

FHWA FY 2022 BUDGET

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**FEDERAL HIGHWAY ADMINISTRATION (FHWA)
FISCAL YEAR 2022 BUDGET**

BUDGET SUMMARY OVERVIEW

Our Nation’s transportation system gets people and goods to where they need to be, while also creating and supporting good-paying jobs. Transportation is not only important for what it is – roads and bridges, concrete and steel – but for what it does: helps people and communities succeed and prosper. It is vital that our highways, roadways and bridges are leading-edge and well-maintained, but bringing transportation assets into better repair is not enough. Our infrastructure investments also must make our transportation networks more reliable for people who depend on them, advancing equity and helping support a multi-modal transportation system that works for everyone and every community. Our roads and bridges should provide safe, reliable, accessible, resilient, and equitable travel for all people. Instead, our aging infrastructure too often results in unsafe conditions, delays, congestion, and inequities. This requires not just a “fix it first” approach, but a “fix it right” approach to rebuild our transportation infrastructure that emphasizes modernizing our roads into safe, accessible, and resilient multi-modal transportation routes.

FHWA has a critical role to play in addressing the needs of the Nation’s transportation infrastructure, including the \$1 trillion backlog in repairs and maintenance needed to improve the condition of the more than 618,000 bridges and 4 million miles of public roads. FHWA’s FY 2022 Budget complements the Administration’s American Jobs Plan and the upcoming surface transportation reauthorization; together, these pieces of legislation will set the stage for a “fix it right” program of investment that will spur “shovel worthy” projects across the country.

FHWA’s fiscal year (FY) 2022 Budget will advance the Secretary of Transportation’s vision of building America’s economy and infrastructure back better. This request will continue to prioritize safety as the foundation of everything we do, while helping our Nation’s economy recover and rebuild, rising to the climate challenge, and ensuring transportation equity across communities. This request assumes both continuation of the programs authorized by the Fixing America’s Surface Transportation Act and enactment of the complementary and transformational initiatives and innovative investments proposed under the separate American Jobs Plan.

Over the past year, FHWA has tirelessly worked with our Federal, State, local, and Tribal partners to respond to the global pandemic. FHWA quickly distributed \$10 billion of critical funding provided by the Coronavirus Response and Relief Supplemental Appropriations Act and then published comprehensive guidance addressing the eligible uses of these funds that are intended to provide the recipients more flexible spending options of highway dollars. FHWA also worked with FEMA to facilitate the movement of oversized prefabricated medical “clean rooms” from Texas to Michigan for COVID-19 vaccine manufacturing, developed environmental review process guidance on the use of virtual public involvement instead of in-person public hearings, and approved a request from the Connecticut Department of Transportation (DOT) to use a portion of an underutilized Park and Ride lot as a vaccination and testing site. This Budget request will allow FHWA to continue to support our partners and the Nation going forward.

The safety of all roadway users – drivers and passengers, pedestrians on foot and in wheelchairs, cyclists, and transit passengers as they are going to or from their station or stop – continues to be FHWA’s top priority. The United States lost 36,096 people in crashes on our highways in 2019, and in 2020 fatalities and the fatality rate per 100 million miles driven are estimated to have risen sharply. The Highway Safety Improvement Program (HSIP), through a data-driven and performance-based strategic approach, will focus on reducing traffic fatalities and serious injuries for all roadway users on all public roads. Each State is required to develop and implement a Strategic Highway Safety Plan that provides a comprehensive framework for establishing statewide goals and objectives to reduce fatalities and serious injuries. States that do not meet their safety performance targets will be required to develop an HSIP Implementation Plan that describes actions the State will take to meet or make significant progress toward meeting its subsequent targets.

Pedestrian fatalities have increased by more than 50 percent between 2009 and 2019, with 6,205 pedestrian fatalities in 2019. Approximately one-third of all fatalities are nonoccupants outside the vehicle (including pedestrians, bicyclists, motorcyclists). Funding for pedestrian projects is available under FHWA’s core safety program, the HSIP, and several of FHWA’s other programs including the National Highway Performance Program (NHPP) and Surface Transportation Block Grant (STBG) Program. FHWA’s Safe Transportation for Every Pedestrian (STEP) program promotes the use of proven pedestrian safety countermeasures to help reduce pedestrian fatalities. Even the simplest countermeasures are incredibly effective. For example, when a pedestrian hybrid beacon is installed at a crossing, pedestrian crashes can be reduced by nearly 55 percent. Adding a sidewalk reduces crashes involving pedestrians walking along the roadway by as much as 89 percent. Changing the timing of an intersection signal to give pedestrians a “head start” before the light changes for vehicular traffic leads to a 13 percent reduction in pedestrian-vehicle crashes at these intersections.

In addition, FHWA will emphasize a Complete Streets approach to transportation investment and will work with States, metropolitan planning organizations (MPOs), Tribes, and local governments to ensure that streets are designed and operated safely, and support mobility and accessible travel for all road users both inside and outside of vehicles. Continued investment in the HSIP will allow States to move toward more solutions under the Safe System Approach, in which human life and health are primary considerations when designing a road, as well as help achieve the goal of significantly reducing transportation-related fatalities in the next 10 years.

FHWA will support improvements in the condition and performance of the national transportation infrastructure. The STBG Program provides flexible funding to States and localities to improve the condition and performance of their roads and bridges through a wide range of eligible projects. Additionally, STBG directs a significant portion of the funds to both rural and urban areas ensuring that all areas of our Nation have an opportunity to implement their transportation priorities.

The NHPP seeks to improve the National Highway System (NHS), a roughly 220,000-mile network of high-volume roads that includes the Interstate Highway System (itself around 49,000 miles), and carries approximately 55 percent of all highway traffic. A key component of the NHPP is performance management requirements that focus Federal-aid investments to support

progress toward the achievement of performance targets for the NHS. These requirements will hold States accountable for achieving performance targets while continuing to give them the flexibility to make transportation investment decisions.

The National Highway Freight Program and the Infrastructure for Rebuilding America (INFRA) Program will provide States the opportunity to invest in infrastructure and operational improvements that reduce congestion, improve safety and productivity, and strengthen the contribution of the National Highway Freight Network to the economic competitiveness of the United States. Projects under these programs – ranging from interstate improvements and new bridge construction, to the implementation of tolled shoulders – will use innovative approaches to improve safe movement of people and freight.

FHWA will ensure transportation equity through a variety of programs. FHWA recognizes that entrenched disparities in our laws and public policies have denied equal opportunity to individuals and communities. FHWA is committed to advancing equity for all, embedding fairness in decision-making processes, and working to redress inequities in our policies and programs that serve as barriers to equal opportunity. For example, the Tribal Transportation Program provides better access to housing, emergency services, schools, stores, jobs, and medical services through the maintenance, engineering, rehabilitation, and construction of roads, bridges, trails, and transit systems that provide access to, are within, or are adjacent to Tribal lands.

Additionally, FHWA's Metropolitan Planning Program provides funding to Metropolitan Planning Organizations (MPOs) for multimodal transportation planning and programming in metropolitan areas. This funding will ensure that MPOs are able to carry out a coordinated transportation planning process and develop long range transportation plans and transportation improvement programs that make effective use of limited transportation funding. Through this program, FHWA will promote equity in transportation planning by working with States and MPOs to identify transportation improvement options to include improved access to alternative modes, increase transportation network connectivity, consider accessible land use development, and improve telecommunications and delivery services.

FHWA is committed to reducing climate pollution; increasing resilience to the impacts of climate change; and conserving our lands and waters. FHWA's Budget takes into account the climate crisis and provides opportunities for investment in infrastructure that will help reduce harmful emissions and make infrastructure resilient to climate change. The Congestion Mitigation and Air Quality Improvement (CMAQ) program supports transportation projects that reduce the mobile source emissions for which an area has been designated nonattainment or maintenance for ozone, carbon monoxide, and particulate matter. Through the CMAQ program, State and local governments can simultaneously reduce the costly impacts of traffic congestion while also improving air quality.

The Transportation Alternatives set-aside helps States, local governments, and communities pursue transportation improvements that create safe, accessible, and environmentally-sensitive communities through projects that provide access to jobs, services, housing, and recreation, and enhance and preserve the human and natural environment. Funding can be used for vital

transportation investments such as pedestrian and bicycle facilities, recreational trails, and safe routes to school projects, as well as environmental mitigation related to stormwater and habitat connectivity.

FHWA will continue to be a global leader in innovation through the Research, Technology, and Education (RT&E) Program, which focuses on highway research and development, and technology and innovation deployment. FHWA's contributions to researching and implementing transformative innovations and technologies are changing the way roads, bridges, and other facilities are planned, designed, built, managed, and maintained across the country to be more responsive to current and future needs.

