (2,130,000) ¹
2008 228,000,000	2007 210,870,000
2009 234,000,000	2008 229,654,000 ²
2010 239,828,000	2009 234,000,000
2011 259,878,000	2009 Rescission of Liquidating Cash (4,839,259) ³
2012 276,000,000	2010 239,828,000
¹ Enacted rescission pursuant to P.L. 109-148.	2011 239,828,000
² Enacted increase in Obligation Limitation to use Prior Year Carryover Contract Authority	
³ Enacted rescission pursuant to P.L. 111-8.	

Motor Carrier Safety Operations and Programs Overview

Program and Performance Statement

The Operations and Program Account supports the development, implementation and oversight of FMCSA’s safety programs. In FY2012, FMCSA is proposing the next generation of safety programs support the Agency’s Rule of Three safety strategy. To accomplish the program objectives, FMCSA is seeking changes to its motor carrier registration statutes to provide for a review of all motor carriers, not just for-hire carriers, to ensure that they are fit, willing and able to comply with the safety regulations. The Agency is also seeking broader authority and IT system capability to address the problem of reincarnated or “chameleon” carriers who attempt to evade regulation and civil penalties by reincorporating. The Agency is seeking increased penalty authority for violations of several safety regulations and is also shoring up gaps in discrete areas of its enforcement authority, including subpoena enforcement, booting and impoundment, imminent hazard motor carriers and driver disqualifications. The FY 2012 budget request seeks \$276,000,000 for the agency’s Research, Information Technology (IT) Development, Enforcement and Intervention, and Safety Mission Support programs needed to accomplish these initiatives.

FY 2012 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAM (in Thousands of dollars)

	FY 2010 Request	FY 2012 Request
<u>Funding levels</u>		
Research	9,461	9,462
IT Development	38,139	42,254
Enforcement and Intervention	135,788	154,325
Safety Mission Support	56,441	69,958
Total	239,829	276,000

Research: \$9,462,000

The Research Program supports FMCSA’s safety mission by researching technologies and human performance factors that impact commercial drivers and vehicles. Information and results achieved through these research projects critically affect the Agency’s Policy Development and Rulemaking activities through the development of future regulations, programs, methodologies, ideas, and tools to improve CMV safety.

IT Development: \$42,254,000

The IT Development Program in FY 2012 will continue the IT Modernization under the Creating Opportunities, Methods, and Practices to Secure Safety (COMPASS) program and introduce new initiatives for a National Registry of Certified Medical Examiners (NRCME) and a nationwide database of Drug and Alcohol testing results. In order to carry out its primary mission, FMCSA develops and enforces data-driven regulations that utilize safety information systems. FMCSA expects this Program to assist FMCSA and State motor carrier safety enforcement personnel in preventing high-risk carriers, drivers, and vehicles from operating.

Enforcement and Intervention: \$154,325,000

The Enforcement and Intervention Program incorporates key Agency functions to improve safety on our Nation's roadways: Driver Management and Oversight; Grants Management and Oversight; Intervention Programs; Commercial Enforcement; Border Programs Management and Oversight (including the Mexican Long Haul Pilot Project); and Rulemaking. These programs support the Agency's Rule of Three strategy.

Safety Mission Support: \$69,658,000

FMCSA's mission support functions provide essential services and support to FMCSA, ensuring the success of the Agency in accomplishing its primary safety mission. The Mission Support functions ensure that the Agency: (1) maintains a strong support base for its employees; (2) hires and maintains a high performing workforce; (3) has a strong program of internal controls and financial support; (4) manages its assets and facilities in a cost effective and environmentally responsible manner; and (5) provides adequate financial, acquisitions and legal support for its staff.

MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS PROGRAM AND PERFORMANCE STATEMENT

The Operations and Programs account provides the necessary resources to support program and administrative activities for motor carrier safety. Under the Administration's surface transportation reauthorization proposal, FMCSA will improve safety and reduce severe and fatal commercial motor vehicles crashes by raising the bar to entry into the commercial motor vehicle industry, by requiring operators to maintain standards to remain in the industry, and by removing high-risk carriers, vehicles, drivers and service providers from operation.

Funding supports nationwide motor carrier safety and consumer enforcement efforts, including the implementation of the Compliance, Safety and Accountability Program; Household goods regulation and enforcement, and Federal safety enforcement activities at the borders to ensure that foreign-domiciled carriers entering the U.S. are in compliance with Federal Motor Carrier Safety Regulations. Resources are also provided to fund regulatory development and implementation, information management, research and technology, grants to State and local partners, safety education and outreach and the safety and consumer telephone hotline.

The Administration proposes to reclassify all surface transportation outlays as mandatory, consistent with the recommendations of the President's National Commission on Fiscal Responsibility and Reform. This schedule reclassifies discretionary outlays from obligation limitations as mandatory outlays from mandatory contract authority for the 2011 estimate. This schedule also creates a new baseline of contract authority that is equal to the previous discretionary obligation limitation baseline, to calculate the spending increase above the baseline subject to PAYGO.

**DEPARTMENT OF TRANSPORTATION
 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS**

PERSONNEL SUMMARY

	<u>FY 2010 ENACTED</u>	<u>FY 2011 ANNUALIZED</u>	<u>FY 2012 REQUEST</u>
DIRECT FUNDED BY APPROPRIATION			
1001 Full time equivalent employment	1,062	1,062	1,169
REIMBURSEMENTS/ALLOCATIONS/OTHER			
2001 Full time equivalent employment	<u>57</u>	<u>61</u>	<u>61</u>
TOTAL FTEs	1,119	1,123	1,230

EXHIBIT III-1-A
MOTOR CARRIER SAFETY OPERATIONS & PROGRAMS
69-X-8159
Appropriations Summary by Program Activities
(\$000)

<u>ACCOUNTS</u>	FY 2010 ACTUAL	FY 2011 CR ANNUALIZED	FY 2012 REQUEST
Motor Carrier Safety Operations & Programs	\$ 239,828	\$ 239,828	\$ 276,000
Operating Expenses	\$ 182,896	\$ 182,896	\$ 234,584
Research & Technology	\$ 8,543	\$ 8,543	\$ 8,586
IT Development	\$ -	\$ -	\$ 25,792
Information Management	\$ 34,772	\$ 34,772	\$ -
Rulemaking	\$ -	\$ -	\$ 3,900
Regulatory Development	\$ 9,728	\$ 9,728	\$ -
Communication & Outreach	\$ -	\$ -	\$ 3,138
Outreach & Education	\$ 2,889	\$ 2,889	\$ -
CMV Operators Grants	\$ 1,000	\$ 1,000	\$ -
FTE Direct Funded	1,026	1,062	1,169
FTE Reimbursable	38	61	61

EXHIBIT III-1-A-1
MOTOR CARRIER SAFETY OPERATIONS & PROGRAMS
Summary Analysis of Changes from FY 2011 Annualized CR to FY 2012 Request
Appropriations, Obligations, Limitations, and Exempt Obligations
(\$000)

	Changes from FY 2011 Annualized CR to FY 2012 Request	PC&B	Contract Services & Supplies	REQUEST
FY 2011 Pres. Bud. BASE		113,455	126,373	\$239,828
ADJUSTMENTS TO BASE				
Salaries & Benefits		(\$436)	(\$436)	
Contractual Services & Supplies				
Travel	(1,018)		(1,018)	
Transportation	-		-	
Rent/Comm./Util.	-		-	
Printing/Reproduction	700		700	
Other Services (<i>contracts</i>)	32,588		32,588	
Supplies	136		136	
Equipment	(1,229)		(1,229)	
GSA Rent	1,021		1,021	
Working Capital Fund	2,045		2,045	
Training	692		692	
Fleet	92		92	
FPS	144		144	
Academy Training	1,384		1,384	
Border Facilities Leases	2,225		2,225	
Facility Improvements	3,800		3,800	
Uniform Support Services	451		451	
Total Contractual Services & Supplies	43,030	(436)		42,593
CONTRACT ACTIVITIES				
Research Technology Program	43		43	
IT Development	25,792		25,792	
Information Management	(34,618)		(34,618)	
Rulemaking	3,900		3,900	
Regulatory Development	(9,728)		(9,728)	
Communication & Outreach	3,138		3,138	
Outreach & Education	(2,889)		(2,889)	
CMV Operations Grants	(1,000)		(1,000)	
TOTAL CONTRACT ACTIVITIES	(15,362)			(15,362)
Subtotal Adjustments to Base	27,668	(436)		27,231
New or Expand Programs				
Salaries & Benefits		8,941		
TOTAL NEW or EXPANDED PROGRAMS	-	8,941	-	8,941
TOTAL ADJUSTMENT TO BASE	27,668	8,504	-	36,172
FY 2012 BUDGET REQUEST	27,668	121,959	126,373	276,000

FMCSA
Performance
Budget
Estimates

Fiscal Year
2012

SECTION 3A-I

RESEARCH

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RESEARCH
(in Thousands of dollars)

	FY 2010	FY 2012
	Enacted	Request
	Budget	
<u>Funding levels</u>		
Personnel Compensation & Benefits	744	745
Contracts	8,543	8,586
Other Cost	174	131
Total	9,461	9,462
<u>Staffing</u>		
Direct Positions	7	7
Remimbursable Positions	6	6

Program Name: Research

1. What is the request and what will we get for the funds?

The Research and Technology Program expands the knowledge and portfolio of deployable technologies and innovations to help FMCSA reduce crashes, injuries, and fatalities. The results of its efforts support Agency rulemaking and contribute to a safe and secure commercial transportation system. A robust research and technology program positions the Agency to develop future regulations, programs, methodologies, ideas, and tools to better advance commercial motor vehicle (CMV) safety. The requested funding will support high priority research into driver distraction in CMVs, focusing on the risks associated with exponentially increasing deployment of electronic devices in CMVs and developing a naturalistic research methodology to measure driver distraction. Funding will be used to address in greater depth the continuing challenge of CMV driver fatigue. The program will identify, test, evaluate, and deploy potential life-saving technologies to determine their feasibility for expanded implementation in the motor carrier fleet.

2. What Is The Program?

The Research Program supports FMCSA’s safety mission by researching technologies and human performance factors that impact commercial drivers and vehicles. Information and results achieved through these research projects critically affect the Agency’s Policy Development and Rulemaking activities through the development of future regulations, programs, methodologies, ideas, and tools to improve CMV safety. The Research Program supports the Agency’s diverse priorities and offices, including:

- Research to produce safer drivers via naturalistic driving, onboard monitoring, and driver fatigue programs.
- Policy development and rulemaking, examples include driver distraction, HOS, and entry level training.
- The Agency’s enforcement activities including hazardous materials and motor coach research.
- The Agency’s congressionally mandated Small Business Innovative Research (SBIR) Program (8% of the overall research funds).

The FY 2012 Research Program increases emphasis on driver issues by introducing seven new projects on issues essential to improving CMV safety that were not fully addressed in previous years’ research. The Research Program budget is developed with input from all program areas and the final proposals are vetted and ranked by the cross-Agency Research Executive Board (REB). Each year the Research Program is comprised of new starts and continuation projects based on feasibility and support of current Agency priorities.

The mission of the Technology Program is to adopt, develop, test, and deploy simple and advanced integrated information technology solutions and innovative on-board commercial vehicle, driver, and roadside technologies. Through these activities, the Technology Program aims to improve safety and security, save lives, and prevent serious injury by reducing the number and severity of CMV crashes. The Technology Program includes FMCSA’s activities under the USDOT Intelligent Transportation Systems (ITS) program. FMCSA’s primary ITS program is the CVISN Deployment Program. Through the Technology Program, FMCSA partners with other USDOT modes to collaborate on ITS solutions for trucks and buses. The flagship program for the Department’s ITS program is the vehicle-to-vehicle safety program, which is testing a transformational safety system that has the potential to significantly reduce all highway crashes by more than 70 percent in the coming years.

3. Why Is This Particular Program Necessary?

FMCSA’s Research and Technology Program provides the data necessary to evaluate possible cause and effects that may impact safety and to provide innovative solutions, tools and processes to improve safety. Each Research Program project has the potential to greatly improve CMV safety. For instance, previous research on on-board monitoring and performance feedback systems has shown that these systems can greatly improve driver performance. The field operational test will quantify the improvement in driver performance and make the business case for why CMV carriers should deploy this technology. Preliminary results suggest that on-board monitoring systems can reduce driver errors by 50 percent. Such information allows the Agency to determine required changes or establish new safety regulations, methods, models, tools, policies, and procedures. By applying the Research Program results, FMCSA’s Rulemaking will focus on reducing crashes, injuries, and fatalities and contribute to a safe and secure commercial transportation system.

The Technology Program is critical to the identification and leveraging of cutting edge technologies that enable roadside inspectors to target high risk operators. Examples of current and future roadside innovations include the updated technical requirements contained in the Electronic On-board Recorder (EOBR) regulation published in April 2010, which will enable wireless downloads of driver logs and automated checks at roadside by inspectors, thereby saving thousands of staff hours over current manual examination processes. Building on these innovations, the program plans to field test the wireless inspection concept where EOBR log files, driver qualifications, and vehicle brake and tire safety status data are checked in real-time by inspectors while the truck or bus travels past a fixed, portable, or mobile inspection site.

4. How Do You Know The Program Works?

The Research Program supports the Agency's safety focus, addresses concerns/issues, and enables the Agency to make fact-based decisions regarding Rulemaking. Studies are initiated through an annual call for new research proposals. The Research and Technology Divisions expand the knowledge and portfolio of deployable technologies and innovations to help FMCSA reduce crashes, injuries, and fatalities. The results of its efforts support Agency rulemaking and contribute to a safe and secure commercial transportation system. It is very difficult and expensive to isolate the impact that research alone has on the safety-behavior/performance of the CMV industry. FMCSA employs a complex strategy of enforcement, research, outreach and rulemaking to positively impact the fatality rate associated with large trucks and buses. The Agency can state that since enactment of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy For Users (SAFETEA-LU), the fatality rate has improved. SAFETEA-LU provided an increase in research funds, and combined with other FMCSA efforts the result has been a steady improvement in the fatality rate. In Calendar Year (CY) 2009, fatalities involving large trucks and buses fell to an astounding new low rate of 0.121 fatalities per 100 million vehicle miles traveled (VMT.) This represents a 41% percent improvement over CY 2000's rate of .205 fatalities per 100 million VMT. The total number of crashes involving a large truck or bus, resulting in one or more fatalities, decreased from 3,994 in CY 2008 to 3,197 in CY 2009, or a 19.5 percent improvement over CY 2008's historic low number of fatal crashes.

