



U.S. Department
of Transportation

**Federal Highway
Administration**

Notice

Subject:

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

Classification Code

Date

Office of Primary Interest

N 4510.667

January 30, 2008

HCFB-1

1. **What is the purpose of this Notice?** This Notice transmits the revised 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. **Does this Notice cancel FHWA Notice 4510.653?** Yes, this Notice cancels FHWA Notice 4510.653, Apportionment of Fiscal Year (FY) 2008 Congestion Mitigation and Air Quality Improvement Program Funds, dated October 1, 2007. The revisions to the apportionment are required pursuant to the terms of Division K, Title I of the Consolidated Appropriations Act, 2008, Pub. L. No. 110-161, which eliminate the percentage takedown from the amount authorized for the Congestion Mitigation and Air Quality Improvement Program to fund a portion of the contract authority for the National Highway Traffic Safety Administration Operations and Research Program.
3. **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.
4. **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. 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.
 - c. The total contract authority available for distribution in FY 2008 net of these reductions is \$1,727,235,086.
5. **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 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 \$1,727,235,086.

Third, 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.

Fourth, 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**

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

<u>STATE</u>	<u>AMOUNT</u>
ALABAMA	\$8,636,176
ALASKA	8,636,176
ARIZONA	36,226,697
ARKANSAS	8,636,176
CALIFORNIA	363,887,523
COLORADO	28,335,371
CONNECTICUT	32,930,798
DELAWARE	8,636,176
DIST. OF COL.	8,636,176
FLORIDA	8,636,176
GEORGIA	40,425,470
HAWAII	8,636,176
IDAHO	8,636,176
ILLINOIS	75,856,019
INDIANA	31,268,035
IOWA	8,636,176
KANSAS	8,636,176
KENTUCKY	9,809,894
LOUISIANA	8,636,176
MAINE	8,636,176
MARYLAND	45,550,005
MASSACHUSETTS	58,193,139
MICHIGAN	59,438,814
MINNESOTA	23,263,761
MISSISSIPPI	8,636,176
MISSOURI	16,653,317
MONTANA	8,636,176
NEBRASKA	8,636,176
NEVADA	19,119,177
NEW HAMPSHIRE	8,636,176
NEW JERSEY	78,919,251
NEW MEXICO	8,636,176
NEW YORK	155,515,154
NORTH CAROLINA	36,790,635
NORTH DAKOTA	8,636,176
OHIO	72,089,071
OKLAHOMA	8,636,176
OREGON	14,475,768
PENNSYLVANIA	87,978,850
RHODE ISLAND	8,876,548
SOUTH CAROLINA	8,636,176
SOUTH DAKOTA	8,636,176
TENNESSEE	24,768,410
TEXAS	102,772,212
UTAH	8,636,176
VERMONT	8,636,176
VIRGINIA	39,545,937
WASHINGTON	31,164,992
WEST VIRGINIA	8,636,176
WISCONSIN	17,475,838
WYOMING	8,636,176
TOTAL	\$1,727,235,086

APPROVED EFFECTIVE


 FEDERAL HIGHWAY ADMINISTRATOR