For example, pedestrian and motorcycle safety continue to be focus areas of the broader safety program because annual pedestrian and motorcyclist fatalities remain near their highest levels in decades. Results from pedestrian research will be incorporated into existing design and operation guidance documents and safety marketing materials. Warning signs, specifically targeting motorcyclists and developed under the “Infrastructure Improvements to Reduce Motorcycle Crashes” project, will be evaluated in various States to determine their safety effectiveness in mitigating motorcycle crashes.

FHWA is a leader in Cooperative Automation, which is the concept of using shared maneuvers performed by automated vehicles to address transportation issues, such as work zones, traffic incidents, adverse weather, and recurring congestion. In collaboration with other Department of Transportation (DOT) modes, State DOTs, academia, industry, automobile equipment manufacturers, and consultants, FHWA will build off prior work to develop and test prototype cooperative automated vehicle applications that address key transportation issues. In conjunction with on-road testing, FHWA will also conduct analyses of the potential impacts of Cooperative Automation using newly advanced analysis, modeling, and simulation tools that incorporate the performance characteristics of Connected and Automated Vehicles.

FHWA’s programs will continue to drive job creation that builds economic security.

FHWA’s programs provide the necessary dollars for transportation projects that deliver a substantial economic return on investment through creating good paying jobs in the transportation sector that provide economic security; increasing mobility for freight and passenger vehicles; and increasing global competitiveness by raising productivity while reducing the cost of doing business.

FHWA, with some of the world’s most innovative road and bridge engineering and planning expertise, is one of the DOT agencies that will lead America towards an equitable and environmentally sound transportation system.

**AMERICAN JOBS PLAN: BUILD WORLD-CLASS TRANSPORTATION
INFRASTRUCTURE: FIX HIGHWAYS, REBUILD BRIDGES, AND UPGRADE PORTS,
AIRPORTS, RAIL AND TRANSIT SYSTEMS**

President Biden is calling on Congress to make a historic and overdue investment in our roads, bridges, rail, ports, airports, and transit systems. The President's plan will ensure that these investments produce good-quality jobs with strong labor standards, prevailing wages, and a free and fair choice to join a union and bargain collectively. These investments will advance racial equity by providing better jobs and better transportation options to underserved communities. These investments also will extend opportunities to small businesses to participate in the design, construction, and manufacturing of new infrastructure and component parts. President Biden's plan will deliver infrastructure Americans can trust, because it will be more resilient to floods, fires, storms, and other threats, and not fragile in the face of these increasing risks.

The President's plan invests an additional \$621 billion in transportation infrastructure and resilience:

- Within this amount, **\$540 Billion** would reside in the Department of Transportation for its programs allocated over a five-year period, and is in addition to the base amounts included in the FY 2022 Budget request.
- Separately, the American Jobs Plan also provides \$50 billion make our infrastructure more resilient of which **\$7.5 Billion** would be provided to the Department of Transportation.
- Aside from Department of Transportation funding, the American Jobs Plan calls for **\$74 Billion** in additional infrastructure investments, including \$8 Billion to the U.S. Army Corps of Engineers for Inland Waterways and Harbor Projects, \$3 Billion to the General Services Administration for land ports of entry, \$20 Billion to the Environmental Protection Agency for school bus electrification, and \$43B for non-transportation resilience programs.

Detailed information about the American Jobs Plan can be found within the FY 2022 Budget Highlights located at:

<https://www.transportation.gov/mission/budget/fiscal-year-2022-budget-highlights>

SURFACE TRANSPORTATION REAUTHORIZATION

The President's vision for addressing our Transportation Safety and Infrastructure needs relies on three building blocks:

The FY 2022 Budget

First, the FY 2022 President's Budget provides discretionary and mandatory funding in core programs to continue the current portfolio of transportation programs and includes targeted funding elements to address the Administration's current priorities particularly in the transit and rail areas.

Surface Transportation Reauthorization

The President's plan also recognizes that the current surface authorization act – Fixing America's Surface Transportation Act (FAST Act) – expires this fiscal year. Since Congress is now considering multi-year legislation that would begin in FY 2022, the budget displays flat levels equal to the last year of the FAST Act for simplicity. **This is not a policy decision that the next reauthorization should equal FAST ACT levels, but rather a technical presentation to ensure consistency between the American Jobs Plan (AJP) and the traditional DOT accounts.** Surface authorization acts have traditionally provided mandatory funding for highway, transit, and safety programs from excise tax revenue deposited into the Highway Trust Fund (HTF). Additionally, surface authorization acts establish certain programs that Congress funds through the annual appropriations process. For example, the FAST Act was the first time a rail title was included in a multi-year surface reauthorization package.

American Jobs Plan

Finally, the \$621 billion in investments proposed in the American Jobs Plan represent investments in addition to the base amounts included in the FY 2022 President's Budget request.

The FY 2022 Budget request reflects the American Jobs Plan funding as budget authority provided over five years. Funding is grouped in nine new program accounts that align with the major portions of the AJP, but funding is not assigned to specific DOT Budget Accounts.

The President's FY 2022 request does not include a formal legislative reauthorization proposal. Rather, the President's Budget documents present key Administration reauthorization principles, which align with the foundation of the AJP. These include:

- Safety
- Equitable Economic Strength and Improving Core Assets
- Ensuring Investments Meet Racial Equity and Economic Inclusion Goals
- Resilience and Addressing Climate Change

- Transformation of our Nation's Transportation Infrastructure

To reflect this, the FY 2022 President's Budget shows flat funding of contract authority in current Highway Trust Fund accounts throughout the full 10-year Budget window. These flat-line levels do not represent funding or program design recommendations by the Administration.

When the Congress takes up the AJP and Surface Transportation reauthorization, the Administration looks forward to working collaboratively with Congress to infuse its key principles and policy proposals into legislation, and to add additional funding and policy proposals proposed in the American Jobs Plan. The Administration seeks to work with Congress to reflect the American Jobs Plan and key principles in legislative measures to advance ambitious investments in infrastructure, including surface transportation reauthorization.

How does this impact programs not impacted by AJP goals?

For other programs that receive discretionary appropriations and mandatory programs unaffected by surface authorization, the FY 2022 Budget presents detailed information consistent with DOT's prior budget requests.

JUSTICE40

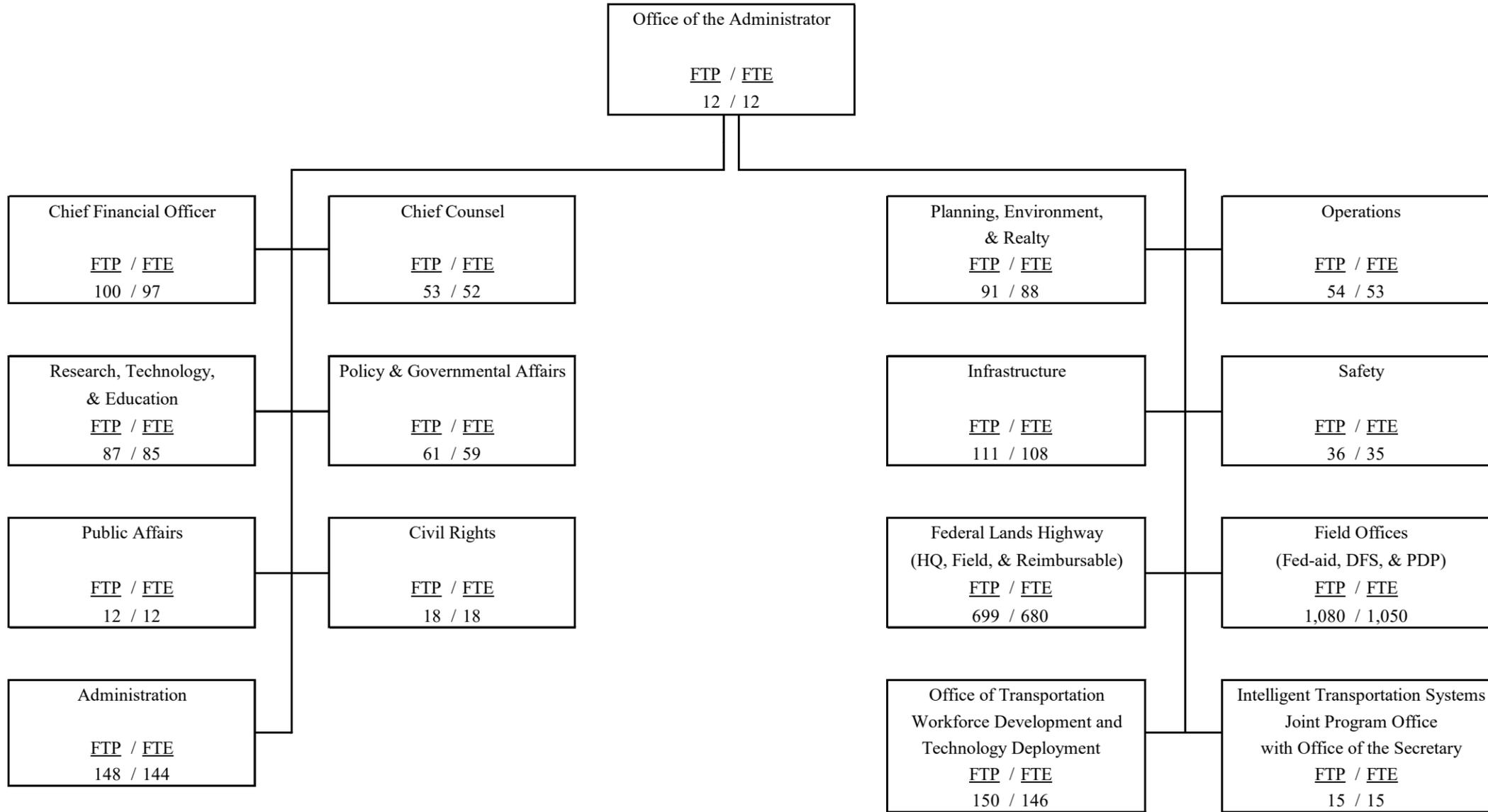
Executive Order 14008, issued on January 27, 2021, created a government-wide “Justice40” Initiative with the goal of delivering 40 percent of the overall benefits of relevant federal investments to disadvantaged communities and tracking performance toward the goal through an Environmental Justice Scorecard.