5. Why Do We Want/Need To Fund The Program At The Requested Level?

The proposed funding supports research to ensure proposed Rules and Policies accurately/appropriately address safety issues. Without research, the Agency risks implementing procedures that may fall short of the intended safety outcome. Research allows the Agency to better predict the outcome and potential effectiveness. A continuous research program allows the Agency to address emerging issues quickly; to establish long-term projects to ensure effectiveness; and to instill needed flexibility to address changes in driver behavior and motor carrier technologies and the environment that influences them. By delivering an appropriately oriented research program, the Research Division helps to maintain FMCSA leadership in truck and motor coach safety, innovation, and performance and will spearhead safer, simpler, and smarter transportation solutions. Research has revealed that driver factors are the most important factor in crashes and that increased research into driver factors, including fatigue and distraction, are keys to improving safety. The impact of reduced funding will diminish the performance of

driver safety projects and the support the Research Program can provide the rest of the Agency. If funding is reduced, the Research Division would support as many of the proposals as possible, starting with the research continuations (those already underway) and then initiate new projects.

Grating the Technology Program funding request will accelerate the Agency's ability to meet its safety goals through the use of wireless communications, portable mobile communication devices, and 3G and 4G network communications and applications. These technology advances will enable new capabilities for roadside inspectors and onsite safety investigators to identify unsafe drivers at highway speeds or track the safety performance of carriers under a safety improvement plan in real-time. Also, onboard safety systems could address the car-truck crash causation and crash compatibility problems in significant numbers, offering a quantum leap in safety. Reduced funding levels will limit the scope of activities and speed in which safety solutions can be identified, tested, and deployed.

FMCSA
Performance
Budget
Estimates

Fiscal Year
2012

SECTION 3A-II

IT DEVELOPMENT

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IT DEVELOPMENT
(in Thousands of dollars)

	FY 2010	FY 2012
	Enacted	Request
	Budget	
<u>Funding levels</u>		
Personnel Compensation & Benefits	2,870	3,360
Contracts (Development)	23,397	25,792
Contracts (Sustainment)	11,325	12,652
Other Cost	546	449
Total	38,139	42,254
<u>Staffing</u>		
Direct Positions	30	37
Remimbursable Positions	14	14
Direct FTE	27	31
Remimbursable FTE	12	14

Program Name: IT Development

1. What is the request and what will we get for the funds?

The FY 2012 IT Development funding request is broken down into the following categories:

- **Development:** all systems integration work associated with this IT Development Program request, as detailed within this Justification. Initiatives include additional capabilities needed to address Agency rulemaking.
- **Operations and Maintenance:** all operations and maintenance and related support, including Field Information Technology (IT) Infrastructure, associated with the IT Development Program request, as detailed within this Justification. This budget assumes that FMCSA will continue to provide hardware, software and customer support for its nationwide field IT network through this budget, and not through the Working Capital Fund.

The IT Development Program in FY 2012 will continue the IT Modernization under the Creating Opportunities, Methods, and Practices to Secure Safety (COMPASS) program and introduce new initiatives for a National Registry of Certified Medical Examiners (NRCME) and a nationwide

database of Drug and Alcohol testing results. These efforts are aligned with FMCSA's 2011 – 2016 IT Strategic Plan and its goals and objectives. The funds for this Program will continue the work of migrating legacy functionality (e.g., motor carrier registration) into the COMPASS architecture. It will also address significant requirements from our stakeholders to integrate systems, automate labor intensive tasks, and improve reliability. FMCSA will begin implementing business intelligence solutions which enable regulated entities (e.g., motor carriers) to pull real-time snapshots from FMCSA repositories of safety information and data. As FMCSA data migrate from stand-alone systems to its enterprise database, it will improve data quality and consistency, making the data even more reliable, available, interoperable, and discoverable.

The FMCSA will begin the transition to a more robust IT Operations and Maintenance environment, putting in place the necessary oversight, structure, and processes for the most customer-focused and cost-effective IT services delivery model for FMCSA. This model will include systems maintenance, enhancements, and technical refreshes, while addressing all IT infrastructure needs and security enhancements to further protect the systems and privacy information as it pertains to drivers and carriers.

2. What is the program?

The FMCSA's existing data-driven environment, which consists of stand-alone safety information systems, has become too complex to access, too difficult to modify, and increasingly expensive to maintain. This program addresses functional and technical challenges by applying information technology solutions that are closely integrated with the FMCSA's strategic intent, objectives, and business model. Implementing a service oriented architecture through COMPASS, as well as optimizing business processes, will improve data quality, reduce costs, and provide all stakeholders, especially Federal and State enforcement personnel, with more timely, accurate, and actionable information. Benefits are also being recognized through automation of paper-based workflows, resulting in increased accuracy and efficiency in mission operations. As a result, FMCSA and State enforcement personnel will be better positioned and equipped to identify high-risk carriers, drivers, and vehicles and to apply a wider range of interventions to correct high-risk behavior sooner. This program also addresses nation-wide support for enforcement users of FMCSA specific applications, and continues funding for the data center hosting facilities and operations.

3. Why is this particular program necessary?

In order to carry out its primary mission, FMCSA develops and enforces data-driven regulations that utilize safety information systems. FMCSA expects this Program to assist FMCSA and State motor carrier safety enforcement personnel in preventing high-risk carriers, drivers, and vehicles from operating. With integrated safety information systems in place, FMCSA will be better positioned to identify high-risk carriers and drivers and to correct high-risk behavior sooner, thus increasing safety on the Nation's roadways. More effective enforcement actions will result from more timely access to key safety information at any time and from any location where enforcement action is required. The FMCSA stakeholders will also see significantly increased access to safety information and come to rely upon the data for timely and important

decision-making. Safe and efficient transport of goods and services is critical to the overall recovery and future growth of the Nation's economy.

4. How do you know the program works?

The FMCSA depends on accurate and timely safety data to prioritize CMV companies for roadside inspections and on-site safety interventions to more effectively target high risk carriers and operators. The Agency evaluates the quality of each State's crash data in terms of good "green", fair "yellow", and poor "red" on nine State Safety Data Quality (SSDQ) measures, as well as an overall rating each month. In FY 2010, FMCSA exceeded its target of 32 "green" States by 22 percent. The Agency's success can be attributed to improved information technology tools, financial and technical assistance provided to State partners, continued enhancements and development of data analysis tools.

The Information Technology Program maintains system availability levels above 99.5% to ensure that FMCSA and its safety partners have access to safety data and tools whenever they are needed. This level of service has been maintained even as the number of users of the FMCSA COMPASS Portal has grown to more than 12,000 in less than 3 years of operation. FMCSA's regulatory responsibilities are increasingly relying on the access and availability of data to safety enforcement officials, drivers, carriers and consumers. As such, it's essential that FMCSA's IT systems remain available, provide reliable, accurate and actionable information. Through this data, entities can make decisions regarding enforcement actions and obtain information about drivers and carriers that have direct correlation in the safety process.

5. Why do we want/need to fund the program at the requested level?

The FMCSA is currently challenged to meet the growing field operations and regulatory program requirements established in SAFETEA-LU, as well as new programs included in the budget request. FMCSA needs systems and business processes in place for improved operational efficiency. And with finite resources, there will be increasing challenges to meet growing workload in the Agency's field organizations and operations. The operations and maintenance costs associated with the current systems will continue to escalate without this investment. In addition, as a result of new regulatory requirements, systems enhancements will be required in FY 2012.

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FMCSA
Performance
Budget
Estimates

Fiscal Year
2012

SECTION 3A-III

ENFORCEMENT & INTERVENTION

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ENFORCEMENT AND INTERVENTION
(in Thousands of dollars)

	FY 2010	FY 2012
	Enacted	Request
	Budget	
<u>Funding levels</u>		
Personnel Compensation & Benefits	97,551	105,250
Contracts	13,899	17,431
Other Cost	24,337	31,645
Total	135,788	154,325
<u>Staffing</u>		
Direct Positions	979	1176
Remimbursable Positions	27	27
Direct FTE	916	1015
Remimbursable FTE	25	27

Program Name: Driver Management and Oversight Program

1. What is the request and what will we get for the funds?

The FMCSA’s Driver Program Management and Oversight Program focuses on projects which raise the safety bar for obtaining a commercial driver’s license (CDL); requires drivers to maintain high standards to stay credentialed; and removes high-risk, drivers from our highways. This funding request supports FMCSA’s medical and CDL programs. This strategy addresses increasing issues with CMV driver medical qualifications, proper credentialing, and controlled licensing. FMCSA is working to ensure that a driver’s CDL is not obtained through fraud, allowing unsafe operators to operate CMVs on the Nation’s roads. FMCSA continues work on unifying the driver’s medical qualifications as part of an overall licensing process that ties into the issuance and maintenance of a CDL.

The FMCSA has jurisdiction over the medical qualifications of approximately 14 million commercial motor vehicle (CMV) drivers. The increasing number of CMV drivers and the prevalence of medical conditions related to an aging population, such as cardiovascular disease and musculoskeletal injury, will have a detrimental effect on the safety and health of commercial drivers and highway safety overall. FMCSA developed a strategy for creating a much-improved, comprehensive medical oversight program, including evaluation of the current medical certification process and successful implementation of key initiatives. In FY 2012, FMCSA is

requesting funds to continue to provide technical assistance to CMV drivers and medical examiners and to conduct research on medical conditions as they relate to driving CMVs.

FMCSA's CDL program provides Rulemaking, interpretation, oversight and enforcement. The program ensures that effective rules are in place so that only qualified drivers receive a CDL and help to identify and remove disqualified/unqualified drivers from the road. Since the responsibility for issuing and managing CDLs rests with States, this performance element requires covert and overt task force activities to identify fraud and FMCSA compliance reviews of State CDL programs.

In FY 2012, FMCSA will support and enhance State CDL compliance reviews to ensure uniformity and compliance with the Federal Motor Carrier Safety Regulations (FMCSRs). It will also help to detect and prevent CDL fraud, and will assist in the oversight, monitoring and improvement of the effectiveness of each State's testing and licensing procedures. This will include working closely with the States as they continue to implement the new Commercial Driver's License Information System (CDLIS) modernization requirements and the merging of the medical certification requirements as part of the CDL record.

2. What is this program?

The FMCSA is responsible for establishing and enforcing regulations prescribing minimum standards for truck and bus drivers' physical qualifications and fitness for duty. To fulfill certain SAFETEA-LU requirements, FMCSA must establish an information system for medical examiners to report to the Agency the name and unique numerical identifier for each CMV driver that attempts to obtain a medical certificate. This system will also enable FMCSA to monitor the number of medical certificates being issued by each medical examiner and look for certain trends or patterns that indicate whether unfit drivers are being qualified as operators.

Public safety demands that only medically qualified safe drivers receive a CDL and that unsafe truck and bus drivers lose their commercial motor vehicle driving privileges. The FMCSA accomplishes this goal through oversight of the States' implementation of the CDL program and providing Federal and State enforcement personnel with information about the validity of commercial licenses for drivers from the U.S., Mexico, and Canada, via the CDLIS and other information systems.

The FMCSA develops policies, standards, procedures, and guidelines to implement, administer, and evaluate the CDL Program and related activities. This includes establishing standards for testing and licensing CMV drivers to ensure uniform and consistent implementation of the CDL Program in the States.

3. Why is this particular program necessary?

The FMCSA Medical Program promotes the safety of America's roadways through the promulgation and implementation of medical regulations, guidelines, and policies that ensure CMV drivers engaged in interstate commerce are physically qualified to do so. There are an estimated 40,000 medical practitioners who perform the medical certification examination for

CMV drivers, every two years. There are an estimated 400,000 drivers who undergo the medical fitness for duty examination each month.

More than 13 million CDLs were issued since 1989. Every month, another 40,000 CDLs are issued by States. Since the FMCSA CDL State compliance reviews were initiated in 1994, every State CDL activity was reviewed at least three times. Currently, FMCSA reviews a State's CDL program approximately every 3½ years or sooner if a problem is identified within the program. The DOT Office of the Inspector General (OIG) identified the need for improved oversight of the CDL activity as a Departmental Management Challenge. One of the principal findings of the OIG is that the risk of CDL fraud is a significant issue within the States.

4. How do you know the program works?

The FMCSA evaluated several aspects of the Medical program, and continues to improve processes and services. For example, the FMCSA Medical exemption programs reduced time to grant or deny exemptions, and other requests (e.g., diabetes exemptions are typically processed in less than 90 days). This is significantly below the statutory allowance of 180 days. FMCSA continually evaluates the delivery of the CDL grant programs through our state partners as well as evaluate the extent to which our State partners comply with the Motor Carrier Safety Improvement Act of 1999. The Medical Program plans to perform quality monitoring of medical examiner performance, and also address longstanding issues of fraud with the medical oversight of drivers and examiners. Preliminary analyses indicate that an estimated 40,000 examiners perform 300,000 to 400,000 driver medical examinations on a monthly basis.

The FMCSA measures the probability that a driver upon inspection can demonstrate that they are in compliance with FMCSA rules and regulations necessary to operate a large vehicle. The inspections focus on ensuring the driver has current certifications, licenses and documentation, medical certificates, as appropriate, compliance with duty status/fatigue related laws, seatbelt use, verification of performing periodic vehicle inspections, and assurance that the driver is not abusing alcohol or drugs. On average, FMCSA and its partners conduct over 3 million inspections of large truck and bus operators each year. The Large Truck and Bus Driver In Service Rate was approximately 95% in CY 2010 which is the highest rate of driver compliance ever. The Agency and its partners have increased their focus on performing Level III "driver specific" roadside inspections which are designed to ensure drivers comply with all Federal highway operating rules. The FMCSA began enforcing a new rule on electronic on-board recorders (EOBRs) which requires carriers with serious patterns of hours of service violations to install EOBRs and the Agency expects improved safety as a result of new rules restricting the use of cellular phones.

