



U.S. Department
of Transportation

**Federal Highway
Administration**

Notice

Subject:

SEQUESTRATION OF HIGHWAY FUNDS FOR FISCAL YEAR (FY) 2013

Classification Code	Date	Office of Primary Interest
N4510.762	March 22, 2013	HCFB-1

- 1. What is the purpose of this Notice?** This Notice is to notify the States of the portion of National Highway Performance Program (NHPP) funds impacted by the sequestration order issued on March 1, 2013.
- 2. What is the basis of the sequestration of these funds?**
 - a. The sequestration of funds is required pursuant to sections 251A and 256(k) of the Balanced Budget and Emergency Deficit Control Act (BBEDCA), as amended, sections 901a and 906(k)(6) of title 2, United States Code (U.S.C.). The order, which the President issued in accordance with the BBEDCA, requires that budgetary resources in each non-exempt budget account be reduced by the amount calculated by the Office of Management and Budget (OMB) in its report to Congress on March 1, 2013, entitled *OMB Report to the Congress on the Joint Committee Sequestration for Fiscal Year 2013* (sequestration report).
 - b. Pursuant to the sequestration report, NHPP funds authorized for FY 2013 pursuant to the Moving Ahead for Progress in the 21st Century Act (MAP-21), Public Law (Pub. L.) 112-141, and exempt from the obligation limitation are subject to the sequestration at a rate of 5.1 percent. Therefore, the \$639,000,000 in NHPP funds exempt from obligation limitation available for FY 2013 is reduced by a total of \$32,589,000.
- 3. How is the amount of NHPP funds sequestered for each State determined?** The total sequester amount of \$32,589,000 is distributed among the States in the same proportions as the funds subject to sequester were apportioned to the States for FY 2013. Each State's portion of the total amount to be sequestered is shown in the attached table.
- 4. What other highway funds are subject to the sequestration?** Pursuant to the sequestration report, the \$100,000,000 in emergency relief funds authorized from the Highway Trust Fund in 23 U.S.C. 125 is subject to the sequestration at a rate of 5.1 percent (sequester amount of \$5,100,000). Also, the \$2,022,000,000 in supplemental emergency relief funds provided in the Disaster Relief Appropriations Act, 2013, Pub. L. 113-2, is subject to the sequestration at a rate of 5.0 percent (sequester amount of \$101,100,000). In addition, the \$6,200,000,000 transfer from the General Fund to the Highway Trust Fund

authorized in MAP-21 is subject to the sequestration at a rate of 5.1 percent (sequester amount of \$316,200,000).

5. **What actions are required?** Division Administrators should ensure that this Notice is provided to the State departments of transportation.

A handwritten signature in blue ink, appearing to read "Victor M. Mendez".

Victor M. Mendez
Administrator

Attachment

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

N4510.762 - Attachment

**SEQUESTRATION OF NATIONAL HIGHWAY PERFORMANCE PROGRAM (NHPP) FUNDS
EXEMPT FROM OBLIGATION LIMITATION PURSUANT TO THE BALANCED BUDGET
AND EMERGENCY DEFICIT CONTROL ACT, AS AMENDED, 2 U.S.C. 901a, 2 U.S.C. 906(k)(6)**

State	FY 2013 Pre-Sequestration NHPP Exempt Funds	FY 2013 Sequestered NHPP Exempt Funds	FY 2013 Post-Sequestration NHPP Exempt Funds
Alabama	\$13,175,493	\$671,950	\$12,503,543
Alaska	8,337,196	425,197	7,911,999
Arizona	11,905,383	607,175	11,298,208
Arkansas	8,914,999	454,665	8,460,334
California	55,616,364	2,836,435	52,779,929
Colorado	8,602,701	438,738	8,163,963
Connecticut	8,003,789	408,193	7,595,596
Delaware	2,750,962	140,299	2,610,663
Dist. of Col.	2,609,644	133,092	2,476,552
Florida	32,944,649	1,680,177	31,264,472
Georgia	21,488,360	1,095,906	20,392,454
Hawaii	2,775,007	141,525	2,633,482
Idaho	4,802,853	244,945	4,557,908
Illinois	22,862,617	1,165,993	21,696,624
Indiana	15,921,849	812,014	15,109,835
Iowa	8,286,438	422,608	7,863,830
Kansas	6,484,959	330,733	6,154,226
Kentucky	11,473,510	585,149	10,888,361
Louisiana	12,146,334	619,463	11,526,871
Maine	3,048,332	155,465	2,892,867
Maryland	9,510,515	485,036	9,025,479
Massachusetts	9,435,721	481,222	8,954,499
Michigan	17,109,487	872,584	16,236,903
Minnesota	10,878,775	554,818	10,323,957
Mississippi	8,331,378	424,900	7,906,478
Missouri	16,245,010	828,496	15,416,514
Montana	6,963,049	355,115	6,607,934
Nebraska	4,901,990	250,001	4,651,989
Nevada	5,776,706	294,612	5,482,094
New Hampshire	2,708,898	138,154	2,570,744
New Jersey	15,556,565	793,385	14,763,180
New Mexico	6,267,197	319,627	5,947,570
New York	25,930,553	1,322,458	24,608,095
North Carolina	17,399,340	887,366	16,511,974
North Dakota	4,175,059	212,928	3,962,131
Ohio	21,782,392	1,110,902	20,671,490
Oklahoma	10,972,961	559,621	10,413,340
Oregon	8,433,893	430,129	8,003,764
Pennsylvania	26,917,325	1,372,784	25,544,541
Rhode Island	3,649,744	186,137	3,463,607
South Carolina	10,843,560	553,022	10,290,538
South Dakota	4,739,210	241,700	4,497,510
Tennessee	14,204,248	724,417	13,479,831
Texas	52,742,970	2,689,891	50,053,079
Utah	5,433,729	277,120	5,156,609
Vermont	3,340,652	170,373	3,170,279
Virginia	16,884,660	861,118	16,023,542
Washington	11,200,780	571,240	10,629,540
West Virginia	7,448,430	379,870	7,068,560
Wisconsin	12,744,895	649,990	12,094,905
Wyoming	4,318,869	220,262	4,098,607
Total	\$639,000,000	\$32,589,000	\$606,411,000

Program Code

M002