The Justice40 Initiative has the potential to deliver benefits that could include increased access to renewable energy and energy efficiency improvements, public transit, water infrastructure, climate-resilient affordable housing, training and workforce development, reductions in legacy pollution, and equitable and just community development, among others. There are important considerations in the development, implementation, and evaluation of such a wide-reaching and complex initiative. To advance Justice40 goals the Department is considering options in areas such as, but not limited to, incorporating criteria in the Department’s discretionary grant programs, developing implementable definitions for “investment benefit” and “disadvantaged communities” as it relates to programmatic activities, public engagement strategies with stakeholders to define and further understand “investment benefits” that can be targeted for disadvantaged and underserved communities, and developing a Department-wide Environmental Justice Scorecard.

In the coming months, the Department will be working to ensure that subsequent programs, targets, and metrics fulfill the ambition of the Justice40 Initiative to deliver meaningful and measurable benefits to disadvantaged and underserved communities.

EXHIBIT I-A

**FEDERAL HIGHWAY ADMINISTRATION ORGANIZATION CHART
FY 2021 ESTIMATED FTP BY OFFICE AND ESTIMATED FTE BY OFFICE**



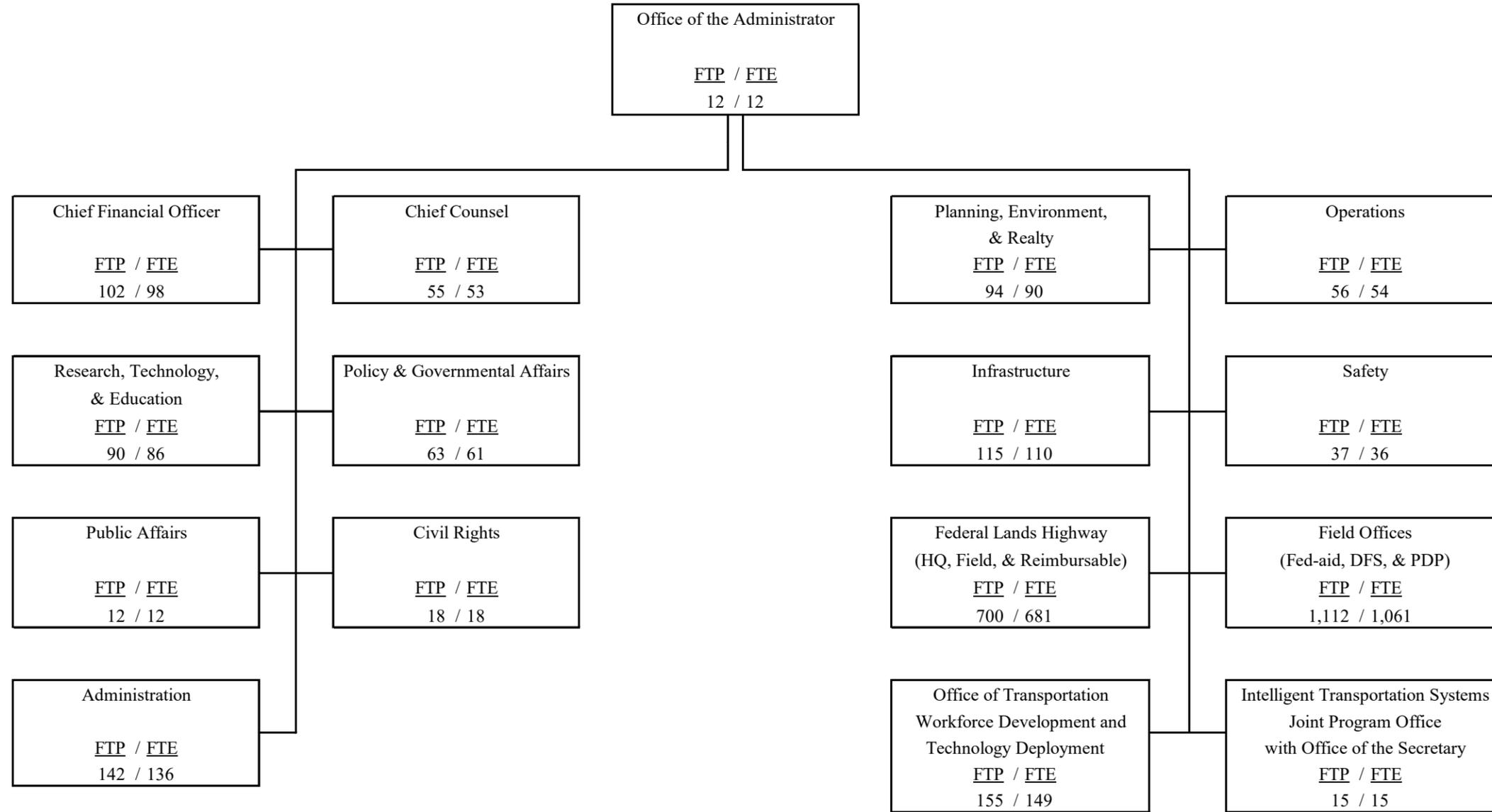
FTP - FULL-TIME PERMANENT POSITIONS	
Direct funded	2,651
Indirect funded	76
Total	2,727

FTE - FULL-TIME EQUIVALENTS	
Direct funded	2,578
Indirect funded	76
Total	2,654

Direct funded FTP presented by office reflects an estimated on-board level at fiscal year end, not total positions including vacancies. This is consistent with Exhibit II-8. Direct funded FTE presented by office reflects an illustrative pro-ration of total FTE. Indirect funded FTP & FTE include Federal Lands Highway reimbursable FTE and allocation FTE from OST.

EXHIBIT I-B

**FEDERAL HIGHWAY ADMINISTRATION ORGANIZATION CHART
FY 2022 ESTIMATED FTP BY OFFICE AND ESTIMATED FTE BY OFFICE**



FTP - FULL-TIME PERMANENT POSITIONS	
Direct funded	2,702
Indirect funded	76
Total	2,778

FTE - FULL-TIME EQUIVALENTS	
Direct funded	2,596
Indirect funded	76
Total	2,672

Direct funded FTP presented by office reflects an estimated on-board level at fiscal year end, not total positions including vacancies. This is consistent with Exhibit II-8. Direct funded FTE presented by office reflects an illustrative pro-ration of total FTE. Indirect funded FTP & FTE include Federal Lands Highway reimbursable FTE and allocation FTE from OST.