Driver related issues were identified as the primary cause of CMV crashes, injuries, and fatalities. The success of the CDL and medical programs is evidenced through a sharp reduction in crashes and fatalities. Over the course of the last several years fatalities have dropped to the lowest rate since 1975, the year when records were first retained.

5. Why do we want/need to fund the program at the requested level?

The FMCSA has opportunities to strengthen highway safety by improving driver medical fitness to support safe operations on our roads, in an aging driver population that requires more vigilance during the medical certification process. The medical program is included on NTSB's Most Wanted list (Prevent Medically Unqualified Drivers from Operating Commercial Vehicles) and has been the subject of GAO reports (Commercial Drivers Certification Process for Drivers with Serious Medical Conditions (July 24, 2008). GAO-08-1030T; Commercial Drivers Certification Process for Drivers with Serious Medical Conditions (June 2008). GAO-08-826; and Transportation Safety: Medical Certification and Background Check Requirements for Pilots, Vessel Masters and Commercial Drivers Vary (February 2008). GAO-08-421R). FMCSA plans to implement the National Registry program and integrate activities with the CDL program in order to ensure medically qualified operators drive safely.

Since the establishment of the CDL program and the development and implementation of the CDLIS system, information conveyed State-to-State has improved significantly. These programs need to move to the next step in their implementation to raise the bar for CDL drivers. In addition, the CDL program has identified vulnerabilities in the CDL process and worked with States to improve their programs, address fraud, and ensure safer drivers.

The current funding request will support FMCSA's ability to enhance its oversight of State licensing agencies' level of compliance with the Federal CDL regulations. Enhancement of FMCSA's oversight capability will improve safety by helping the Agency and its State partners identify unsafe drivers and remove their CDL privileges.

Additional FTE are requested to support an enhanced driver adjudication process, as well as support the National Registry Program for medical examiners. Both of these efforts will provide necessary enhancements to the FMCSA Driver Management and Oversight Program.

Program Name: Grants Management and Oversight

1. What is the request and what will we get for the funds?

This request will provide financial and human capital resources to support the management and oversight of FMCSA's grant and cooperative agreement programs. This funding request recognizes the need to increase resources at all levels across the Agency to improve the financial and administrative processes and internal controls. The positions and funding requested will provide the administrative, legal, financial and technical oversight and guidance for the Agency's numerous grant programs. These grants amount to more than half of the Agency's FY 2012 funding request. New grant programs proposed in this request will require further oversight to ensure they support the Department's Roadway Safety Initiatives, make appropriate use of administrative takedown authority, and take appropriate action against grantees that fail to comply with legal requirements and grant terms and conditions.

2. What is the program?

This program would support FMCSA grants aligned under 3 categorical grant programs (Compliance, Safety and Accountability; Driver Safety; and Data and Technology). The staff and resources included in this request will be responsible for developing and implementing the FMCSA grant programs; soliciting applications; evaluating the technical aspects of the applications; recommending awards; executing awards, obligating and deobligating funding; monitoring deliverables for timely completion; reviewing the grants for compliance with program requirements; requiring corrective action plans when deficiencies are identified; and establishing and monitoring internal controls to ensure, identify and promote best practices. Proper voucher tracking, funds reconciliation and file management are also parts of the comprehensive grants management program.

Currently FMCSA does not have dedicated staff in headquarters or in the field needed to oversee and manage the Agency grants programs. Proper internal controls and financial management are a high priority of FMCSA and the Department. Grantees are strategic partners with FMCSA and are vital components for the Agency to accomplish its safety mission. Ensuring grantees are delivering quality programs in accordance with Federal requirements and standards are critical parts of grant oversight and monitoring. The requested funding will allow better development of oversight that will lead to the implementation of efficient and effective grant program maintenance and the highest level of integrity in the grant management process.

3. Why is this particular program necessary?

The FMCSA relies on its partnerships with State and local law enforcement to augment its regulatory, enforcement, and safety capacity to oversee commercial motor carriers and drivers nationwide. The Agency awards grants each year for formula and discretionary funding to the States, local law enforcement agencies, and other organizations and associations that affect commercial motor vehicle safety on our Nation's roadways.

The FMCSA front line enforcement staff is less than 600 investigators, auditors, and inspectors who are responsible for overseeing motor carrier safety compliance by several hundred thousand motor carriers. FMCSA provides grant funding to secure the resources needed to complete safety audits, roadside inspections, interventions, targeted on-site reviews, comprehensive on-site reviews and offsite reviews. In addition, FMCSA grant programs provide resources to these entities for special initiatives targeting certain sectors of the industry (i.e., buses or household goods carriers) or certain high crash corridors to improve the level of safety and reduce the number of large truck and bus crashes, injuries, and fatalities.

The oversight function is required to maintain the integrity of the grant program and process, maintain a system of fair and equitable distribution of funds and ensure that all grant requirements and financial obligations are met.

4. How do you know the program works?

The Agency conducts reviews of the grant programs to confirm that they are in compliance with all government-wide and FMCSA requirements. When deficiencies are identified, grantees are required to submit corrective action plans, which are then implemented and monitored to ensure that the deficiencies have been corrected. Continual monitoring of grantees is the key to success.

Success of the grant program is measured by data indicating recipients' efforts in reducing commercial motor vehicle fatalities and injuries. The primary mechanism toward this goal is the completion of roadside inspections, new entrant safety audits, and compliance reviews. Our grant partners conducted over 3 million roadside inspections, 40,000 safety audits, and 5,000 compliance reviews in FY 2009, a significant contribution to our safety goal.

However, FMCSA has identified deficiencies with the current financial and administrative processes as part of its Internal Control A-123 Program and the Department's annual Financial Review. To address these deficiencies, FMCSA has taken a number of corrective actions, including the development of a Grants Management Manual, automation of the paper based process to include an interface with the Department's financial management system and the establishment of a grants management office. Additional resources are needed to continue the improvement of the oversight and execution of FMCSA's grant program.

5. Why do we want/need to fund the program at the requested level?

Over the past several years, the Agency has increased its emphasis on proper internal controls and grant execution and management. In order to standardize processes and automate the Agency's grant applications and awards, this budget request will allow the Agency to complete implementation of critical workflow software and assign the appropriate level of resources to correctly oversee and manage the grants.

The requested increases in financial and human capital assets will provide a fully staffed grants management office within the headquarters office of FMCSA. Sufficient staff in the field offices will also provide the Agency with a higher level of oversight at the implementation level to ensure proper execution of grant awards and uniformity in the application of the process with all

recipients. The additional funding requested will be used to maintain and upgrade grant solutions software which allows FMCSA to electronically process grant awards. The funding also provides contract support for grant program reviews and technical review panel software to facilitate virtual reviews of grant applications.

Program Name: Interventions Programs

1. What is the request and what will we get for the funds?

The FMCSA is requesting funds and FTE to expand delivery of its interventions program, which is the primary tool used toward FMCSA's Safety Mission. Additional funding and personnel will result in increased safety oversight of the motor carrier industry, which, in turn, will lead to improved compliance with the Federal Motor Carrier Safety and Hazardous Materials Regulations. Increased compliance is proven to increase safety, and reduce commercial motor vehicle crashes, injuries and fatalities.

The enforcement and compliance activity helps to ensure compliance with the Federal Motor Carrier Safety Regulations (FMCSRs) and to remove unsafe carriers and drivers from the Nation's highways. Targeted enforcement, driven by data, is FMCSA's primary strategy for meeting its safety goals. FMCSA targets high risk carriers through a series of interventions such as compliance reviews, safety audits, HAZMAT carrier reviews, and roadside inspections. The Agency has a successful partnership with States to implement these programs. The frequency of truck crashes, fatalities, and injuries have declined over the years, as a result of these efforts.

2. What is the program?

The interventions program is FMCSA's field enforcement presence, excluding border operations and commercial regulations enforcement efforts. The Compliance, Safety and Accountability Program (formerly CSA 2010) is delivered through the FMCSA's field structure of Service Centers and Division Offices. The intervention program continues the transition of FMCSA's traditional compliance review process to a more robust and efficient safety oversight program. The program utilizes a variety of intervention approaches; including warning letters, on-site comprehensive and focused investigations, off-site enforcement, Notice of Violations, Notice of Claims, and Operations Out-of-Service Orders to enforce the FMCSRs and the Hazardous Materials Regulations. Modernizing the Agency's oversight approach has resulted in improved operational efficiencies resulting in more industry contacts to address regulatory compliance and safety performance deficiencies. Furthermore, planned regulatory changes in FMCSA's safety fitness determination process will result in a projected five-fold increase in the number of motor carriers ordered to cease operations due to being declared "Unfit." This planned regulatory change will address one of the National Transportation Safety Board's (NTSB) "Most Wanted Highway Transportation Safety Improvements."

Historically, FMCSA has conducted approximately 10,000 compliance reviews or onsite comprehensive investigations each year. With an increase in staffing, coupled with the improved efficiencies, FMCSA expects to be able to intervene with 20,000 carriers.

3. Why is this particular program necessary?

In calendar year 2009, over 3,600 people died as a result of crashes involving large commercial trucks and buses and about 93,000 more people were injured. The interventions program is the core of FMCSA's safety program to reduce commercial motor vehicle crashes, injuries and

fatalities. The Agency has seen a continued downward trend in CMV-related crashes over the past 3 years.

4. How do you know the program works?

FMCSA has conducted research and validated the effectiveness of the compliance review process in improving regulatory compliance and reducing commercial motor vehicle related crashes and fatalities. The intervention program has been shown to improve the efficiency of Agency field staff by allowing contact with a higher number of motor carriers per FTE, resulting in improved compliance and safety.

The FMCSA's Compliance Review Effectiveness Model (CREM) estimates the average crash rate for motor carriers receiving compliance reviews decreases by approximately 16 percent. Analysis of the more robust and efficient interventions program developed as part of the CSA Operational Model projects more carrier contacts and incremental improvements in crashes avoided and lives saved with additional resources.

5. Why do we want/need to fund the program at the requested level?

An August 2007 report by the Government Accountability Office (GAO) stated *“Because of resource constraints, each year FMCSA and its State partners are able to conduct compliance reviews of only about 2 percent of the nation’s estimated 711,000 motor carriers that are subject to the Federal safety and hazardous materials regulations.”* The increases requested this year will allow FMCSA to improve upon this level of effort by reaching more motor carriers through the intervention program to reduce the number of fatalities and injuries resulting from crashes involving large trucks and buses.

The increases requested this year are based on an analysis of the more efficient interventions program and projected safety benefits through reduced crashes that far outweigh the costs. In addition, the requested increases in FTE will be utilized to right size staffing based on new programs that were absorbed by the Agency during the last reauthorization period and to handle the expected work load increase from implementing remedial directives associated with electronic on-board recorders and the projected five-fold increase in the number of motor carriers ordered to cease operations resulting from the planned regulatory action to enhance the safety fitness determination process.

Specifically, the increases requested this year are a result of three issues. First, during the course of the SAFETEA-LU authorization period, FMCSA expanded into several new program areas, including but not limited to the regulation of Household Goods carriers, a more thorough program of compliance for New Entrant motor carriers, required technology on commercial motor vehicles, an increased emphasis on motor coach and passenger safety, a focus on reincarnated motor carriers, and other key safety improvements requested by the Department's Office of Inspector General, NTSB, the GAO and Congressional committees. These programs and others were absorbed into the FMCSA program without any resulting resources in the form of either financial or human capital for implementation. This request includes resources to improve current program delivery and implement new enforcement approaches.

Secondly, research has shown that efficiency gains in FMCSA programs and systems are important, as they allow the Agency to have contact with more motor carriers, therefore increasing safety. At current FTE levels the Agency cannot contact the number of unsafe motor carriers identified by the Safety Management System algorithm, which replaced the SAFESTAT carrier selection algorithm in FY 2011. The analysis has indicated that by adding additional FTE at the requested level, FMCSA will achieve significant increases in safety through reduced commercial vehicle crashes, injuries and fatalities.

Finally, the additional resources will support the Agency's goal of raising the bar to entry. Additional resources are required to support more thorough vetting of new motor carrier applications to ensure carriers placed out of service for poor safety standards do not attempt to re-enter the industry until safety deficiencies are corrected.

Program Name: Commercial Enforcement Program

1. What is the request and what will we get for the funds?

The Commercial Enforcement Program is responsible for engaging consumers, shippers, and carriers through partnerships, education, and enforcement and compliance operations to ensure household goods (HHG) are delivered as agreed upon between carriers and consumers. The program accomplishes its mission by applying regulations, taking targeted enforcement action, compiling and analyzing complaint information, and monitoring insurance and process agent filings. The program creates and maintains partnerships. The funding is requested to support the HHG complaints hotline, provide financial analysis of self-insurance applications and company financial condition, create electronic insurance filings from paper copy submissions, and maintain a toll free phone number to address insurance filing status and information requests.

2. What is the program?

The Commercial Enforcement Program is responsible for engaging consumers, shippers, and carriers through partnerships, education, and enforcement and compliance operations to ensure HHG are delivered as agreed upon between carriers and consumers. Additionally, the Division is responsible for managing the self-insurance program and the insurance program, and for ensuring that all for-hire carriers and freight forwarders conducting operations in interstate or foreign commerce maintain evidence of insurance with FMCSA in the prescribed amounts. These motor carriers and freight forwarders may apply for self-insurance authority.

