



U.S. Department
of Transportation

**Federal Highway
Administration**

Notice

Subject:

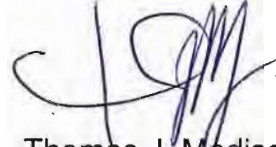
**APPORTIONMENT OF FISCAL YEAR (FY) 2009 CONGESTION
MITIGATION & AIR QUALITY IMPROVEMENT PROGRAM FUNDS**

Classification Code	Date	Office of Primary Interest
N 4510.688	October 1, 2008	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 2009 pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law Number (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, 2012. Any amounts not obligated by the State on or before September 30, 2012, 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 \$1,777,263,247 in contract authority for the Congestion Mitigation and Air Quality Improvement Program for FY 2009.
 - 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 \$22,215,791.
 - c. Section 111 of the SAFETEA-LU Technical Corrections Act of 2008, Pub. L. No. 110-244, requires a 0.205 percent takedown for the Future Strategic Highway Research Program from the amount apportioned for the

Congestion Mitigation and Air Quality Improvement Program. This provision reduces the amount apportioned by \$3,643,390.

- d. The total contract authority available for distribution in FY 2009 net of these reductions is \$1,751,404,066.
4. **What action is required?** Division Administrators should ensure that copies of this Notice are provided to the State departments of transportation.



Thomas J. Madison, Jr.
Administrator

Attachments

**CERTIFICATE OF APPORTIONMENT FROM
THE SUM OF \$1,777,263,247 AUTHORIZED TO BE APPROPRIATED FOR THE
CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2009**

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, 2009, pursuant to Section 1101(a)(5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, is \$1,777,263,247, 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 \$1,777,263,247 authorized to be appropriated for the fiscal year ending September 30, 2009, 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 \$22,215,791.

Third, pursuant to Section 111 of the SAFETEA-LU Technical Corrections Act of 2008, Public Law Number 110-244, I have deducted 0.205% from the sum of \$1,777,263,247 that can be apportioned for the fiscal year ending September 30, 2009 pursuant to Section 1101(a)(5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, for the purpose of carrying out Section 510 of Title 23, United States Code. The amount deducted is \$3,643,390. The resulting amount is \$1,751,404,066.

Fourth, that after making the deductions, 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 deductions, 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

APPORTIONMENT OF FUNDS FOR THE
CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM
AUTHORIZED FOR FISCAL YEAR 2009

<u>STATE</u>	<u>AMOUNT</u>
ALABAMA	\$8,757,021
ALASKA	8,757,021
ARIZONA	37,472,942
ARKANSAS	8,757,021
CALIFORNIA	365,008,026
COLORADO	33,940,379
CONNECTICUT	32,913,127
DELAWARE	8,757,021
DIST. OF COL.	8,757,021
FLORIDA	8,757,021
GEORGIA	45,526,354
HAWAII	8,757,021
IDAHO	8,757,021
ILLINOIS	76,048,946
INDIANA	31,537,117
IOWA	8,757,021
KANSAS	8,757,021
KENTUCKY	10,015,577
LOUISIANA	8,757,021
MAINE	8,757,021
MARYLAND	45,533,916
MASSACHUSETTS	58,376,959
MICHIGAN	59,466,030
MINNESOTA	23,509,046
MISSISSIPPI	8,757,021
MISSOURI	16,685,773
MONTANA	8,757,021
NEBRASKA	8,757,021
NEVADA	19,734,251
NEW HAMPSHIRE	8,757,021
NEW JERSEY	78,573,374
NEW MEXICO	8,757,021
NEW YORK	155,752,416
NORTH CAROLINA	38,133,282
NORTH DAKOTA	8,757,021
OHIO	72,118,330
OKLAHOMA	8,757,021
OREGON	14,727,751
PENNSYLVANIA	88,024,490
RHODE ISLAND	8,799,193
SOUTH CAROLINA	8,757,021
SOUTH DAKOTA	8,757,021
TENNESSEE	26,268,823
TEXAS	104,974,289
UTAH	8,757,021
VERMONT	8,757,021
VIRGINIA	39,947,468
WASHINGTON	31,636,096
WEST VIRGINIA	8,757,021
WISCONSIN	17,754,586
WYOMING	8,757,021
TOTAL	\$1,751,404,066

APPROVED EFFECTIVE  October 1, 2008

FEDERAL HIGHWAY ADMINISTRATOR