**EXHIBIT II-1
FY 2022 BUDGET AUTHORITY
FEDERAL HIGHWAY ADMINISTRATION
(S000)**

ACCOUNT NAME	M / D	(A) FY 2020 ACTUAL	(B) FY 2020 CARES Act	(C) FY 2021 ENACTED	(D) FY 2021 CRRSA	(E) FY 2021 American Rescue Plan	(F) FY 2022 PRESIDENT'S BUDGET
[Administrative Expenses (Contract Authority, subject to limitation)] ^{1/}	M	[\$456,798]	----	[\$456,798]	----	----	[\$456,798]
Federal-aid Highways	M	\$47,104,092	----	\$47,104,092	----	----	\$47,104,092
Contract Authority (subject to limitation)		\$46,365,092	----	\$46,365,092	----	----	\$46,365,092
Exempt Contract Authority ^{2/}		\$739,000	----	\$739,000	----	----	\$739,000
Flex Transfers to/from FTA		-\$1,222,110	----	-\$1,300,000	----	----	-\$1,300,000
Transfer to NHTSA ^{3/}		-\$101,257	----	-\$105,117	----	----	----
Transfer to/from OST ^{4/}		-\$7,263	----	----	----	----	----
Sequestered Exempt Contract Authority ^{5/}		-\$43,601	----	-\$42,123	----	----	-\$42,123
Highway Infrastructure Programs (GF)^{6/}	D	\$2,166,140	----	\$2,000,000	\$10,000,000	----	----
Miscellaneous Trust Funds (TF)	M	\$18,823	----	\$18,823	----	----	\$18,823
Miscellaneous Appropriations - Rescission/Cancellation^{7/}	D	-\$19,882	----	----	----	----	----
TOTALS							
Gross New Budget Authority		\$49,289,055	----	\$49,122,915	\$10,000,000	----	\$47,122,915
Rescissions/Cancellations		-\$19,882	----	----	----	----	----
Transfers^{8/}		-\$1,330,630	----	-\$1,405,117	----	----	-\$1,300,000
Sequestration		-\$43,601	----	-\$42,123	----	----	-\$42,123
NET NEW BUDGET AUTHORITY		\$47,894,942	----	\$47,675,675	\$10,000,000	----	\$45,780,792
[Discretionary]		\$2,146,258	----	\$2,000,000	\$10,000,000	----	----
[Mandatory]		\$45,748,684	----	\$45,675,675	----	----	\$45,780,792

[] Non-add

1/ All fiscal years include FHWA General Operating Expenses (GOE) and transfers to the Appalachian Regional Commission (ARC) for administrative activities associated with the Appalachian development highway system. All fiscal years do not include amounts for other non-administrative programs authorized under Administrative Expenses. For FY 2021, FHWA is using carryover administrative expenses Contract Authority (CA) to fully utilize the Limitation on Administrative Expenses (LAE) provided in the Appropriations Act. For the FY 2022 Request, FHWA proposes to use carryover administrative expenses CA to fully utilize the requested LAE.

2/ In all years, the exempt contract authority is comprised of \$639 million for the National Highway Performance Program and \$100 million for the Emergency Relief Program.

3/ FHWA anticipates a transfer to NHTSA in FY 2022 in an amount to be determined based on State penalty information.

4/ The TIFIA program was transitioned from FHWA to the Office of the Secretary's Build America Bureau in FY 2020. The FY 2020 transfer reflects the actual net amount of new contract authority transferred to OST in FY 2020. FHWA does not anticipate net transfers of new contract authority in FY 2021 and FY 2022, but does anticipate net transfers of carryover contract authority to be determined based on TIFIA loan activity.

5/ FY 2020 reflects sequestration of 5.9 percent of contract authority exempt from obligation limitation per Sequestration Order dated March 18, 2019. FY 2021 reflects sequestration of 5.7 percent of contract authority exempt from obligation limitation per Sequestration Order dated February 10, 2020. FY 2022 reflects sequestration of 5.7 percent of contract authority exempt from obligation limitation pursuant to 2 U.S.C. 901a(6)(B)(ii).

6/ The Department of Transportation Appropriations Act, 2020 (Public Law 116-94) provided \$2.166 billion in additional highway funding from the General Fund for FY 2020. The Department of Transportation Appropriations Act, 2021 (Public Law 116-260) provided \$2 billion in additional highway funding from the General Fund for FY 2021. The Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Public Law 116-260) provided \$10 billion in additional highway funding from the General Fund for FY 2021.

7/ Rescission enacted in the Department of Transportation Appropriations Act, 2020 (Public Law 116-94).

8/ Exhibit does not reflect transfers of carryover contract authority transferred to FTA and OST.

EXHIBIT II-2
FY 2022 TOTAL BUDGETARY RESOURCES BY APPROPRIATION ACCOUNT
FEDERAL HIGHWAY ADMINISTRATION
Appropriations, Obligation Limitations, and Exempt Obligations
(\$000)

ACCOUNT NAME	M / D	(A) FY 2020 ACTUAL	(B) FY 2020 CARES Act	(C) FY 2021 ENACTED	(D) FY 2021 CRRSA	(E) FY 2021 American Rescue Plan	(F) FY 2022 PRESIDENT'S BUDGET
[Limitation on Administrative Expenses] ^{1/}	D	[\$456,798]	----	[\$478,897]	----	----	[\$492,000]
Federal-aid Highways		\$47,060,491	----	\$47,061,969	----	----	\$47,061,969
Obligation Limitation	D	\$46,365,092	----	\$46,365,092	----	----	\$46,365,092
Exempt Contract Authority ^{2/3/}	M	\$695,399	----	\$696,877	----	----	\$696,877
[Liquidation of contract authorization]	D	[\$47,104,092]	----	[\$47,104,092]	----	----	[\$47,104,092]
Flex Transfers to/from FTA	D	-\$1,222,110	----	-\$1,300,000	----	----	-\$1,300,000
Transfer to NHTSA ^{4/}	D	-\$101,257	----	-\$105,117	----	----	----
Transfer to/from OST ^{5/}	D	-\$7,263	----	----	----	----	----
Highway Infrastructure Programs (GF) ^{6/}	D	\$2,166,140	----	\$2,000,000	\$10,000,000	----	----
TOTALS							
Gross New Budgetary Resources		\$49,226,631	----	\$49,061,969	\$10,000,000	----	\$47,061,969
Transfers ^{7/}		-\$1,330,630	----	-\$1,405,117	----	----	-\$1,300,000
NET NEW BUDGET AUTHORITY		\$47,896,001	----	\$47,656,852	\$10,000,000	----	\$45,761,969
[Mandatory]		\$695,399	----	\$696,877	----	----	\$696,877
[Discretionary]		\$47,200,602	----	\$46,959,975	\$10,000,000	----	\$45,065,092
[Obligation Limitation]		\$45,034,462	----	\$44,959,975	----	----	\$45,065,092

[] Non-add

1/ All fiscal years include FHWA General Operating Expenses (GOE) and transfers to the Appalachian Regional Commission (ARC) for administrative activities associated with the Appalachian development highway system. All fiscal years do not include amounts for other non-administrative programs authorized under Administrative Expenses.

2 /In all years, the exempt contract authority is comprised of \$639 million for the National Highway Performance Program and \$100 million for the Emergency Relief Program.

3/ FY 2020 reflects sequestration of 5.9 percent of contract authority exempt from obligation limitation per Sequestration Order dated March 18, 2019. FY 2021 reflects sequestration of 5.7 percent of contract authority exempt from obligation limitation per Sequestration Order dated February 10, 2020. FY 2022 reflects sequestration of 5.7 percent of contract authority exempt from obligation limitation pursuant to 2 U.S.C. 901a(6)(B)(ii).

4/ FHWA anticipates a transfer to NHTSA in FY 2022 in an amount to be determined based on State penalty information.

5/ The TIFIA program was transitioned from FHWA to the Office of the Secretary's Build America Bureau in FY 2020. The FY 2020 transfer reflects the actual net amount of new contract authority transferred to OST in FY 2020. FHWA does not anticipate net transfers of new contract authority in FY 2021 and FY 2022, but does anticipate net transfers of carryover contract authority to be determined based on TIFIA loan activity.

6/ The Department of Transportation Appropriations Act, 2020 (Public Law 116-94) provided \$2.166 billion in additional highway funding from the General Fund for FY 2020. The Department of Transportation Appropriations Act, 2021 (Public Law 116-260) provided \$2 billion in additional highway funding from the General Fund for FY 2021. The Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Public Law 116-260) provided \$10 billion in additional highway funding from the General Fund for FY 2021.

7/ Exhibit does not reflect transfers of obligation limitation for carryover contract authority transferred to FTA and OST.

**EXHIBIT II-4
FY 2022 OUTLAYS
FEDERAL HIGHWAY ADMINISTRATION
(\$000)**

<u>ACCOUNT NAME</u>	<u>M / D</u>	<u>(A) FY 2020 ACTUAL</u>	<u>(B) FY 2020 CARES Act</u>	<u>(C) FY 2021 ENACTED</u>	<u>(D) FY 2021 CRRSA</u>	<u>(E) FY 2021 American Rescue Plan</u>	<u>(F) FY 2022 PRESIDENT'S BUDGET</u>
Federal-aid Highways (TF)		\$46,719,494	----	\$46,955,728	----	----	\$47,046,105
Subject to Obligation Limitation	D	\$46,064,328	----	\$46,247,721	----	----	\$46,290,273
Exempt Contract Authority	M	\$649,899	----	\$698,639	----	----	\$742,223
Emergency Relief Supplementals	D	\$5,267	----	\$9,368	----	----	\$13,609
Miscellaneous Highway Trust Funds (TF)	D	\$3,131	----	\$12,350	----	----	\$10,781
Miscellaneous Trust Funds (TF)	M	\$24,527	----	\$32,338	----	----	\$30,362
Right of Way Revolving Fund (TF)	M	----	----	\$4,279	----	----	----
Appalachian Development Highway System (GF)	D	\$3,250	----	\$9,023	----	----	\$5,555
CMLA Interest Payments	D	\$534	----	----	----	----	----
Emergency Relief Program (GF)	D	\$973,312	----	\$888,156	----	----	\$607,814
Highway Infrastructure Program (GF)	D	\$1,012,515	----	\$1,193,110	\$900,000	----	\$5,726,000
Miscellaneous Appropriations (GF)	D	\$5,000	----	\$13,453	----	----	\$12,312
TOTALS		<u>\$48,741,763</u>	<u>----</u>	<u>\$49,108,437</u>	<u>\$900,000</u>	<u>----</u>	<u>\$53,438,929</u>
[Mandatory]		\$674,426	----	\$735,256	----	----	\$772,585
[Discretionary]		\$48,067,337	----	\$48,373,181	\$900,000	----	\$52,666,344