3. Why is this particular program necessary?

This program is necessary to ensure that for-hire motor carriers obtain and maintain the proper level of insurance to protect shippers in the event of damage or loss. In addition, this program is necessary to combat the increasing number of rogue HHG movers and brokers that intentionally provide low estimates to get a moving contract but then refuse to deliver the goods unless more money is paid (“hostage loads”). FMCSA is committed to investigating every hostage load complaint. In addition, the Agency uses complaint and enforcement data to target movers for enforcement. This program has resulted in significant enforcement activities for the field offices.

4. How do you know the program works?

While consumer protection is not FMCSA’s primary mission, a GAO study concluded that the program should remain within DOT. And a DOT review confirmed that FMCSA is the most appropriate organization to continue to manage this program. The Agency can draw a nexus between unscrupulous carriers and unsafe carriers and has the infrastructure in place to take needed enforcement. The number of household goods complaints to the Agency has declined over recent years. This demonstrates that the Agency’s efforts to remove rogue movers and educate consumers are beginning to be successful.

5. Why do we want/need to fund the program at the requested level?

Funding at the requested level provides the resources needed to sustain the program and continue to decrease the number of complaints and expand our enforcement efforts related to hostage loads.

Program Name: Border Programs Management and Oversight

1. What is the request and what will we get for the funds?

This request is to support the Agency's Border Programs that develop and implement strategies to oversee the safety of trucks entering the U.S. from Mexico and Canada. The request includes funding for maintaining border operations including maintaining and improving border facilities; conducting border inspector academy training for new hires; and maintaining the Commercial Driver License (CDL) Federal Convictions and Withdrawal Database. The New FTE will be field positions to provide FMCSA staff at new Ports of Entry (POE) opening in FY 2012.

The funding request allows the Agency to maintain the CDL Federal Convictions and Withdrawal program which ensures that the posting of convictions and disqualification of Mexican and Canadian commercial drivers operating in the U.S.; the exchange of CDL safety information between the U.S. and countries with CDLs recognized by the U.S. as comparable to a U.S. CDL, and thus valid in the U.S.; oversight and management of complete system access and operation of interactive electronic interconnection between foreign information systems and the U.S.; and promotion of compliance with U.S. safety and operating requirements by working cooperatively with the States and the governments of Mexico and Canada to develop and implement more uniform and consistent commercial motor vehicle regulations, inspection procedures, and safety programs throughout North America.

Congress in FY 2002 provided funds to develop an FMCSA presence along the Southern Border to support cross-border long-haul trucking provisions under the North American Free Trade Agreement (NAFTA). The FY 2012 funding for facilities improvements will allow the Agency to begin its desperately needed facility modernization plan to replace aging mobile trailers and provide for a safe and conducive work environment (e.g., canopies to protect against 100 degree weather and harsh weather conditions, inspection pits, air cooling/misting systems) and improve working conditions for border inspectors allowing them to conduct high quality and effective inspections of Mexico-domiciled drivers and vehicles crossing into the United States. The funding will give the Agency the ability to coordinate with GSA and CBP to acquire space and install facilities along the border.

2. What is the program?

The program is a critical component of the Agency's development and implementation of strategies to oversee the safety of trucks entering the U.S. from Mexico and Canada including federal safety enforcement activities at the U.S./Mexico border to ensure that Mexican carriers entering the U.S. are in compliance with Federal Motor Carrier Safety Regulations (FMCSRs). In addition, the program manages the Agency's coordination of safety activities with the governments of Canada and Mexico including facilitating safety data exchange and harmonization of safety regulations and enforcement programs. The program will facilitate cooperative working relationships with the States and the governments of Mexico and Canada to develop and implement more uniform and consistent commercial motor vehicle regulations, inspection procedures, and safety programs throughout North America.

3. Why is this particular program necessary?

The program is needed to maintain close relationships with Canada and Mexico on commercial motor vehicle issues, including the development of uniform and consistent commercial motor vehicle regulations, inspection procedures, and safety programs throughout North America. The availability of funds for facilities will help FMCSA begin to transition from a temporary to a permanent presence along the southern border. The funds will also allow the development/establishment of proper facilities to improve working conditions for Agency staff and strengthen our safety program at the Mexican border, thus making the U.S. roads safer. These facilities are critical to allowing the Agency to accomplish its on-going mission to ensure the safety of trucks entering the U.S. from Mexico.

4. How do you know the program works?

During FY 2009, FMCSA conducted over 228,000 inspections on Mexican vehicles crossing the border. The program continues to make progress with Canada and Mexico in the establishment of safety rating reciprocity and safety data exchange including the exchange of CDL information. In addition, through an agreement between FMCSA and Customs and Border Protection, we have improved truck safety at the Nation's land borders, utilizing the Automated Commercial Environment/International Trade Data System (ACE/ITDS) so that carriers transmit their planned border crossing itineraries, driver information and manifests through ACE/ITDS before reaching the northern or southern border. This enables FMCSA, State safety inspectors and CBP border officers to know, before a truck reaches a port of entry, whether the vehicle or driver is free to enter U.S. roadways or will be subject to closer inspection for safety compliance. Therefore, FMCSA and CBP border officers have the capability to identify and contain high risk CMVs and drivers before they reach the Nation's highways, based on safety information maintained by the Agency. This program will continue to improve these efforts.

5. Why do we want/need to fund the program at the requested level?

Funding at the requested level provides the resources needed to sustain the program and add the additional enforcement FTE and facilities needed to handle the increasing number of POEs and border inspections. A significant portion of the funding will be used to upgrade border inspection facilities to provide safer working conditions for Agency Border Inspectors. This work is critical to keep freight moving at the borders and in ensuring that Mexican and Canadian trucks and drivers entering the United States comply with motor carrier safety and other requirements.

Program Name: United States –Mexico Long Haul Cross Border Trucking Pilot Project

1. What is the request and what will we get for the funds?

This request will allow the Agency to implement the pilot project as described in the Department's Concept Document released on January 6, 2011. This proposal would require a Pre-Authority Safety Audit (PASA) of each applicant carrier. This extensive review requires FMCSA resources to review the carriers, drivers and vehicles proposed for the pilot. The Agency has also proposed electronic monitoring of the participating vehicles through the installation of electronic on-board recorders with global positioning systems capabilities. A contract will be required for the acquisition and installation of this equipment on participating vehicles and for the monitoring software and reports needed to track the vehicles. Further, the Agency committed to an additional review of each participating carrier to ensure continued safe operations. Additionally, the Agency will need both new databases and web sites to manage information regarding the program so that law enforcement may confirm participating carriers compliance and continued eligibility and the public may access safety data about the participants. Lastly, the Agency committed to sponsoring an oversight committee to provide guidance for the pilot project and provide recommendations to the Administrator. The Agency will, therefore, be responsible for travel and meeting costs associated with this committee.

The FMCSA's ability to fully initiate and implement the program is predicated on the continued operation of the Agency's border program.

2. What is the program?

The program is a critical component of the United States' compliance with the North American Free Trade Agreement and the Agency's development and implementation of strategies to determine the safety of Mexican trucks. Through the pilot project, FMCSA will conduct inspection activities at the U.S./Mexico border to ensure that approved long-haul Mexican carriers entering the U.S. are in compliance with Federal Motor Carrier Safety Regulations (FMCSRs).

The Agency must ensure compliance of these regulations with the Mexico-domiciled carriers that participate in the Agency's pilot project, and compliance with other oversight and monitoring requirements of the pilot project.

3. Why is this particular program necessary?

The Long Haul Cross Border Trucking pilot project is needed to bring the United States into compliance with its obligations under NAFTA. In addition, the program is needed to determine the safety of Mexican commercial motor vehicle issues, and provide information for the development of uniform and consistent commercial motor vehicle regulations, inspection procedures, and safety programs throughout North America.

4. How do you know the program works?

On September 6, 2007, DOT began a demonstration project to implement the cross-border truck provisions of NAFTA. The project operated for approximately 18 months. There was no evidence of a substandard level of motor carrier safety in the United States. However, the DOT Office of Inspector General and an independent evaluation panel determined that, because of the low level of participation prior to the demonstration project's termination, insufficient data was available to establish a statistically valid conclusion. A new pilot project is needed to acquire a statistically valid amount of data for analysis.

5. Why do we want/need to fund the program at the requested level?

Funding at the requested level provides the resources needed to implement and sustain the pilot project as defined in the Concept Document announced by the Secretary on January 6, 2011.

Program Name: Rulemaking

1. What is the request and what will we get for the funds?

Funding is requested to support the FMCSA Program Development and Rulemaking Program. This request is for the development of rulemaking documents for the Agency that are clear, simple, timely, fair, reasonable and necessary. Funding and FTE will be utilized to coordinate the review, revision, approval and issuance of such documents both within the Agency and externally.

2. What is the Program?

The FMCSA develops rules in response to congressional actions, National Transportation Safety Board recommendations, petitions for rulemaking from safety advocacy groups, State driver licensing and law enforcement agencies, motor carriers and industry groups, the public, and recommendations from the Agency's regulatory effectiveness studies. The rulemakings have direct impact on the success of the FMCSA mission to reduce commercial motor vehicle crashes, injuries, and fatalities.

This program activity is comprised of full time personnel from three FMCSA offices (the Office of Policy, the Office of Analysis and Research, and the Office of Chief Counsel) within FMCSA, and is supplemented by subject matter experts from other offices that are not considered in this program activity.

3. Why is this Particular Program Necessary?

Rulemaking is one of the fundamental functions of FMCSA, providing the foundation of safety improvements by the commercial motor vehicle transportation industry. Regulations are needed to implement statutory requirements and prescribe minimum safety requirements for motor carriers, the drivers they employ and the vehicles they operate. The regulations provide the safety performance standards for which the Agency holds motor carriers and drivers accountable through enforcement interventions, including out-of-service orders against carriers and placing drivers and vehicles out-of-service during roadside inspections. FMCSA's regulations also provide consumer protection for the transportation of household goods shipments.

4. How Do You Know The Program Works?

The FMCSA has determined that the program works through the publication and subsequent enforcement of the regulatory requirements. An analysis of safety performance data concerning motor carriers and drivers indicates decreases in the number of violations observed during roadside inspections and other enforcement interventions. In addition, Agency reviews of crash data indicate that rulemaking requirements have a positive effect on reducing the incidents of crashes.

The FMCSA has robust regulatory effectiveness and program evaluation processes (described in Section 3A-4: Mission Support) to confirm that a final rule is effective and accomplishes its goal. The rulemaking program is also synchronized with the data analysis, research and IT development program activities, described in separate program activities, to ensure crash data

and research results support proposed rules and IT systems are available when final rules are published.

5. Why Do We Want/Need to Fund The Program At The Requested Level?

The FMCSA currently is working to reduce its regulatory backlog created by significant increases in regulatory requirements in past motor carrier safety reauthorizations statutes, without the necessary funding and FTE increases. The FY 2012 budget request supports Agency efforts to eliminate the backlog and positions it to respond to additional reauthorization requirements. The requested funding levels are expected to eliminate the rulemaking backlog during the budget cycle and allow FMCSA to rapidly respond to congressional mandates, petitions for rulemaking and needed program changes.

The FMCSA anticipates developing and publishing rulemakings on a number of key safety areas in the budget year. These will include completion of final rules to establish a Controlled Substances and Alcohol Database, Electronic On-Board Recorders (EOBRs) – a rulemaking to mandate the devices for a broader population of motor carriers than those covered by the Agency’s April 2010 final rule, Hours-of-Service Supporting Documents, and the Unified Registration System. FMCSA also anticipates the development of at least 20 significant and non-significant rulemaking proposals. Additional FTE will support the timely issuance of these activities.

FMCSA
Performance
Budget
Estimates

Fiscal Year
2012

SECTION 3A-IV

SAFETY MISSION SUPPORT

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SAFETY MISSION SUPPORT
(in Thousands of dollars)

	FY 2010	FY 2012
	Enacted	Request
	Budget	
<u>Funding levels</u>		
Personnel Compensation & Benefits	11,738	12,604
Contracts	24,292	29,911
Working Capital Fund	6,056	10,233
GSA Rent	11,840	12,900
CMV Operating Grant	1,000	0
Other Cost	1,515	4,310
Total	56,441	69,958
<u>Staffing</u>		
Direct Positions	120	130
Remimbursable Positions	14	14
Direct FTE	112	117
Remimbursable FTE	14	14

Program Name: FMCSA Mission Support

1. What is the request and what will we get for the funds?

The Federal Motor Carrier Safety Administration’s (FMCSA) mission support functions provide essential services and support to FMCSA, ensuring the success of the Agency in accomplishing its primary safety mission. The funding and FTE for the Mission Support functions ensures that the Agency: (1) maintains a strong support base for its employees; (2) hires and maintains a high performing workforce; (3) has a strong program of internal controls and financial support; (4) manages its assets and facilities in a cost effective and environmentally responsible manner; and (5) provides adequate financial, acquisitions and legal support for its staff

The FMCSA also has developed an estimate of the overhead cost for each employee, which accounts for the traditional expenses, on a per person basis, such as rent, travel, leases, fleet, training and other costs. The Agency calculated a rate of approximately \$30,000 per person for these costs. (The Working Capital Fund is included in a separate section of the budget). In addition, the Agency has identified a need to expand the FTE of the mission support functions as the Agency as a whole increases its FTE over time.

of the mission support functions as the Agency as a whole increases its FTE over time. For this budget request, that number has been calculated and the positions distributed across the areas listed below.

2. What is the program?

The mission support program covers each of the following areas:

Administrator's Office – The mission support budget includes current FTE for the Administrator's office and other key leadership positions within FMCSA, including the Administrator, Deputy Administrator, Chief Safety Officer, and the Office of the Chief Counsel. The Administrator's Office provides overall Agency direction and oversight, and represents FMCSA and its safety mission within the Department, with other Federal agencies, the legislative branch, outside stakeholders, and our State and industry partners. The Office of the Chief Counsel renders legal services and provides legal policy and direction to FMCSA Headquarters and field offices concerning all aspects of the Agency's programs, functions, and activities.

