



U.S. Department
of Transportation

**Federal Highway
Administration**

Notice

Subject:

**APPORTIONMENT OF FISCAL YEAR (FY) 2008 CONGESTION
MITIGATION & AIR QUALITY IMPROVEMENT PROGRAM FUNDS**

Classification Code

Date

Office of Primary Interest

N4510.653

October 1, 2007

HCFB-1

1. **What is the purpose of this Notice?** This Notice transmits the certificate of apportionment of Congestion Mitigation and Air Quality Improvement Program funds authorized for FY 2008 pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Public Law (Pub. L. No.) 109-59. The apportionment is effective immediately.
2. **What is the availability of these funds?**
 - a. The Congestion Mitigation and Air Quality Improvement Program funds resulting from this apportionment are available for obligation until September 30, 2011. Any amounts not obligated by the State on or before September 30, 2011, shall lapse.
 - b. The funds resulting from this apportionment are available for obligation immediately and will be subject to obligation controls in force at the time of obligation.
 - c. The Federal share will be in accordance with Section 120 of Title 23, United States Code (U.S.C.).
 - d. The program code to be used when obligating these funds is L400.
3. **What is the background information?**
 - a. Section 1101(a)(5) of the SAFETEA-LU authorizes a total of \$1,749,098,821 in contract authority for the Congestion Mitigation and Air Quality Improvement Program for FY 2008.
 - b. The terms of the continuing resolution, House Joint Resolution (H.J. Res.) 52, provides that a portion of the contract authority for the National Highway Traffic Safety Administration Operations and Research Program be funded from a percentage takedown (0.35%) to the amount authorized for the Congestion Mitigation and Air Quality Improvement Program. The percentage takedown reduces the amount authorized for the Congestion Mitigation and Air Quality Improvement Program by \$6,130,092.

- c. Section 104(f) of Title 23, U.S.C., applies a 1.25 percent takedown for Metropolitan Planning from the amount authorized for the Congestion Mitigation and Air Quality Improvement Program. This provision reduces the amount apportioned by \$21,863,735.
 - d. The total contract authority available for distribution in FY 2008 net of these reductions is \$1,721,104,994.
4. **What action is required?** Division Administrators should ensure that copies of this Notice are provided to the State departments of transportation.



J. Richard Capka
Administrator

Attachment

**CERTIFICATE OF APPORTIONMENT FROM
THE SUM OF \$1,749,098,821 AUTHORIZED TO BE APPROPRIATED FOR THE
CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2008**

TO--

The Secretary of the Treasury of the United States and the State departments of transportation:

Pursuant to Section 9503 of the Internal Revenue Code of 1986, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title 23, United States Code, and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, Section 1.48 of Title 49, Code of Federal Regulations, I certify--

First, that the Secretary of the Treasury has made the estimate required by Section 9503(d) of the Internal Revenue Code of 1986 and, based on that estimate, I have determined that the amount that can be apportioned for the Congestion Mitigation and Air Quality Improvement Program for the fiscal year ending September 30, 2008, pursuant to Section 1101(a)(5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, is \$1,749,098,821, which is 100 percent of the amount authorized to be appropriated for the fiscal year.

Second, pursuant to the continuing resolution, House Joint Resolution 52, I have deducted 0.35% from the sum of \$1,749,098,821 authorized to be appropriated for the fiscal year ending September 30, 2008, by Section 1101(a)(5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, for the purpose of

providing contract authority for the National Highway Traffic Safety Administration Operations and Research Programs. The amount deducted is \$6,130,092.

Third, pursuant to Section 104(f) of Title 23, United States Code, I have deducted 1.25 percent from the sum of \$1,749,098,821 authorized to be appropriated for the fiscal year ending September 30, 2008, by Section 1101(a)(5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, for the purpose of carrying out Section 134 of Title 23, United States Code. The amount deducted is \$21,863,735. The resulting amount is \$1,721,104,994.

Fourth, that after making the deduction, I have computed the apportionment to each State and the District of Columbia of the remainder of the amounts authorized to be appropriated for the Congestion Mitigation and Air Quality Improvement Program in the manner provided by law in accordance with the formula set forth.

Fifth, that subject to the foregoing deduction, the sums that are hereby apportioned to each State and the District of Columbia, effective immediately, are respectively as follows:

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

N4510.653 - ATTACHMENT

APPORTIONMENT OF FUNDS FOR THE
CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM
AUTHORIZED FOR FISCAL YEAR 2008

<u>STATE</u>	<u>AMOUNT</u>
ALABAMA	\$8,605,525
ALASKA	8,605,525
ARIZONA	36,098,126
ARKANSAS	8,605,525
CALIFORNIA	362,596,058
COLORADO	28,234,807
CONNECTICUT	32,813,925
DELAWARE	8,605,525
DIST. OF COL.	8,605,525
FLORIDA	8,605,525
GEORGIA	40,281,998
HAWAII	8,605,525
IDAHO	8,605,525
ILLINOIS	75,586,801
INDIANA	31,157,063
IOWA	8,605,525
KANSAS	8,605,525
KENTUCKY	9,775,079
LOUISIANA	8,605,525
MAINE	8,605,525
MARYLAND	45,388,345
MASSACHUSETTS	57,986,607
MICHIGAN	59,227,861
MINNESOTA	23,181,197
MISSISSIPPI	8,605,525
MISSOURI	16,594,214
MONTANA	8,605,525
NEBRASKA	8,605,525
NEVADA	19,051,322
NEW HAMPSHIRE	8,605,525
NEW JERSEY	78,639,161
NEW MEXICO	8,605,525
NEW YORK	154,963,219
NORTH CAROLINA	36,660,063
NORTH DAKOTA	8,605,525
OHIO	71,833,222
OKLAHOMA	8,605,525
OREGON	14,424,393
PENNSYLVANIA	87,666,606
RHODE ISLAND	8,845,045
SOUTH CAROLINA	8,605,525
SOUTH DAKOTA	8,605,525
TENNESSEE	24,680,505
TEXAS	102,407,466
UTAH	8,605,525
VERMONT	8,605,525
VIRGINIA	39,405,586
WASHINGTON	31,054,385
WEST VIRGINIA	8,605,525
WISCONSIN	17,413,815
WYOMING	8,605,525
 TOTAL	 \$1,721,104,994

APPROVED EFFECTIVE October 1, 2007


FEDERAL HIGHWAY ADMINISTRATOR