EXHIBIT II-5
SUMMARY OF REQUESTED FUNDING CHANGES FROM BASE
FEDERAL HIGHWAY ADMINISTRATION
Appropriations, Obligation Limitations, and Exempt Obligations

ADMINISTRATIVE EXPENSES
(\$000)

	FY 2020 Actual	FY 2021 Enacted	Baseline Changes							FY 2022 Baseline Estimate	Program Increases/ Decreases	FY 2022 President's Budget Request
			Annualization of Prior Pay Raises	Annualization of new FY 2021 FTE	FY 2022 Pay Raises	Adjustment for Compensable Days (261 days)	GSA Rent	WCF Increase/ Decrease	Inflation and other adjustments to base ^{1/}			
PERSONNEL RESOURCES (FTE)												
Direct FTE ^{2/}	2,007	2,003							28	2,031	(10)	2,021
FINANCIAL RESOURCES												
ADMINISTRATIVE EXPENSES												
Salaries and Benefits	\$332,971	\$342,971	\$857		\$ 6,963				\$8,535	\$359,326	(\$1,612) ^{3/}	\$357,714
Travel	\$3,455	\$3,455							\$5,260	\$8,715		\$8,715
Transportation	\$880	\$880							\$9	\$889		\$889
GSA Rent	\$27,463	\$26,330					\$421			\$26,751		\$26,751
Communications & Utilities	\$1,211	\$1,211							\$12	\$1,223		\$1,223
Printing	\$377	\$377							\$4	\$381		\$381
Other Services:												
-WCF	\$49,207	\$48,579							-\$1,889	\$46,690	\$6,153 ^{4/}	\$52,843
-Other	\$31,892	\$45,743							(\$7,130)	\$38,613	(\$1,733) ^{5/}	\$36,880
Supplies	\$667	\$1,667							\$17	\$1,684		\$1,684
Equipment	\$3,436	\$4,436							\$44	\$4,480	(\$2,808) ^{6/}	\$1,672
Appalachian Regional Commission (ARC)	\$2,227	\$3,248								\$3,248		\$3,248
Subtotal, Limitation on Administrative Expenses (LAE)	\$453,786	\$478,897	\$857	\$0	\$6,963	\$0	\$421	-\$1,889	\$6,751	\$492,000	\$0	\$492,000
OJT Support Services	\$10,000	\$10,000								\$10,000		\$10,000
Disadvantaged Business Enterprise	\$10,000	\$10,000								\$10,000		\$10,000
Highway Use Tax Evasion	\$4,000	\$4,000								\$4,000		\$4,000
GRAND TOTAL, Obligation Limitation	\$477,786	\$502,897	\$857	\$0	\$6,963	\$0	\$421	-\$1,889	\$6,751	\$516,000	\$0	\$516,000

1/ Consistent with draft Departmental FY 2022 Budget Guidance, the amount shown above for Salaries and Benefits includes an estimated increase of \$3.81 million in FERS costs resulting from a 1.1 percent increase in agency FERS contributions from a contribution rate of 17.3 percent in FY 2021 to 18.4 percent in FY 2022. This column also includes: increases in salaries and benefits to reflect hiring to return to normal operating levels after a hiring freeze that was in place in late FY 2020 and early FY 2021; and increases for travel to show a return to normal travel conditions in FY 2022.

2/ The FTE shown in this exhibit are funded by General Operating Expenses and exclude additional FTEs funded by Miscellaneous Trust Funds, reimbursements, allocations from BUILD Grants, and other programs (primarily Federal Lands Highways).

3/ Estimate of offset (decrease) in Salaries and Benefits due to the transition to an IT shared services model administered by the Department.

4/ Estimate of increase in WCF contribution due to the transition of IT commodity functions to a shared services model administered by the Department.

5/ Estimate of offset (decrease) in FHWA IT services due to transition to a shared services model administered by the Department.

6/ Estimate of offset (decrease) in equipment due to the transition to an IT shared services model administered by the Department.

EXHIBIT II-6
WORKING CAPITAL FUND
FEDERAL HIGHWAY ADMINISTRATION
(\$000)

	FY 2020 ACTUALS	FY 2021 ENACTED	FY 2022 REQUEST
DIRECT:			
Federal-aid Highways			
Limitation on Administrative Expenses (LAE)	\$49,207	\$48,579	\$52,843
Program Funding (Federal Lands Highways, Research)	\$6,424	\$4,246	\$8,261
TOTAL	\$55,631	\$52,825	\$61,104

**EXHIBIT II-7
FEDERAL HIGHWAY ADMINISTRATION
PERSONNEL RESOURCE - SUMMARY
TOTAL FULL-TIME EQUIVALENTS**

	FY 2020 ACTUAL	FY 2021 ENACTED	FY 2022 PRESIDENT'S BUDGET
<u>DIRECT FUND, BY APPROPRIATION</u>			
Federal-aid Highways ^{1/}	2,567	2,563	2,581
Miscellaneous Trust Funds	15	15	15
<u>CARES ACT</u> ^{2/}	----	----	----
<u>CRRSA ACT</u> ^{3/}	----	----	----
<u>American Rescue Plan</u> ^{2/}	----	----	----
SUBTOTAL, DIRECT FUNDED	2,582	2,578	2,596
<u>REIMBURSEMENT/ ALLOCATIONS/OTHERS</u> ^{4/}			
Reimbursements			
Federal-aid Highways	72	72	72
Allocations from other Organizations			
BUILD Grants (from OST)	4	4	4
SUBTOTAL, REIMBURSEMENTS/ALLOCATIONS/OTHER	76	76	76
TOTAL FTEs	2,658	2,654	2,672

1/ Includes staff funded through General Operating Expenses (GOE) and direct program funded staff.

2/ FHWA did not receive funding in the Coronavirus Aid, Relief, and Economic Security (CARES) Act, or in the American Rescue Plan Act of 2021.

3/ The Coronavirus Response and Relief Supplemental Appropriations Act, 2021, allows for the use of up to \$10 million for the oversight of the funding provided. Additional staff may be hired for this purpose in FY 2021 and/or FY 2022.

4/ Additional staff may be hired in FY 2021 and/or FY 2022 under reimbursable agreements or parent-child allocations for work performed on behalf of other agencies with funding from the Great American Outdoors Act.

**EXHIBIT II-8
FEDERAL HIGHWAY ADMINISTRATION
RESOURCE SUMMARY - STAFFING
FULL-TIME PERMANENT POSITIONS**

	FY 2020 ACTUAL	FY 2021 ENACTED	FY 2022 PRESIDENT'S BUDGET
<u>DIRECT FUND, BY APPROPRIATION</u>			
Federal-aid Highways ^{1/ 2/}	2,643	2,636	2,687
Miscellaneous Trust Funds	15	15	15
<u>CARES ACT</u> ^{3/}	----	----	----
<u>CRRSA ACT</u> ^{4/}	----	----	----
<u>American Rescue Plan</u> ^{3/}	----	----	----
SUBTOTAL, DIRECT FUNDED	2,658	2,651	2,702
<u>REIMBURSEMENT/ ALLOCATIONS/OTHERS</u> ^{5/}			
Reimbursements			
Federal-aid Highways	72	72	72
Allocations from other Organizations			
BUILD Grants (from OST)	4	4	4
SUBTOTAL, REIMBURSEMENT/ALLOCATION/OTHERS	76	76	76
TOTAL POSITIONS	2,734	2,727	2,778

1/ Includes staff funded through General Operating Expenses (GOE) and direct program funded staff.

2/ Students are not part of full-time permanent positions.

3/ FHWA did not receive funding in the Coronavirus Aid, Relief, and Economic Security (CARES) Act, or in the American Rescue Plan Act of 2021.

4/ The Coronavirus Response and Relief Supplemental Appropriations Act, 2021, allows for the use of up to \$10 million for oversight. Additional staff may be hired for this purpose in FY 2021 and/or FY 2022.

5/ Additional staff may be hired in FY 2021 and/or FY 2022 under reimbursable agreements or parent-child allocations for work performed on behalf of other agencies with funding from the Great American Outdoors Act.