Civil Rights – FMCSA is committed to ensuring that its employees and applicants are free from discrimination and are provided with equality of opportunity within the workplace. Technical expertise and guidance provided by the Civil Rights Office is essential toward achieving a discrimination-free workplace, and that discrimination does not exist in activities funded by the Federal Government, in accordance with Title VI of the Civil Rights Act. The civil rights program is a necessary part of developing a highly skilled and motivated workforce; conducting outreach activities to educational and professional institutions which contain a large pool of applicants from groups which have low participation rates at FMCSA; and working with Agency leadership to reduce the number of complaints filed against the Agency. The Office implements all statutory requirements and provides proactive training and education approaches to ensure a discrimination free workplace.

Communications and Outreach – The Communications Office within FMCSA serves as the FMCSA's official spokesperson, including but not limited to, communications involving the media, motor carrier industry, motor carrier safety interest groups, and other governmental interests affected by or involved in motor carrier activities. The office coordinates informational events to promote awareness of FMCSA programs, activities, objectives, and goals by the public, industry, safety interest groups, State and local governmental agencies, and the media. The outreach program promotes the Agency's programs and safety objectives, including regulations, enforcement programs, research, and technology to spread information to the motor carrier and commercial driver communities about how to establish and maintain safe operations through marketing, press releases, exhibits, videos, websites and documents.

Training and Education - The FMCSA National Training Center Program provides capability to develop and deliver training in three primary areas; (1) Safety Training is provided to FMCSA staff and our State partners who are responsible for conducting

commercial motor vehicle safety inspections, motor carrier new entrant audits and investigations; (2) Commercial Motor Vehicle Criminal Interdiction Training to Federal, State and local Law Enforcement Partners, and (3) A comprehensive program of Professional and Leadership Development for FMCSA employees. Additional funds are requested for full implementation of the comprehensive professional development and leadership development program, completing and maintaining accreditation for the training center, modernizing equipment, and developing an industry compliance and education program. Approximately 350 instructor-led Safety classes are delivered annually resulting in training over 6,000 Federal, State and local law enforcement officers, as well as numerous interactive web seminars provide immediate training following the release of new rules and policies for approximately 3,000 participants annually. The Safety program also includes a 6 to 8 week residential academy program for new FMCSA inspectors, auditors and investigators. The NTC also provides Commercial Motor Vehicle Criminal Interdiction Training to over 7,000 Federal, State and local Law Enforcement Partners. Finally, a comprehensive program of Professional and Leadership Development is being developed for FMCSA employees.

The use of state of the art learning methods and delivery for the long term will be ensured as ongoing technology adoption programs are enhanced and institutionalized within the Agency.

Human Resources – The FMCSA Human Resources Office provides a full range of services to FMCSA employees, including employee and labor relations, staffing and classification, and human capital services. New funding is requested for employee recruitment and retention initiatives, as well as FTE to develop and sustain a more robust health and wellness program to continue to improve working conditions at the Mexican border facilities, field locations, and headquarters. FMCSA’s goal is to hire high quality employees, develop future leaders and maintain a high performing workforce.

Strategic Planning, Data Analysis and Program Evaluation – This function develops the Agency's strategic and performance plans and monitors activities and evaluates accomplishments against established plans, goals, and objectives. Responsibility for facilitating and coordinating the development and evaluation of performance measures is also an important effort in this area. Statistical and economic analyses are used to assess the implications of the Agency’s actions, policies, programs, regulations, and recommendations on the safety and economic elements of the motor carrier industry. Strategic Planning activities include the development, implementation, and periodic updating of FMCSA’s Strategic Plan to include development and implementation of elements related to the Roadway Safety Plan. Data analysis focuses on ensuring data quality and accountability, and analyzing data to determine program effectiveness. The Data Analysis and Program Effectiveness Program within this area supports DOT’s Safety and Environmental Sustainability strategic goals by providing the analytical support for FMCSA regulatory, program and policy development and implementation essential to effective decision-making.

Program Evaluation is a wide ranging area that acts as liaison and coordination with external oversight organizations (i.e., the DOT Office of the Inspector General, GAO, and the National Transportation Safety Board), maintenance of an Audit Liaison Action Planning and Tracking System, and preparation of the Agency's Organizational Assessment at the end of each fiscal year for formal submission to the Office of the Secretary and the Office of Management and Budget.

Office of the Chief Financial Officer – The Office of the Chief Financial Officer (OCFO) encompasses both the budget and finance functions of the FMCSA. This includes developing and maintaining proper internal controls related to budget and financial reporting. This office ensures that sufficient internal controls are in place for proper stewardship of all financial resources; certifies that grants are properly administered; and that funds are being spent for their intended purpose. This effort assists the Agency in preventing fraud, waste, and abuse of Agency resources. The OCFO is responsible for ensuring the Agency is properly resourced and cost is appropriately distributed over the entire Agency. The OCFO has primary responsibility for establishing processes and procedures focused on improving FMCSA's grants management and oversight, financial tracking and reporting, and improving financial performance metrics. The OCFO manages the Agency's Travel program and provides oversight of the Agency's Travel Card Program and GovTrip. The OCFO also provides standard operating procedures, guidance, and advanced budget tracking tools and methodology to the program offices to maximize Agency resources and maintain real-time tracking of fund execution.

Office of Acquisitions - The Acquisitions Management program provides the Agency with support for contracting and procurement actions. Without this support, FMCSA would not be able to procure the goods and services the program offices need to meet the Agency's mission. Acquisitions management includes pre- and post-award support, contract management and administration, and contract closeout. This support includes management and oversight of contracting officer's warrants, certification and training, contracting officer's technical representatives, and purchase cards. New funding is requested to support the new procurement database and to support a robust credit card management program. In FY 2009, FMCSA received a \$234 million budget for its operations and programs to support its mission—\$80 million or 34 percent of which was for the procurement of goods and services. Acquisition support includes guidance to program offices on market research, independent government cost estimates, contract type, Statement of Work development, and technical evaluations. Significant growth in acquisitions is expected during FY 2012 due to FMCSA IT modernization efforts including COMPASS program, implementation of the National Registry and the Drug and Alcohol Database and other major IT, research and evaluation efforts discussed in this budget request under Section 3A2: IT Development.

Management Services - FMCSA develops Agency-wide policies and activities for the full range of management support services. These services include space management, records and forms management, facilities and equipment management, mail services, property management, transportation, occupational safety, printing, transit benefits, and other administrative services. Management Services also supports government-wide

environmental initiatives to reduce greenhouse gas emissions in buildings and the motor vehicle fleet. FMCSA also executes the Freedom of Information Act (FOIA), Paperwork Reduction Act, and Privacy Act activities and maintains administrative directives for all Agency activities. These essential functions and others are supported centrally to leverage economies of scale and to monitor and control costs, and assure adherence to regulations and Agency policy and procedures. This program implements many government-wide initiatives to improve transparency, sustainability, and to ensure effective use of Federal resources.

3. Why is this particular program necessary?

The FMCSA Mission Support program provides the critical leadership, management and services to its employees that are necessary to ensure the success of the Agency's Safety Mission. By setting Agency direction and providing a safe and productive work environment for employees, proper training, and a robust recruitment and retention program, the Agency will maintain the highest level of organizational excellence and productivity toward the safety mission. Centralized oversight and internal controls and financial and budget reporting are crucial in the delivery of the Agency's safety mission and in maintaining the integrity of the Agency and its safety programs.

4. How do you know the program works?

The mission support functions have been essential to maintaining and improving the delivery of FMCSA's important programs and operations. Leadership direction has contributed to reduced fatalities; human resources has provided the resources needed to develop competent safety staff; acquisitions, training and management services provide the tools needed to deliver the Agency's programs, and the OCFO has provided needed direction and oversight of the Agency's financial programs, most importantly grants. Robust employee retention and recruitment strategies, leadership development programs and opportunities, safety, health and wellness programs, and proper support and equipment are identified as key factors government wide for maintaining a high performance workforce. The functions within this budget group have been proven to support the Agency in its Safety mission and contribute to our success in CY 2009 (the latest available data) when fatalities involving large trucks and buses fell to a new low rate of 0.121 fatalities per 100 million VMT. This represents a 41% percent improvement over CY 2000's rate of .205 fatalities per 100 million VMT. The total number of crashes involving a large truck or bus, resulting in one or more fatalities, decreased from 3,994 in CY 2008 to 3,197 in CY 2009, or a 19.5 percent improvement over CY 2008's historic low number of fatal crashes.

5. Why do we want/need to fund the program at the requested level?

The requested funding level accounts for the essential programs and people needed to assure a quality and high performing organization that efficiently and effectively delivers the Agency's mission of reducing fatalities and contributes to the Department's Roadway Safety Plan. Increases in funding and FTE are required to build upon the initiatives authorized by SAFETEA-LU, the first surface transportation authorization bill for funding the Department's motor carrier safety programs separately from the Federal Highway Administration. While SAFETEA-LU provided a solid foundation upon which to build FMCSA's mission support functions, FMCSA requests funding at the increased level to complete its efforts to fully staff all of its mission support offices and fully implement its proposed programs. The requested level accurately reflects the costs required to recruit, train, and maintain a highly skilled and productive workforce. The Agency incorporated costs to support existing and new employees by factoring in facilities, training, travel, and fleet costs on a per person basis. Many of the functions in this area are involved in the ongoing work to improve the satisfaction of the Agency's employees, by addressing the concerns and recommendations of the Federal Human Capital Survey and the DOT Safety Culture Survey. In addition, the mission support function is responsible for implementing government-wide environmental stewardship initiatives aimed at reducing greenhouse gas emissions such as leasing more fuel efficient vehicles.

FMCSA
Performance
Budget
Estimates

Fiscal Year
2012

SECTION 3B

MOTOR CARRIER SAFETY GRANTS

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MOTOR CARRIER SAFETY GRANTS
(Legislative proposal, not subject to PAYGO)
(LIQUIDATION OF CONTRACT AUTHORIZATION)
(LIMITATION ON OBLIGATIONS)
([HIGHWAY] TRANSPORTATION TRUST FUND)

Contingent upon enactment of multi-year surface transportation authorization legislation, \$330,000,000, to be derived from the Transportation Trust Fund (Highway Account) and to remain available until expended, for payment of obligations incurred in carrying out motor carrier safety programs authorized under title 49, United States Code, and the provisions of Public Law 109-59, as amended by such authorization: Provided, That funds available for the implementation or execution of motor carrier safety programs, shall not exceed total obligations of \$330,000,000, in fiscal year 2012 for "Motor Carrier Safety Grants"; including \$261,890,000 for the Compliance, Safety, and Accountability Grant Program, \$37,690,000 for the Driver Safety Grants Program; and \$30,420,000 for the Data and Information Technology Grant Programs.

[For payment of obligations incurred in carrying out sections 31102, 31104 (al, 31106, 31107, 31109, 31309, 31313 of title 49, United States Code, and sections 4126 and 4128 of Public Law 109-59, \$310,070,000, to be derived from the Highway Trust Fund (other than the Mass Transit Account) and to remain available until expended: *Provided*, That none of the funds in this Act shall be available for the implementation or execution of programs, the obligations for which are in excess of \$310,070,000, for "Motor Carrier Safety Grants"; of which \$215,070,000 shall be available for the motor carrier safety assistance program to carry out sections 31102 and 31104{a) of title 49, United States Code; \$30,000,000 shall be available for the commercial driver's license improvements program to carry out section 31313 of title 49, United States Code; \$32,000,000 shall be available for the border enforcement grants program to carry out section 31107 of title 49, United States Code; \$5,000,000 shall be available for the performance and registration information system management program to carry out sections 31106{b) and 31109 of title 49, United States Code; \$25,000,000 shall be available for the commercial vehicle information systems and networks deployment program to carry out section 4126 of Public Law 109-59; \$3,000,000 shall be available for the safety data improvement program to carry out section 4128 of Public Law 109-59; and \$1,000,000 shall be available for the commercial driver's license information system modernization program to carry out section 31309(e) of title 49, United States Code: *Provided further*, That of the funds made available for the motor carrier safety assistance program, \$35,000,000 shall be available for audits of new entrant motor carriers.]