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FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON ADMINISTRATIVE EXPENSES

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

Contingent upon enactment of multi-year surface transportation authorization legislation, [Not] not to exceed [\$475,649,049] \$492,000,000 together with advances and reimbursements received by the Federal Highway Administration, shall be obligated for necessary expenses for administration and operation of the Federal Highway Administration[: Provided, That in addition, \$3,248,000 shall be] or transferred to the Appalachian Regional Commission for administrative activities associated with the Appalachian Development Highway System. [in accordance with section 104(a) of title 23, United States Code.]

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

Contingent upon enactment of multi-year surface transportation authorization legislation, [Funds] funds available for the implementation or execution of Federal-aid highway and highway safety construction programs authorized under titles 23 and 49, United States Code, and the provisions of the [Fixing America's Surface Transportation (FAST) Act (Public Law 114-94)] applicable surface transportation authorization act shall not exceed total obligations of \$46,365,092,000 for fiscal year [2021] 2022.

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

Contingent upon enactment of multi-year surface transportation authorization legislation, [For] for the payment of obligations incurred in carrying out Federal-aid highway and highway safety construction programs authorized under title 23, United States Code, \$47,104,092,000 derived from the Highway Trust Fund (other than the Mass Transit Account), to remain available until expended.

[HIGHWAY INFRASTRUCTURE PROGRAMS]

There is hereby appropriated to the Secretary \$2,000,000,000: *Provided*, That the funds made available under this heading shall be derived from the general fund, shall be in addition to any funds provided for fiscal year 2021 in this or any other Act for: (1) “Federal-aid Highways” under chapter 1 of title 23, United States Code; or (2) the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240, and shall not affect the distribution or amount of funds provided in any other Act: *Provided further*, That section 1101(b) of Public Law 114–94 shall apply to funds made available under this heading: *Provided further*, That unless otherwise specified, amounts made available under this heading shall be available until September 30, 2024: *Provided further*, That of the funds made available under this heading—

(1) \$640,650,000 shall be for activities eligible under section 133(b) of title 23, United States Code, and to provide necessary charging infrastructure along corridor-ready or corridor-pending alternative fuel corridors designated pursuant to section 151 of title 23, United States Code;

(2) \$2,700,000 shall be for activities eligible under the Puerto Rico Highway Program as described in section 165(b)(2)(C) of title 23, United States Code;

(3) \$650,000 shall be for activities eligible under the Territorial Highway Program, as described in section 165(c)(6) of title 23, United States Code;

(4) \$100,000,000 shall be for the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act;

(5) \$1,080,000,000 shall be for a bridge replacement and rehabilitation program;

(6) \$100,000,000 shall be for necessary expenses for construction of the Appalachian Development Highway System as authorized under section 1069(y) of Public Law 102–240;

(7) \$16,000,000 shall be for the national scenic byways program under section 162 of title 23, United States Code;

(8) \$50,000,000 shall be for competitive grants for activities described in section 130(a) of title 23, United States Code;

(9) \$5,000,000 shall be for the Regional Infrastructure Accelerator Demonstration Program authorized under section 1441 of the FAST Act; and

(10) \$5,000,000 shall be for a National Road Network Pilot Program for the Federal Highway Administration to create a national level, geo-spatial dataset that uses data already collected under the Highway Performance Monitoring System:

Provided further, That for the purposes of funds made available under this heading, in paragraph (1) of the fourth proviso, the term “State” means any of the 50 States or the District of Columbia: *Provided further*, That the funds made available under this heading, in paragraph (1) of the fourth proviso, shall be suballocated in the manner described in section 133(d) of title 23, United States Code, except that the set-aside described in section 133(h) of such title shall not apply to funds made available under this heading, in paragraph (1) of the fourth proviso: *Provided further*, That the funds made available under this heading, in paragraphs (1), (5), (7), and (8) of the fourth proviso, shall be administered as if apportioned under chapter 1 of such title: *Provided further*, That, the funds made available under this heading, in paragraph (1) of the fourth proviso, shall be apportioned to the States in the same ratio as the obligation limitation for fiscal year 2021

is distributed among the States in section 120(a)(5) of this Act: *Provided further*, That, except as provided in the following proviso, the funds made available under this heading for activities eligible under the Puerto Rico Highway Program and activities eligible under the Territorial Highway Program shall be administered as if allocated under sections 165(b) and 165(c), respectively, of title 23, United States Code: *Provided further*, That the funds made available under this heading for activities eligible under the Puerto Rico Highway Program shall not be subject to the requirements of sections 165(b)(2)(A) or 165(b)(2)(B) of such title: *Provided further*, That not less than 25 percent of the funds made available under this heading for the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act shall be for competitive grants to tribal governments: *Provided further*, That for the purposes of funds made available under this heading for a bridge replacement and rehabilitation program, (1) the term “State” means any of the 50 States or the District of Columbia, and (2) the term “qualifying State” means any State in which the percentage of total deck area of bridges classified as in poor condition in such State is at least 5 percent or in which the percentage of total bridges classified as in poor condition in such State is at least 5 percent: *Provided further*, That, of the funds made available under this heading for a bridge replacement and rehabilitation program, the Secretary shall reserve \$6,000,000 for each State that does not meet the definition of a qualifying State: *Provided further*, That, after making the reservations under the preceding proviso, the Secretary shall distribute the remaining funds made available under this heading for a bridge replacement and rehabilitation program to each qualifying State by the proportion that the percentage of total deck area of bridges classified as in poor condition in such qualifying State bears to the sum of the percentages of total deck area of bridges classified as in poor condition in all qualifying States: *Provided further*, That for the bridge replacement and rehabilitation program:

- (1) no qualifying State shall receive more than \$60,000,000;
- (2) each State shall receive an amount not less than \$6,000,000; and
- (3) after calculating the distribution of funds pursuant to the preceding proviso, any amount in excess of \$60,000,000 shall be redistributed equally among each State that does not meet the definition of a qualifying State:

Provided further, That funds provided to States that do not meet the definition of a qualifying State for the bridge replacement and rehabilitation program shall be: (1) merged with amounts made available to such State under this heading, in paragraph (1) of the fourth proviso; (2) available for activities eligible under paragraph (1) of the fourth proviso; and (3) administered as if apportioned under chapter 1 of title 23, United States Code: *Provided further*, That, except as provided in the preceding proviso, the funds made available under this heading for a bridge replacement and rehabilitation program shall be used for highway bridge replacement or rehabilitation projects on public roads: *Provided further*, That for purposes of this heading for the bridge replacement and rehabilitation program, the Secretary shall calculate the percentages of total deck area of bridges (including the percentages of total deck area classified as in poor condition) and the percentages of total bridge counts (including the percentages of total bridges classified as in poor condition) based on the National Bridge Inventory as of December 31, 2018: *Provided further*, That for the purposes of funds made available under this heading for construction of the Appalachian Development Highway System, the term

“Appalachian State” means a State that contains 1 or more counties (including any political subdivision located within the area) in the Appalachian region as defined in section 14102(a) of title 40, United States Code: *Provided further*, That funds made available under this heading for construction of the Appalachian Development Highway System shall remain available until expended: *Provided further*, That a project carried out with funds made available under this heading for construction of the Appalachian Development Highway System shall be carried out in the same manner as a project under section 14501 of title 40, United States Code: *Provided further*, That subject to the following proviso, funds made available under this heading for construction of the Appalachian Development Highway System shall be apportioned to Appalachian States according to the percentages derived from the 2012 Appalachian Development Highway System Cost-to-Complete Estimate, adopted in Appalachian Regional Commission Resolution Number 736, and confirmed as each Appalachian State’s relative share of the estimated remaining need to complete the Appalachian Development Highway System, adjusted to exclude those corridors that such States have no current plans to complete, as reported in the 2013 Appalachian Development Highway System Completion Report, unless those States have modified and assigned a higher priority for completion of an Appalachian Development Highway System corridor, as reported in the 2020 Appalachian Development Highway System Future Outlook: *Provided further*, That the Secretary shall adjust apportionments made under the preceding proviso so that no Appalachian State shall be apportioned an amount in excess of 30 percent of the amount made available for construction of the Appalachian Development Highway System under this heading: *Provided further*, That the Secretary shall consult with the Appalachian Regional Commission in making adjustments under the preceding two provisos: *Provided further*, That the Federal share of the costs for which an expenditure is made for construction of the Appalachian Development Highway System under this heading shall be up to 100 percent: *Provided further*, That the funds made available under this heading, in paragraph (8) of the fourth proviso, shall be available for projects eligible under section 130(a) of title 23, United States Code, for commuter authorities, as defined in section 24102(2) of title 49, United States Code, that experienced at least one accident investigated by the National Transportation Safety Board between January 1, 2008 and December 31, 2018, and for which the National Transportation Safety Board issued an accident report: *Provided further*, That for amounts made available under this heading, in paragraphs (8), (9), and (10) of the fourth proviso, the Federal share of the costs shall be, at the option of the recipient, up to 100 percent.]