**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION.
MOTOR CARRIER SAFETY GRANTS
PROGRAM AND FINANCING**

(In thousands of dollars)

Identification code 69-X-8158	FY 2010	FY 2011 CR	FY 2012
	<u>ACTUAL</u>	<u>ANNUALIZED</u>	<u>REQUEST</u>
Obligations by program activity:			
0001 Motor Carrier Safety Assistance Program	211,600	215,070	231,600
0002 Commercial Driver's License (CDL) Program Improvement Grants	25,000	30,000	35,900
0003 Border Enforcement Grants	32,000	32,000	25,500
0004 Performance and Registration Information System	5,000	5,000	6,000
0005 Commercial Vehicle Information Systems	25,000	25,000	27,000
0006 Safety Data Improvement Grants	3,000	3,000	4,000
0007 CDL Information System	8,000		
0008 High Priority	-	-	-
0009 Takedown Compliance, Safety and Accountability Grants	-	-	-
0010 Takedown Driver Safety Grants			0
0011 Takedown Data and Technology Grants			0
0900 Total new obligations	309,600	310,070	330,000
Reimbursable program	-	-	-
0900 Total obligations	309,600	310,070	330,000
Budgetary resources available for obligation			
1000 Unobligated balance available, start of year	5,443	35,847	37,777
1021 01 Recoveries	5,476	-	-
1050 Unobligated balance carrier forward	10,919	35,847	37,777
Budget Authority			
Appropriations discretionary			
1102 Appropriation	-	310,070	310,070
1137 Appropriation applied to liquidated cash contract authority	-	(310,070)	(310,070)
New budget authority (gross), detail:			
Mandatory			
1600 Contract Authority Mandated	307,000	307,000	327,000
1621 Unobligated balance of contract authority	(1,611)	-	-
1640 Contract Authority mandated total	305,389	307,000	327,000
1900 Total new budget authority (gross)	305,389	307,000	327,000
1930 Total budgetary Resources	316,308	342,847	359,000
Change in obligated balances:			
3000 Obligated balance , start of year	362,499	362,526	362,000
3030 New obligations	280,462	310,070	330,000
3040 Total outlays (gross)	(274,584)	(397,000)	(533,000)
3080 Recoveries of prior year obligations	(5,476)	-	-
3031 Chg in Uncollected cust orders fm Fed Sources (unexpired)	-	-	-
3050 Chg in Uncollected cust orders fm Fed Sources (expired)	-	-	-
3100 Obligated balance, end of year	362,901	362,000	469,000
Outlays (gross), detail:			
4010 Outlays from new discretionary authority	-	86,820	92,400
4011 Outlays from discretionary balances	-	361,074	222,090
4020 Total outlays (gross)	-	447,894	314,490
4080 Outlays, net (discretionary)		447,894	314,490
Mandatory:			
4090 Budget authority, gross	305,389	307,000	327,000
Outlay, gross			
4100 Outlay from new mandatory authority	83,000	87,000	87,000
4101 Outlay from mandatory balances	192,000		223,000
4110 Outlay, gross (total)	275,000	87,000	310,000
4160 Budget authority, net (mandatory)	305,389	307,000	327,000
4170 Outlay, net (mandatory)	275,000	87,000	310,000
4180 Budget authority, net (total)	305,389	307,000	327,000
4190 Outlays, net (total)	275,000	397,000	533,000
Memorandum (non-add) entries			
5054 Fund balances in excess of liquidating, requirements, SOY: Contract authority	21,000		
5055 Fund balances in excess of liquidating, requirements, SOY: Contract authority			
5061 Limitation on obligations (Transportation Trust Fund)		310,000	

**DEPARTMENT OF TRANSPORTATION
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

**MOTOR CARRIER SAFETY GRANTS
OBJECT CLASSIFICATION
(\$ 000)**

	<u>FY 2010 ACTUAL</u>	<u>FY 2011 CR ANNUALIZED</u>	<u>FY 2012 REQUEST</u>
Direct Obligations:			
21.0 Travel and Transportation of persons	\$2,000	\$2,000	\$2,040
25.2 Other services	\$29,000	\$29,000	\$29,580
41.0 Grants, subsidies and contributions	<u>\$249,462</u>	<u>\$279,070</u>	<u>\$298,380</u>
99.9 Total Obligations	<u>\$280,462</u>	<u>\$310,070</u>	<u>\$330,000</u>

**MOTOR CARRIER SAFETY GRANTS
LIQUIDATION OF CONTRACT AUTHORITY (HIGHWAY TRUST FUND)**

ESTIMATES	CONTRACT AUTHORITY
2004	2004
2005	2005
2006282,000,000	2006282,000,000
2007297,411,000	2006 Rescission of Contract
2008300,000,000	Authority..... (2,820,000) ¹
2009307,000,000	2007297,411,000 ²
2010310,070,000	2008300,000,000
2011310,070,000	2008 Rescission of Contract
2012330,000,000	Authority P.L. 110-161... (11,260,214) ³
¹ Applied 1.0 % rescission pursuant to FY 2006	2009307,000,000
Enacted, P.L. 109-148.	2009 Rescission of Contract
² Includes \$3,411,000 RABA Adjustment	Authority P.L. 111-8..... (6,502,558) ⁴
³ Rescission of Prior Year Carryover	2010 307,000,000
⁴ Rescission of Prior Year Carryover	2010 Rescission of Contract
	Authority P.L. 111-8..... (1,610,661)
	2011307,000,000

MOTOR CARRIER SAFETY GRANTS

LIMITATION ON OBLIGATIONS

ESTIMATES	APPROPRIATION
199583,000,000	1995 74,000,000
199685,000,000	1996 77,225,000
199785,000,000	1996 Rescission of Contract
1998	Authority (1,000) ¹
1999	1997 78,225,000
2000	1998 84,825,000
2001	1999 100,000,000
2002	2000 105,000,000
2003	2001
2004.....	2002
2005.....	2003
2006282,000,000	2004
2007 297,502,000	2005.....
2008 300,000,000	2006282,000,000
2009 307,000,000	2006 Rescission of Contract
2010310,070,000	Authority..... (2,820,000) ²
2011310,070,000	2007297,411,000 ³
2012330,000,000	2008 300,000,000
	2008 Rescission of Contract
	Authority (11,260,214) ⁴
	2009 307,000,000
¹ Enacted rescission pursuant to P.L. 104-134.	2009 Rescission of Contract
² Enacted rescission pursuant to P.L. 109-148.	Authority..... (6,502,558) ⁵
³ Includes \$3,411,000 RABA Adjustment	2010310,070,000
⁴ Rescission of prior year carryover P.L. 110-161	2011310,070,000
⁵ Rescission of prior year carryover P.L. 111-8	

Motor Carrier Safety Grants Overview

Program and Performance Statement

FMCSA proposes to consolidate the current grants into three grant programs and reduce the individual number of grants to six. The proposed grant structure will assist the Agency in accomplishing its Rule of Three strategy: Raise the bar to entry into the commercial motor vehicle industry; require operators to maintain standards to remain in the industry; and remove high-risk carriers, vehicles, drivers, and service providers from operating. This structure provides flexibility to align financial assistance to address mission requirements, emerging safety concerns and State needs, resulting in more-targeted programs necessary to accomplish improved motor carrier safety. FMCSA is proposing a total of \$330,000,000 for its Grant Program in FY 2012.

FY 2012 MOTOR CARRIER SAFETY GRANTS (in Thousands of dollars)

	FY 2012 Request Budget
<u>Funding levels</u>	
Compliance, Safety and Accountability Grant Program	263,160
Data and Technology Grant Program	30,420
Driver Safety Grant Program	36,420
Total	330,000

Compliance, Safety and Accountability Grant Program: \$263,160,000

The Compliance, Safety and Accountability grant program will help FMCSA to achieve its Rule of Three strategy by providing formula and discretionary funding to the States, local law enforcement agencies and other organizations and associations that effect commercial motor vehicle safety on our Nation's roadways. Activities include roadside inspections, interventions and compliance reviews. Founded on the principles of CSA 2010, these activities provide data and critical inputs to identify unsafe carriers.

Data and Technology Grant Program: \$30,420,000

The Data and Technology grants are essential components of the Agency's efforts to remove high risk carriers, vehicles, drivers and service providers from operating. The grants provide funding to States to improve roadside enforcement effectiveness and link carrier safety

performance with state vehicle credentials (i.e., license plate registration and renewal). This program will be flexible enough to provide funds for emerging initiatives and other innovative technology that the Secretary determines improves commercial motor vehicle safety.

Driver Safety Grant Program: \$36,420,000

The Driver Safety Grant Program focuses on the operator's role in commercial vehicle safety. The Agency's budget request includes more robust grant programs to fully fund new entrant safety audits. The grants provide resources to improve CDL programs at the State Driver Licensing Agencies and their compliance with Commercial Driver License Information System (CDLIS) standards. These programs focus on the US DOT goal to create safer behaviors, which results in safer roadways.

MOTOR CARRIER SAFETY GRANTS PROGRAM AND PERFORMANCE STATEMENT

Motor Carrier Safety Grants support State compliance reviews; identify and apprehend traffic violators; conduct roadside inspections; and support safety audits on new entrant carriers. State safety enforcement efforts at the southern and northern borders ensure that all points of entry into the U.S. are fortified with comprehensive safety measures. In addition, the FMCSA oversees State commercial drivers license (CDL) oversight activities to prevent unqualified drivers from being issued CDLs. The Performance and Registration Information Systems and Management (PRISM) program links State motor vehicle registration systems with carrier safety data in order to identify unsafe commercial motor carriers. FMCSA is also deploying Commercial Vehicle Information Systems and Networks (CVISN) to improve safety and productivity of commercial vehicles and drivers. An administrative takedown is also provided to conduct trainings for state partners and to cover administrative costs.

Under the Administration's surface transportation reauthorization proposal the Motor Carrier Safety Grants will be consolidated and re-organized under three umbrella grant programs the Compliance and Safety Accountability Grant Program - the Driver Safety Program, and the Data Information Technology Grant Program - to allow for more efficient administration of grant funds and to better achieve FMCSA's safety goals.

The Administration proposes to reclassify all surface transportation outlays as mandatory, consistent with the recommendations of the President's National Commission on Fiscal Responsibility and Reform. This schedule reclassifies discretionary outlays from obligation limitations as mandatory outlays from mandatory contract authority for the 2011 estimate. This schedule also creates a new baseline of contract authority that is equal to the previous discretionary obligation limitation baseline, to calculate the spending increase above the baseline subject to PAYGO.

The Administration proposes to reclassify all surface transportation outlays as mandatory, consistent with the recommendations of the President's National Commission on Fiscal Responsibility and Reform. This schedule reclassifies discretionary outlays from obligation limitations as mandatory outlays from mandatory contract authority for 2010 actual amounts, for comparability purposes.

EXHIBIT III-1-B
MOTOR CARRIER SAFETY GRANTS
69-X-8158
Appropriations Summary by Program Activities
(\$000)

<u>ACCOUNTS</u>	FY 2010 ACTUAL	FY 2011 CR ANNUALIZED	FY 2012 REQUEST
Motor Carrier Safety Grants	310,070	310,070	330,000
Compliance, Safety and Accountability Grant Program	247,070	250,070	263,160
MCSAP Basic Grants	165,457	165,392	179,497
New Entrant	29,000	32,000	35,000
Border Enforcement	32,000	32,000	25,500
MCSAP High Priority	15,000	15,000	15,000
SaDIP	3,000	3,000	4,250
Takedown Compliance, Safety and Accountability Grants	2,613	2,678	3,913
Driver Safety Grant Program	25,000	30,000	36,420
CDL	25,000	30,000	35,900
Takedown Driver Safety Grants	-	-	520
Data and Technology Grant Program	38,000	30,000	30,420
CVISN	25,000	25,000	25,000
PRISM	5,000	5,000	5,000
CDLIS	8,000	-	-
Takedown Data and Technology Grants	-	-	420

EXHIBIT III-1-B-1
MOTOR CARRIER SAFETY GRANTS
Summary Analysis of Changes from FY 2011 Annualized CR to FY 2012 Request
(\$000)

	Changes from FY 2011 Annualized CR to FY 2012	PC&B	FTE	Contract Services & Supplies	Pres. Budget TOTAL
FY 2011 Pres, Bud. Base					\$310,070
Motor Carrier Grant Program:					
Adjustment to Base					
MCSAP	14,605				
Border Enforcement	(6,500)				
CDL	5,900				
SaDIP	1,250				
Takedown Compliance, Safety and Accountability	1,235				
Subtotal Adjustment to Base	16,490				\$16,490
New or Expanded Program:					
CMV	1,250				
Takedown Driver Safety Grants	520				
Takedown Data and Technology Grants	420				
Subtotal New or Expanded Base	2,190				\$2,190
TOTAL ADJUSTMENT TO BASE	18,680				\$18,680
FY 2011 BUDGET REQUEST	18,680				\$328,750

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COMPLIANCE, SAFETY AND ACCOUNTABILITY GRANTS
(in Thousands of dollars)

	FY 2010 Enacted	FY 2012 Budget Request
MANDATORY	194,457	214,497
<i>MCSAP</i>	165,457	179,497
<i>New Entrant</i>	29,000	35,000
 DISCRETIONARY	 52,613	 48,663
<i>Border Enforcement</i>	32,000	25,500
<i>MCSAP High Priority</i>	15,000	15,000
<i>SaDIP</i>	3,000	4,250
<i>Takedown</i>	2,613	3,913
TOTAL CSA Grants	247,070	263,160

Program Name: Compliance, Safety and Accountability Grant Program

1. What is the request and what will we get for the funds?

This request will provide funding to support grant programs that improve motor carrier compliance, safety and accountability through State and local law enforcement programs including roadside inspections, interventions, compliance reviews and targeted enforcement. This grant program would fund five grants: (1) the formula Motor Carrier Safety Assistance Program (MCSAP) Basic and Incentive grants; (2) the New Entrant Safety Audit grants; (3) the MCSAP High Priority grants; (4) the Border Enforcement Grants; and (5) the Safety Data Improvement Program (SaDIP). The MCSAP Basic grant provides formula grants to the States and jurisdictions for completion of each State’s Commercial Vehicle Safety Plan (CVSP) through the MCSAP Basic and Incentive programs. The MCSAP Basic program provides at least 80 percent Federal funding for State law enforcement. The program will also continue the MCSAP Incentive program which rewards States demonstrating reductions in large truck crashes with additional funds for targeted initiatives. These funds are distributed pursuant to a formula based on the States’ motor carrier population and crash information.

Through reauthorization, this program would also provide discretionary funding for the completion of new entrant safety audits by each State. Funds would be distributed based on the expected number of new carriers in each State. This program would provide 100 percent Federal funding. If the States do not participate in this program, FMCSA will be responsible for completing the audits.

The program would also provide discretionary funding for the Agency's High Priority program which encourages best practices or high priority enforcement or safety initiatives. Through the High Priority program funds would also be made available for targeting unsafe driving of commercial motor vehicles and non-commercial motor vehicles in areas identified as high risk crash corridors. Funds may also be made available for enforcement actions that target rogue interstate household goods carriers, brokers and freight forwarders, and funds to local law enforcement for commercial vehicle safety programs, the establishment of uniform hazardous materials forms and procedures and improving the accuracy, timeliness, and completeness of commercial motor vehicle safety data reported to the Secretary.

Border Enforcement grant funds will be provided for enforcement efforts and special initiatives specific to the US-Mexico and US-Canada border crossings and the movement of international vehicles, drivers and freight. While FMCSA has staff located at the U.S. Mexico borders, we are not at every Port of Entry (POE). In addition, based on the volume of trucks crossing the US-Mexico border, FMCSA is still dependent on State partners to conduct inspections. There is no FMCSA staff assigned to POEs on the US-Canada borders. As a result, State law enforcement conduct all of the truck inspections at the northern crossings.

The Safety Data Improvement Program provides discretionary grants to States for activities to improve the accuracy, timeliness and completeness of safety data including, but not limited to, large truck and bus crash data, roadside inspection, data enforcement data, driver citation data, and registration data. Funds can be used to purchase equipment, train law enforcement officers in collecting crash data, hire temporary staff to manage data quality improvement programs, revise outdated crash report forms, and code and enter crash data.

2. What is the program?

The FMCSA relies on its partnerships with State and local law enforcement agencies to increase its enforcement and safety capacity to cover the motor carrier population nationwide. This grant program provides formula and discretionary funding to the States, local law enforcement agencies and other organizations and associations that effect commercial motor vehicle safety on our Nation's roadways.

3. Why is this particular program necessary?

FMCSA's front line enforcement staff is less than 600 interstate auditors and inspectors. In order to tap the existing network of State and local police departments, FMCSA provides financial assistance to complete safety audits, roadside inspections, interventions, targeted on-site reviews, comprehensive on-site reviews and off-site reviews. In addition, this program provides resources to these entities for special initiatives targeting certain sectors of the industry (i.e., buses or household goods

carriers) or certain high crash corridors to improve the level of safety and reduce the number of large truck and bus crashes, injuries and fatalities.

The administrative takedown provision supports the development of training, technology improvements, new materials, and other assistance needed to implement FMCSA safety grants.

4. How do you know the program works?

Through SAFETEA-LU, FMCSA used grant program funding for these efforts with significant successes. States conducted inspections on over 3.3 million vehicles in FY 2009. In addition, the fatalities resulting from crashes involving large trucks and buses declined 18.7% from FY 2005 to FY 2008.

5. Why do we want/need to fund the program at the requested level?

Funding at the requested level maintains the MCSAP Incentive programs at its current level and increases funding for the MCSAP Basic program by \$14,105,000 and the new entrant safety audits by \$3,000,000. This request provides adequate funding to ensure the compliance of approximately 35,000 new carriers that join the industry each year. It provide additional funding for new areas of emphasis including the Ticketing Aggressive Cars and Trucks program, expanding the efforts of local law enforcement, and the establishment of uniform hazardous materials forms and procedures.

DATA AND TECHNOLOGY GRANTS
(in Thousands of dollars)

	FY 2010	FY 2012
	Enacted	Budget
		Request
CVISN	25,000	25,000
PRISM	5,000	5,000
CDLIS	8,000	-
Takedown	0	420
TOTAL Data and Info Tech Grants	38,000	30,420

Program Name Data and Technology Grant Program

1. What is the request and what will we get for the funds?

This request will provide funding for grant programs that focus on data and technology. This grant program will provide funding for the States to enable them to comply with the mandated Agency’s Performance and Registration Information Systems Management (PRISM) requirements. The Agency will seek authority to mandate PRISM in reauthorization. The PRISM program links Federal motor carrier safety information systems with State CMV registration and licensing systems to enable a State to determine the safety fitness of a motor carrier or registrant when licensing or registering or while the license or registration is in effect. No matching funds will be required for this portion of the grant program.

The program will also provide funding for the Commercial Vehicle Information Systems and Networks (CVISN) Program, including commercial vehicle, commercial driver, and carrier-specific information systems and networks. Although SAFETEA-LU required a 50 percent match for CVISN funding, only a 40 percent State match is contemplated in FY 2012, with the non-federal match decreasing over the reauthorization period to 20 percent.

This program will be flexible enough to provide funds for emerging initiatives and other innovative technology that the Secretary determines improves commercial motor vehicle safety.

2. What is the program?

The PRISM and CVISN Grant Programs provide resources to States to develop, implement, and maintain commercial vehicle information systems and networks, and other innovative technologies that the Secretary determines improves commercial motor vehicle safety.

The program awards grants to States for improvement of their PRISM and CVISN programs and other innovative technology that the Secretary determines improves commercial motor vehicle safety.

3. Why is this particular program necessary?

The PRISM program has proven to be effective in preventing unsafe carriers from reinventing themselves into new companies (“chameleon carriers”). By tying vehicle information to carriers, States can more easily identify unsafe recreated or chameleon carriers that have had their authority revoked or suspended, and deny them license plates for the vehicles. The CVISN deployment program integrates State, federal, and carrier systems to improve safety and productivity. This activity solves institutional and architectural issues, as well as technical problems related to providing electronic access to timely and accurate motor carrier safety and other credentials information.

The administrative takedown provision supports the development of training, technology improvements, new materials, and other assistance needed to implement FMCSA safety grants.

4. How do you know the program works?

Through the PRISM and CVISN programs, license plates have been denied to unsafe out-of-service carriers; unsafe carriers have been appropriately targeted for roadside inspections and data about unsafe carriers’ inspections, crashes and compliance reviews have been added to FMCSA’s databases to allow the Agency to identify and further target unsafe carriers for enforcement. FMCSA depends on accurate and timely safety data that is improved as a result of these grant programs. The agency evaluates the quality of each state’s crash data in terms of good “green”, fair “yellow”, and poor “red” on nine State Safety Data Quality (SSDQ) measures, as well as an overall rating each month. In FY 2010, FMCSA exceeded its target of 32 “green” states by 22 percent. The Agency’s success can be attributed to improved information technology tools, financial and technical assistance provided to state partners, continued enhancements and development of data analysis tools.

5. Why do we want/need to fund the program at the requested level?

Funding at the requested level maintains the SAFETEA-LU funding level for the PRISM and CVISN grant programs. The programs are key components of FMCSA’s safety

mission by providing State partners with the necessary resources to provide systems to improve commercial motor vehicle safety.

DRIVER SAFETY GRANTS
(in Thousands of dollars)

	FY 2010	FY 2012
	Enacted	Budget
		Request
CDL	25,000	35,900
Takedown	0	520
TOTAL Driver Safety Grants	25,000	36,420

Program Name Driver Safety Grant Program

1. What is the request and what will we get for the funds?

This request will provide funding for grant programs that focus on the operator’s role in commercial vehicle safety. This grant program would provide funding to permit each State to employ a Commercial Driver’s License (CDL) coordinator who would be responsible for the State’s programs and processes for issuing and revoking CDLs and for ensuring that driver records are properly transmitted to the Commercial Driver’s License Information System (CDLIS).

Discretionary grant awards may be provided for CDL improvement programs proposed by the States. These may include integration of existing State systems into CDLIS; knowledge and skills testing changes; fraud detection and other programs that strengthen the integrity of the CDL. This discretionary grant program will also provide funding to train current and future drivers in the safe operation of CMVs, as defined in 49 U.S. C. 31301(4). Eligible recipients include State and local agencies and accredited post-secondary educational institutions (public or private) such as colleges, universities, vocational-technical schools and truck driver training schools. Funding priority for discretionary grant awards will be given to regional or multi-state educational or nonprofit associations serving economically distressed regions of the United States.

2. What is the program?

The program awards grants to entities that come in contact with an individual seeking to obtain or retain a CDL. This program promotes allowing only the safest drivers to be CDL holders by encouraging State Driver Licensing Agencies, the CDLIS administrator, educational institutions and other organizations to provide timely information about unsafe drivers through CDLIS. It also promotes training before entering the industry to improve the safety of new drivers.

3. Why is this particular program necessary?

The Agency's 2006 Large Truck Crash Causation Study determined that drivers of trucks or other vehicles are the cause of most crashes. It is critical that CDL holders be trained, tested and monitored to ensure continued safety.

The administrative takedown provision supports the development of training, technology improvements, new materials, and other assistance needed to implement FMCSA safety grants.

4. How do you know the program works?

Since the establishment of the CDL program and the development and implementation of the CDLIS system, information conveyed State-to-State has improved significantly. These programs need to move to their next step in their implementation to raise the bar for CDL drivers.

5. Why do we want/need to fund the program at the requested level?

The CDL grants are key funding resources for States to maintain and improve implementation of their commercial driver's licenses programs; provide research, development and demonstration projects; train commercial vehicle operators; and provide for CDL program coordinators.

FMCSA
Performance
Budget
Estimates

Fiscal Year
2012

SECTION 3i

OTHER BUDGETARY TABLES

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EXHIBIT III-2
ANNUAL PERFORMANCE RESULTS AND TARGETS
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

The Federal Motor Carrier Safety Administration integrates performance results into its budget request to demonstrate alignment with the Department of Transportation’s Strategic Plan. FMCSA tracks the following DOT level performance measures to demonstrate program results. The Agency decided to re-baseline several of its 2012 targets in cases where the actual 2009 or 2010 performance exceeded the 2012 target.

Strategic Goal: Safety

This performance measure supports the new DOT High Priority Performance goal of reducing highway fatalities. FMCSA supports this goal by influencing the reduction of large truck and bus fatalities through safety focused rulemaking, communications and outreach, enforcement, and research and development activities.

DOT High Priority Performance Goal

Rate of highway fatalities per 100 Million Vehicle Miles Traveled (VMT)							
<i>Shared Measure with NHTSA and FHWA</i>							
	2006	2007	2008	2009	2010	2011	2012
Target	1.38	1.38	1.37	1.35	1.30	1.10r	1.05
Actual	1.42r	1.36r	1.26r	1.13			

r=revised data from FY 2011 budget submission

Target Analysis: The DOT Roadway Safety Plan Team recommended lowering the high priority performance goal (HPPG) target for calendar year (CY) 2011 from a range of 1.13-1.16 down to 1.10 to 1.13 because the CY 2009 fatality data exceeded the lower end of the rate range previously set for the goal.

FMCSA Performance Goals:

Large truck and bus fatalities per 100 million total VMT* (Calendar year)							
	2006	2007	2008	2009	2010	2011	2012
Target	0.179	0.175	0.171	0.167	0.164	0.121	0.117
Actual	0.177	0.169	0.152	0.121			

Target Analysis:

The Large Truck and Bus Fatalities per 100 million VMT performance measure serves as FMCSA’s primary outcome measure and supports its primary strategic goal of “saving lives and reducing injuries by preventing and minimizing the severity of truck and bus crashes.” This safety goal is driven by the implementation and maturation of aggressive safety programs, either implemented or augmented through the 2005 SAFETEA-LU authorization. Increases in funding for safety activities drove increases in outreach, education, partner support, enforcement, roadside inspections, innovative interventions, and aggressive safety-oriented rules and

regulations. These initiatives contributed to the lowest recorded fatality rate in the Agency's history (0.121 fatalities per 100 million VMT). The cumulative year to date rate of 0.120 fatalities per 100 million VMT is on target to achieve the CY 2010 target of 0.164 fatalities per 100 million VMT.

Injury crashes involving large trucks and buses per 100 million total VMT* (Calendar year)							
	2006	2007	2008	2009	2010	2011	2012
Target	N/A	N/A	N/A	2.75	2.71	2.00	1.95
Actual	2.88	2.72	2.49 _r	2.01*			

r= revised data from FY 2011 budget submission

** preliminary estimate*

Target Analysis: The performance measure above tracks the Agency's progress on reducing highway injuries linked to crashes. Information on the effect of the economy was not available at the time of the original target build. FMCSA developed the targets using regression analysis principally based on past performance, but because the actual performance exceeded the 2012 goal the Agency decided to rebase 2011 to exceed 2009 actual and establish a 2.5% annual improvement rate for 2012. The Agency intends to redefine more challenging targets in the out-years which will coincide with the goals established in the upcoming FMCSA strategic plan.

Safety Intervention Effectiveness							
	2006	2007	2008	2009	2010	2011	2012
Target	N/A	N/A	N/A	N/A	69.6%	70.6%	72.0%
Actual	-	69.6%	71.0%	71.8%*			

** preliminary estimate*

Target Analysis: The performance measure shows the rate that CMV carriers either improve or maintain a satisfactory level of compliance from one compliance review (CR) (the Agency's main safety intervention) visit to the next. This measure was established in 2009, with the full expectation that both the content (types of inspections/evaluations counted) and the targets will evolve as the Agency fully implements a progressive array of Compliance-Safety-Accountability (CSA) enforcement interventions.

States satisfying "green" data quality criteria as reflected on the State Safety Data Quality (SSDQ) map.							
	2006	2007	2008	2009	2010	2011	2012
Target	32	38	12	28	32	36	38
Actual	35	21	29	42			

NOTE: New criteria increased the difficulty to achieve "green" in FY 2007 impacting the reduction in the 2007 actual and motivating the change in the 2008 and beyond targets.

Target Analysis: The data quality performance measure addresses improvement to data quality which enables FMCSA to more effectively target "at risk" carriers and operators. The Agency evaluates the completeness, timeliness, accuracy, and consistency of the State reported

commercial motor vehicle crash and inspection records in the Motor Carrier Management Information System (MCMIS). The States receive ratings of “Good” (*Green*), “Fair” (*Yellow*) or “Poor” (*Red*) for seven State Safety Data Quality (SSDQ) measures as well as the overall rating which considers all seven SSDQ measures. In October 2010, the SSDQ will expand the number of measures evaluated to nine and raise the bar for others. Additionally, to achieve an overall “Good” rating, a state cannot have any poor measures. The more stringent criteria prompted the Agency to reduce their targets in FY11, to allow States time to adjust to the new data demands.

Safety belt use by drivers of large trucks							
	2006	2007	2008	2009	2010	2011	2012
Target	55%	59%	68%	70%	71%	74%	75%
Actual	59%	65%	72%	74%			

Target Analysis: The performance measure shows the percent of CMV operators who wear safety belts based on National Occupant Protection Use Survey (NOPUS) measures. The Agency based its targets on the actual performance reported in the NOPUS report, while considering the trends associated with the number of States governed by primary belt use laws and secondary use laws.