(Department of Transportation Appropriations Act, 2021)

[For an additional amount for "Highway Infrastructure Programs", \$10,000,000,000, to remain available until September 30, 2024, to prevent, prepare for, and respond to coronavirus: *Provided*, That the funds made available under this heading in this Act shall be derived from the general fund of the Treasury, shall be in addition to any funds provided for fiscal year 2021 in this or any other Act for "Federal-aid Highways" under chapters 1 or 2 of title 23, United States Code, and shall not affect the distribution or amount of funds provided in the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2021, or any other Act:

Provided further, That section 1101(b) of Public Law 114-94 shall apply to funds made available under this heading in this Act: Provided further, That notwithstanding chapter 1 or chapter 2 of title 23, United States Code, or any other provision of law, in addition to other eligible uses described under this heading in this Act, a State, territory, Puerto Rico, or Indian Tribe may use funds made available under this heading in this Act for costs related to preventive maintenance, routine maintenance, operations, personnel, including salaries of employees (including those employees who have been placed on administrative leave) or contractors, debt service payments, availability payments, and coverage for other revenue losses: Provided further, That a State, territory, Puerto Rico, or Indian Tribe may transfer funds made available under this heading in this Act to State, multi-state, international, or local public tolling agencies that own or operate a tolled facility that is a public road, bridge, or tunnel, or a ferry system that provides a public transportation benefit, and that was in operation within their State in fiscal year 2020: Provided further, That funds transferred pursuant to the preceding proviso may be used for costs related to operations, personnel, including salaries of employees (including those employees who have been placed on administrative leave) or contractors, debt service payments, availability payments, and coverage for other revenue losses of a tolled facility or ferry system, and that, notwithstanding the previous receipt of Federal funds for such tolled facility or ferry system, for funds made available under this heading in this Act, the limitations on the use of revenues in subsections (a)(3) and (c)(4) of section 129 of title 23, United States Code, shall not apply with respect to the tolled facilities or ferry systems for which funding is transferred pursuant to the preceding proviso: Provided further, That of the funds made available under this heading in this Act, \$9,840,057,332 shall be available for activities eligible under section 133(b) of title 23, United States Code, \$114,568,862 shall be available for activities eligible under the Tribal Transportation Program, as described in section 202 of such title, \$35,845,307 shall be available for activities eligible under the Puerto Rico Highway Program, as described in section 165(b)(2)(C)(iii) of such title; and \$9,528,499 shall be available for activities eligible under the Territorial Highway Program, as described in section 165(c)(6) of such title: Provided further, That for the purposes of funds made available under this heading in this Act the term "State" means any of the 50 States or the District of Columbia: Provided further, That, except as otherwise provided under this heading in this Act, the funds made available under this heading in this Act shall be administered as if apportioned under chapter 1 of title 23, United States Code, except that the funds made available under this heading in this Act for activities eligible under the Tribal Transportation Program shall be administered as if allocated under chapter 2 of title 23, United States Code: Provided further, That the funds made available under this heading in this Act for activities eligible under section 133(b) of title 23, United States Code, shall be apportioned to the States in the same ratio as the obligation limitation for fiscal year 2021 is distributed among the States in accordance with the formula specified in section 120(a)(5) of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2021 and shall be apportioned not later than 30 days after the date of enactment of this Act: Provided further, That funds apportioned to a State under this heading in this Act shall be suballocated within the State to each area described in subsection 133(d)(1)(A)(i) of title 23, United States Code, in the same ratio that funds suballocated to that area for fiscal year 2021 bears to the combined amount of funds

apportioned to the State under section 104(b)(2) of such title for fiscal years 2020 and 2021: Provided further, That of funds made available under this heading in this Act for activities eligible under section 133(b) of title 23, United States Code, any such activity shall be subject to the requirements of section 133(i) of title 23, United States Code: Provided further, That, except as provided in the following proviso, the funds made available under this heading in this Act for activities eligible under the Puerto Rico Highway Program and activities eligible under the Territorial Highway Program shall be administered as if allocated under sections 165(b) and 165(c), respectively, of title 23, United States Code: Provided further, That the funds made available under this heading in this Act for activities eligible under the Puerto Rico Highway Program shall not be subject to the requirements of sections 165(b)(2)(A) or 165(b)(2)(B) of title 23, United States Code: Provided further, That for amounts made available under this heading in this Act, the Federal share of the costs shall be, at the option of the State, territory, Puerto Rico, or Indian Tribe, up to 100 percent: Provided further, That funds made available for preventive maintenance, routine maintenance, operations, personnel, including salaries of employees (including those employees who have been placed on administrative leave) or contractors, debt service payments, availability payments, and coverage for other revenue losses under this heading in this Act are not required to be included in a metropolitan transportation plan, a long-range statewide transportation plan, a transportation improvement program or a statewide transportation improvement program under sections 134 or 135 of title 23, United States Code, or chapter 53 of title 49, United States Code, as applicable: Provided further, That unless otherwise specified, applicable requirements under title 23, United States Code, shall apply to funds made available under this heading in this Act: Provided further, That, subject to the following proviso, the funds made available under this heading in this Act for activities eligible under the Tribal Transportation Program, as described in section 202 of title 23, United States Code, may not be set-aside for administrative expenses as described in section 202(a)(6) of such title: Provided further, That the Administrator of the Federal Highway Administration may retain up to \$10,000,000 of the total funds made available under this heading in this Act, to fund the oversight by the Administrator of activities carried out with funds made available under this heading in this Act: Provided further, That the set-asides described in subparagraph (C) of section 202(b)(3) of title 23, United States Code, and subsections (a)(6), (c), (d), and (e) of section 202 of such title shall not apply to funds made available under this heading in this Act for activities eligible under the Tribal Transportation Program: Provided further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.]

(Coronavirus Response and Relief Supplemental Appropriations Act, 2021)

Reason for excluding the Highway Infrastructure Programs: The FY 2022 Budget does not request funding for the program.

ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

SEC. 120. (a) For fiscal year [2021]2022, the Secretary of Transportation shall—

(1) not distribute from the obligation limitation for Federal-aid highways—

(A) amounts authorized for administrative expenses and programs by section 104(a) of title 23, United States Code; and

(B) amounts authorized for the Bureau of Transportation Statistics;
(2) not distribute an amount from the obligation limitation for Federal-aid highways that is equal to the unobligated balance of amounts—

(A) made available from the Highway Trust Fund (other than the Mass Transit Account) for Federal-aid highway and highway safety construction programs for previous fiscal years the funds for which are allocated by the Secretary (or apportioned by the Secretary under sections 202 or 204 of title 23, United States Code); and

(B) for which obligation limitation was provided in a previous fiscal year;

(3) determine the proportion that—

(A) the obligation limitation for Federal-aid highways, less the aggregate of amounts not distributed under paragraphs (1) and (2) of this subsection; bears to

(B) the total of the sums authorized to be appropriated for the Federal-aid highway and highway safety construction programs (other than sums authorized to be appropriated for provisions of law described in paragraphs (1) through (11) of subsection (b) and sums authorized to be appropriated for section 119 of title 23, United States Code, equal to the amount referred to in subsection (b)(12) for such fiscal year), less the aggregate of the amounts not distributed under paragraphs (1) and (2) of this subsection;

(4) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2), for each of the programs (other than programs to which paragraph (1) applies) that are allocated by the Secretary under the [Fixing America's Surface Transportation Act] *applicable surface transportation authorization act* and title 23, United States Code, or apportioned by the Secretary under sections 202 or 204 of that title, by multiplying—

(A) the proportion determined under paragraph (3); by

(B) the amounts authorized to be appropriated for each such program for such fiscal year; and

(5) distribute the obligation limitation for Federal-aid highways, less the aggregate amounts not distributed under paragraphs (1) and (2) and the amounts distributed under paragraph (4), for Federal-aid highway and highway safety construction programs that are apportioned by the Secretary under title 23, United States Code (other than the amounts apportioned for the National Highway Performance Program in section 119 of title 23, United States Code, that are

exempt from the limitation under subsection (b)(12) and the amounts apportioned under sections 202 and 204 of that title) in the proportion that—

(A) amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to each State for such fiscal year; bears to

(B) the total of the amounts authorized to be appropriated for the programs that are apportioned under title 23, United States Code, to all States for such fiscal year.

(b) EXCEPTIONS FROM OBLIGATION LIMITATION.—The obligation limitation for Federal-aid highways shall not apply to obligations under or for—

(1) section 125 of title 23, United States Code;

(2) section 147 of the Surface Transportation Assistance Act of 1978 (23 U.S.C. 144 note; 92 Stat. 2714);

(3) section 9 of the Federal-Aid Highway Act of 1981 (95 Stat. 1701);

(4) subsections (b) and (j) of section 131 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2119);

(5) subsections (b) and (c) of section 149 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 198);

(6) sections 1103 through 1108 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027);

(7) section 157 of title 23, United States Code (as in effect on June 8, 1998);

(8) section 105 of title 23, United States Code (as in effect for fiscal years 1998 through 2004, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(9) Federal-aid highway programs for which obligation authority was made available under the Transportation Equity Act for the 21st Century (112 Stat. 107) or subsequent Acts for multiple years or to remain available until expended, but only to the extent that the obligation authority has not lapsed or been used;

(10) section 105 of title 23, United States Code (as in effect for fiscal years 2005 through 2012, but only in an amount equal to \$639,000,000 for each of those fiscal years);

(11) section 1603 of SAFETEA-LU (23 U.S.C. 118 note; 119 Stat. 1248), to the extent that funds obligated in accordance with that section were not subject to a limitation on obligations at the time at which the funds were initially made available for obligation; and

(12) section 119 of title 23, United States Code (but, for each of fiscal years 2013 through [2021]2022, only in an amount equal to \$639,000,000).