NOTE: FMCSA is no longer reporting serious HAZMAT incidents involving CMVs because the data owner (PHMSA) lacks confidence that the States are consistent in how they categorize a “serious” incident. PHMSA will replace this measure with a measure of the number of highway HAZMAT incidents involving death or major injuries:

Number of highway HAZMAT incidents involving death or major injuries							
	2006	2007	2008	2009	2010	2011	2012
Target	N/A	N/A	N/A	N/A	30	30	29
Actual	33	28	21	24			

Target Analysis: The FMCSA contributes to the highway portion of the PHMSA’s performance target of reducing the number of HAZMAT transportation (air, highway and sea) incidents that result in death or major injury to no more than 30 per year by FY 2011. The target presented above is based on the highway “fair-share” portion of the PHMSA developed HAZMAT goal. Preliminary data indicates that FMCSA will exceed the PHMSA “fair-share” target of 30 by over 50% in FY 2010. The improvement was influenced by completing enforcement interventions such as HAZMAT shipper reviews, special permitting, cargo tank facility reviews, HAZMAT package inspections (over 5,000 Federal and 600 State), HAZMAT vehicle inspections (208,000), and educational activities. As a result, the number of HAZMAT incidents resulting in death or major injury declined by 71 percent over the past year. The Agency will meet with PHMSA to consider revising future targets to coincide with PHMSA strategic objectives.

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**MOTOR CARRIER SAFETY
LIQUIDATION OF CONTRACT AUTHORITY (HIGHWAY TRUST FUND)**

ESTIMATES	CONTRACT AUTHORITY
1995 73,000,000	1995 73,000,000
1996 68,000,000	1996 68,000,000
1997 74,000,000	1996 Rescission of Contract Authority (33,000,000) ¹
1998	1997 74,000,000
1999	1997 Rescission of Contract Authority (12,300,000) ²
2000	1998 85,000,000
2001	1999 100,000,000
2002	2000 105,000,000
2003	2001
2004	2002
2005	2003
2006	2004
2007	2005
2008	2006
2009	2007
2010	2008 Rescission of Contract Authority (32,187,720) ³
	2009 Rescission of Contract Authority (2,231,259) ⁴
	2010 Rescission of Contract Authority (6,415,501)

¹ Enacted rescission pursuant to P.L. 104-134.
² Enacted rescission pursuant to P.L. 104-208.
³ Enacted rescission of prior year carryover P.L. 110-161.
⁴ Enacted rescission of prior year carryover P.L. 111-8.

ESTIMATES	APPROPRIATION
2000	2000 76,058,400 ¹
2001 92,194,000	2001 92,194,000
2002 139,007,000	2001 Rescission of Liquidating Cash (202,827) ²
2003 117,464,000	2002 110,000,000
2004	2002 Rescission of Liquidating Cash (158,000) ³
2005	2002 Rescission of Liquidating Cash (107,000) ⁴
	2003 117,464,000
	2003 Rescission of Liquidating Cash (763,516) ⁵
	2003 Rescission of Liquidating Cash (200,000) ⁵
	2004 176,070,000
	2004 Rescission of Liquidating Cash (1,532,675) ⁶
	2005 257,547,000
	2005 Rescission of Liquidating Cash (2,698,376) ⁷
	2006
	2007
	2008 Rescission of Liquidating Cash .. (32,187,720) ⁸
	2009 Rescission of Liquidating Cash ... (2,231,259) ⁹
	2010 Rescission of Liquidating Cash ... (6,415,501)

¹ Transferred to the newly established FMCSA from Federal-aid Highways. (With the enactment of P.L. 106-159, the account again includes funding for Motor Carrier Research.)
² Enacted .22% rescission pursuant to Public Law 106-554.
³ Enacted TASC rescission pursuant to Public Law 107-87, as amended by P.L. 107-117
⁴ Enacted rescission pursuant to P.L. 107-206.
⁵ Enacted 0.65% and \$200K rescission pursuant to P.L. 108-7.
⁶ Applied 0.59% and \$494K rescission pursuant to FY 2004 enacted, P.L.108-199.
⁷ Applied 0.8% and 638K rescission pursuant to FY 2005 enacted, P.L. 108-447.
⁸ Rescission of prior year carryover P.L. 110-161
⁹ Rescission of prior year carryover P.L. 111-8

**NATIONAL MOTOR CARRIER SAFETY PROGRAM
LIQUIDATION OF CONTRACT AUTHORITY (HIGHWAY TRUST FUND)**

ESTIMATES	CONTRACT AUTHORITY
1998 90,000,000	1998
1999 100,000,000	1999
2000 155,000,000 ¹	2000 (105,000,000) ⁴
2001 187,000,000 ²	2001 177,000,000
2002 204,837,000 ³	2002 205,896,000 ⁵
2003 190,000,000	2003 190,000,000
2004	2003 Rescission of Contract
2005	Authority (1,235,000) ⁶
2006	2004..... 190,000,000
2007	2004 Rescission of Contract
2008	Authority (1,121,000) ⁷
2009	2005..... 190,000,000
2010	2005 Rescission of Contract
2011.....	Authority(1,520,000) ⁸
	2006
	2007
	2008 Rescission of Contract
	Authority..... (5,212,858) ⁹
	2009 Rescission of Contract
	Authority..... (19,571,910) ¹⁰
	2010 Rescission of Contract
	Authority (3,232,639)

¹ Includes \$50 million in revenue aligned budget authority.

² Includes \$10 million in revenue aligned budget authority.

³ Includes \$22.837 million in revenue aligned budget authority as authorized in 23 U.S.C. 110, as amended by P.L. 106-159.

⁴ Transferred to the newly established FMCSA from the FHWA Motor Carrier Safety Grants account.

⁵ Includes \$23.896 million in revenue aligned budget authority as authorized in 23 U.S.C. 110, as amended by P.L. 106-159, pursuant to P.L. 107-87.

⁶ Enacted 0.65% rescission pursuant to P.L. 108-7.

⁷ Applied 0.59% rescission pursuant to FY 2004 enacted, P.L. 108-199.

⁸ Applied 0.80% rescission pursuant to FY 2005 enacted, P.L. 108-447.

⁹ Enacted rescission of prior year carryover P.L. 110-161.

¹⁰ Enacted rescission of prior year carryover P.L. 111-8.

**NATIONAL MOTOR CARRIER SAFETY PROGRAM (CONT'D)
LIMITATION ON OBLIGATIONS**

ESTIMATES	OBLIGATION LIMITATION
1998 100,000,000	1998
1999 100,000,000	1999
2000 155,000,000 ¹	2000 (105,000,000) ⁴
2001 187,000,000 ²	2001 177,000,000
2002 204,837,000 ³	2001 Rescission of Liquidating Cash (389,400) ⁵
2003 190,000,000	2002 205,896,000 ⁶
2004.....	2003 190,000,000
2005.....	2003 Rescission of Liquidating Cash (1,235,000) ⁷
2006.....	2004..... 190,000,000
	2004 Rescission of Liquidating Cash (1,121,000) ⁸
	2005..... 190,000,000
	2005 Rescission of Liquidating Cash (1,520,000) ⁹
	2006
	2007
	2008 Rescission of Liquidating Cash (5,212,858) ¹⁰
	2009 Rescission of Liquidating Cash (19,571,910) ¹¹
	2010 Rescission of Liquidating Cash (3,232,639)

¹ Includes \$50 million in revenue aligned budget authority.

² Includes \$10 million in revenue aligned budget authority.

³ Includes \$22.837 million in revenue aligned budget authority as authorized in 23 U.S.C. 110, as amended by P.L. 106-159.

⁴ Transferred to the newly established FMCSA from the FHWA Motor Carrier Safety Grants account.

⁵ Enacted .22% rescission pursuant to P. L. 106-554.

⁶ Includes \$23.896 million in revenue aligned budget authority as authorized in 23 U.S.C. 110, as amended by P.L. 106-159, pursuant to P.L. 107-87.

⁷ Enacted 0.65% rescission pursuant to P.L. 108-7.

⁸ Applied 0.59% rescission pursuant to FY 2004 enacted, P.L. 108-199.

⁹ Applied 0.8% rescission pursuant to FY 2005 enacted, P.L. 108-447.

¹⁰ Rescission of prior year carryover P.L. 110-161

¹¹ Rescission of prior year carryover P.L. 111-8

FEDERAL MOTOR CARRIER ADMINISTRATION
MOTOR CARRIER SAFETY (Limitation on Administrative Expenses)
PROGRAM AND FINANCING

(In thousands of dollars)

Identification code 69-X-8055

	FY 2010	FY 2011 CR	FY 2012
	<u>ACTUAL</u>	<u>ANNUALIZED</u>	<u>REQUEST</u>
Obligations by program activity:			
Budgetary resources available for obligation			
1000	7,000	11,627	5,627
1020	84		
1021			
	10,959		-
1050	17,959	11,627	5,627
1521		(6,000)	
1160			
1621	(6,332)	-	
1930	11,627	5,627	5,627
Change in obligated balances:			
3000	9,585	(2,000)	(2,000)
3001	406		
3010	(2,171)	(2,000)	(2,000)
3011	(84)		
3020	7,736	(4,000)	(4,000)
3040	(1,013)		
3080			
3031	139		
3800	(10,959)		
3100	(4,097)	(4,000)	(4,000)
Outlays (gross), detail:			
4010			
4011	1,013	-	
3310	1,013	-	-
3100	(4,097)	-	-
Outlays (gross), detail:			
4000		(6,000)	
4010			
4011	729		
4020	729		
Mandatory			
4090	(6,000)		
4160	(6,000)		
4180	(6,000)	(6,000)	
4190	1		
Memorandum (non-add) entries			
5054	35,000	35,000	41,000
5055	41,000	41,000	41,000
5061			

**FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION
MOTOR CARRIER SAFETY GRANTS
PROGRAM AND FINANCING**

(In thousands of dollars)

Identification code 69-X-8048		<u>FY 2010 ACTUAL</u>	<u>FY 2011 CR ANNUALIZED</u>	<u>FY 2012 REQUEST</u>
Obligations by program activity:				
0910	Total direct program	0.000	0.000	0.000
0801	Reimbursable program	0.000	0.000	0.000
0900	Total obligations	0.000	0.000	0.000
Budgetary resources available for obligation				
1000	Unobligated balance available, start of year	15,818	16,918	14,000
1021	Recoveries of Prior Years	4,332	-	-
1050	Unobligated Balance	20,150	16,918	14,000
1621	Contract Authority permanently reduce	(3,233)	(3,233)	
1640	Contract Authority Redcued Mandatory	(3,233)	(3,233)	-
1930	Total budgetary resources available for obligation	16,918	13,685	14,000
1941	Unobligated balance available, end of year	16,918	13,685	14,000
New budget authority (gross), detail:				
Change in obligated balances:				
3000	Obligated balance , start of year	12,973	8,630	-
3030	New obligations	-	-	-
3040	Total outlays (gross)	(729)	(8,630)	-
3080	Recoveries of prior year obligations	(3,614)	-	-
3031	Chg in Uncollected cust orders fm Fed Sources (unexpired)	-	-	-
3050	Chg in Uncollected cust orders fm Fed Sources (expired)	-	-	-
3100	Obligated balance, end of year	8,630	-	-
Outlays (gross), detail:				
4010	Outlays from new discretionary authority			
4011	Outlays from discretionary balances	729	(8,630)	
4080	Otlays net discretoary	729		
Mandatory				
4090	Budgetary authority gross	(3,000)	(3,000)	
4100	Outlays from new mandatory authority			
4101	Outlays from mandatory balances			
4110	Outlays from mandatory balances			
4110	Outlay, gross (total)			
4160	Budget authority, net (mandatory)	(3,000)		
4170	Outlay, net (mandatory)			
4180	Budget authority, net (total)	(3,000)	(3,000)	
4190	Outlays, net (total)	719		
Memorandum (non-add) entries				
5050	Unobligated balances SOY: Contract authority		2,000	2,000
5051	Unobligated balances SOY: Contract authority	2,000	2,000	
5052	Obligated balances SOY: Contract authority	14,000	9,000	9,000.000
5053	Obligated balances SOY: Contract authority	9,000	9,000	
5061	Limitation on obligations (Transportation Trust Fund)		-	

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FMCSA
Performance
Budget
Estimates

Fiscal Year
2012

SECTION 4

RESEARCH, DEVELOPMENT AND
TECHNOLOGY EXHIBITS

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**FISCAL YEAR 2012 PERFORMANCE BUDGET
SUBMISSION TO THE COMMITTEES ON APPROPRIATIONS**

TABLE OF CONTENTS

SECTION 4: Research, Development and Technology Exhibits

Exhibit IV-1: Research, Development and Technology: Budget Authority 4-1

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**RESEARCH, DEVELOPMENT & TECHNOLOGY
DEPARTMENT OF TRANSPORTATION
BUDGET AUTHORITY
EXHIBIT IV-1**

(in thousands of dollars)

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

	FY 2010 Enacted	FY 2012 Pres. Bud.	FY 2012 Applied	FY 2012 Development
A. Produce Safe Drivers	3,697	4,195	2,195	250
1. Produce Safe Drivers	1,997	2,445	2,195	250
2. Produce Safe Drivers (T)	1,700	1,750	0	0
B. Improve Safety of Commercial Vehicles	1,754	1,850	200	0
1. Improve Safety of Commercial Vehicles	0	200	200	0
2. Improve Safety of Commercial Vehicles (T)	1,754	1,650	0	0
C. Produce Safer Carriers	229	1,130	980	300
1. Produce Safer Carriers	229	1,130	980	300
2. Produce Safer Carriers (T)	0	0	0	0
D. Advanced Safety Through Info-Based Initiatives	1,542	450	0	0
1. Advanced Safety Through Info-Based Initiatives	842	0	0	0
2. Advanced Safety Through Info-Based Initiatives (T)	700	450	0	0
E. Enable and Motivate Internal Excellence	1,321	1,375	725	0
1. Enable and Motivate Internal Excellence	1,021	725	725	0
2. Enable and Motivate Internal Excellence (T)	300	650	0	0
F. Administrative Expenses	2,563	2,640	2,376	264
Subtotal, Research & Development	6,652	7,140	6,476	814
Subtotal, Technology Investment (T)	4,454	4,500	-	-
Subtotal, Facilities (F)	0	0	-	-
Total FMCSA	11,106	11,640	6,476	814

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