(c) REDISTRIBUTION OF UNUSED OBLIGATION AUTHORITY.—

Notwithstanding subsection (a), the Secretary shall, after August 1 of such fiscal year—

(1) revise a distribution of the obligation limitation made available under subsection (a) if an amount distributed cannot be obligated during that fiscal year; and

(2) redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year, giving priority

to those States having large unobligated balances of funds apportioned under sections 144 (as in effect on the day before the date of enactment of Public Law 112–141) and 104 of title 23, United States Code.

(d) APPLICABILITY OF OBLIGATION LIMITATIONS TO TRANSPORTATION RESEARCH PROGRAMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the obligation limitation for Federal-aid highways shall apply to contract authority for transportation research programs carried out under—

(A) chapter 5 of title 23, United States Code; and

(B) [title VI of the Fixing America’s Surface Transportation Act] *an applicable surface transportation authorization act.*

(2) EXCEPTION.—Obligation authority made available under paragraph (1) shall—

(A) remain available for a period of 4 fiscal years; and

(B) be in addition to the amount of any limitation imposed on obligations for Federal-aid highway and highway safety construction programs for future fiscal years.

(e) REDISTRIBUTION OF CERTAIN AUTHORIZED FUNDS.—

(1) IN GENERAL.—Not later than 30 days after the date of distribution of obligation limitation under subsection (a), the Secretary shall distribute to the States any funds (excluding funds authorized for the program under section 202 of title 23, United States Code) that—

(A) are authorized to be appropriated for such fiscal year for Federal-aid highway programs; and

(B) the Secretary determines will not be allocated to the States (or will not be apportioned to the States under section 204 of title 23, United States Code), and will not be available for obligation, for such fiscal year because of the imposition of any obligation limitation for such fiscal year.

(2) RATIO.—Funds shall be distributed under paragraph (1) in the same proportion as the distribution of obligation authority under subsection (a)(5).

(3) AVAILABILITY.—Funds distributed to each State under paragraph (1) shall be available for any purpose described in section 133(b) of title 23, United States Code.

SEC. 121. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to chapter 63 of title 49, United States Code, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided*, That such funds shall be subject to the obligation limitation for Federal-aid highway and highway safety construction programs.

SEC. 122. Not less than 15 days prior to waiving, under his or her statutory authority, any Buy America requirement for Federal-aid highways projects, the Secretary of Transportation shall make an informal public notice and comment opportunity on the intent to issue such waiver and the reasons therefor. [: *Provided*, That the Secretary shall

provide an annual report to the House and Senate Committees on Appropriations on any waivers granted under the Buy America requirements.]

****Reason for excluding the last proviso: Buy America information is already provided via Buy America Federal Register Notices and is available on FHWA's Buy America website.****

SEC. 123. None of the funds provided in this Act may be used to make a grant for a project under section 117 of title 23, United States Code, unless the Secretary, at least 60 days before making a grant under that section, provides written notification to the House and Senate Committees on Appropriations of the proposed grant, including an evaluation and justification for the project and the amount of the proposed grant award[: *Provided*, That the written notification required in the previous proviso shall be made no later than 180 days after enactment of this Act].

****Reason for excluding the last proviso: While the Department aims to make awards under discretionary programs as quickly as possible, it may not be feasible to meet a specific statutory deadline for awards.****

SEC. 124. (a) A State or territory, as defined in section 165 of title 23, United States Code, may use for any project eligible under section 133(b) of title 23 or section 165 of title 23 and located within the boundary of the State or territory any earmarked amount, and any associated obligation limitation: *Provided*, That the Department of Transportation for the State or territory for which the earmarked amount was originally designated or directed notifies the Secretary of Transportation of its intent to use its authority under this section and submits an annual report to the Secretary identifying the projects to which the funding would be applied. Notwithstanding the original period of availability of funds to be obligated under this section, such funds and associated obligation limitation shall remain available for obligation for a period of 3 fiscal years after the fiscal year in which the Secretary of Transportation is notified. The Federal share of the cost of a project carried out with funds made available under this section shall be the same as associated with the earmark.

(b) In this section, the term "earmarked amount" means

(1) congressionally directed spending, as defined in rule XLIV of the Standing Rules of the Senate, identified in a prior law, report, or joint explanatory statement, *which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year*, and administered by the Federal Highway Administration; or

(2) a congressional earmark, as defined in rule XXI of the Rules of the House of Representatives, identified in a prior law, report, or joint explanatory statement, *which was authorized to be appropriated or appropriated more than 10 fiscal years prior to the current fiscal year*, and administered by the Federal Highway Administration.

(c) The authority under subsection (a) may be exercised only for those projects or activities that have obligated less than 10 percent of the amount made available for obligation as of October 1 of the current fiscal year, and shall be applied to projects

within the same general geographic area within 25 miles for which the funding was designated, except that a State or territory may apply such authority to unexpended balances of funds from projects or activities the State or territory certifies have been closed and for which payments have been made under a final voucher.

(d) The Secretary shall submit consolidated reports of the information provided by the States and territories annually to the House and Senate Committees on Appropriations.

****Reason for changing the definition of earmarked amount to apply the provision only to earmarks that are at least ten years old: to keep the provision from applying to any new projects [earmarked/designated] by Congress in the fiscal year 2022 process (since both the House and Senate Appropriations Committees have indicated their intent to earmark projects in that process).****

[SEC. 125. Until final guidance is published, the Administrator of the Federal Highway Administration shall adjudicate requests for Buy America waivers under the criteria that were in effect prior to April 17, 2018.]

****Reason for removal of section: The provision is unclear. A Federal Register notice was issued on April 16, 2018; however, this notification did not expressly identify or establish criteria.****

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EXHIBIT III-1
FEDERAL HIGHWAY ADMINISTRATION
Summary by Program Activity
Appropriations, Obligation Limitations, and Exempt Obligations
(\$000)

	(A)	(B)	(C)	(D)	(E)	(F)
	FY 2020 ACTUAL	FY 2020 CARES Act	FY 2021 ENACTED	FY 2021 CRRSA	FY 2021 American Rescue Plan	FY 2022 PRESIDENT'S BUDGET
[Limitation on Administrative Expenses] ^{1/}	[\$456,798]	----	[\$478,897]	----	----	[\$492,000]
Federal-aid Highways	\$47,060,491	----	\$47,061,969	----	----	\$47,061,969
Obligation Limitation	\$46,365,092	----	\$46,365,092	----	----	\$46,365,092
Exempt Programs ^{2/ 3/}	\$695,399	----	\$696,877	----	----	\$696,877
Highway Infrastructure Program						
Appropriated Budget Authority (GF) ^{4/}	\$2,166,140	----	\$2,000,000	\$10,000,000	----	----
TOTAL	\$49,226,631	----	\$49,061,969	\$10,000,000	----	\$47,061,969
FTE						
Direct Funded	2,582	----	2,578	----	----	2,596
Reimbursable, allocated, other	76	----	76	----	----	76
Total, FTE	2,658	----	2,654	----	----	2,672

Program and Performance Statement

These accounts provide necessary resources to support Federal-aid highway program activities, Highway Infrastructure Program activities, and maintain the agency's administrative infrastructure. Funding will aid in the development, operations, and management of an intermodal transportation system that is safe for all users, provides equitable travel for all people, addresses the climate change challenge, spurs innovation, and creates jobs.

[] Non-add

1/ All fiscal years include FHWA General Operating Expenses (GOE) and transfers to the Appalachian Regional Commission (ARC) for administrative activities associated with the Appalachian development highway system. All fiscal years do not include amounts for other non-administrative programs authorized under Administrative Expenses.

2/ In all years, the exempt contract authority is comprised of \$639 million for the National Highway Performance Program and \$100 million for the Emergency Relief Program.

3/ FY 2020 reflects sequestration of 5.9 percent of contract authority exempt from obligation limitation per Sequestration Order dated March 18, 2019. FY 2021 reflects sequestration of 5.7 percent of contract authority exempt from obligation limitation per Sequestration Order dated February 10, 2020. FY 2022 reflects sequestration of 5.7 percent of contract authority exempt from obligation limitation pursuant to 2 U.S.C. 901a(6)(B)(ii).

4/ The Department of Transportation Appropriations Act, 2020 (Public Law 116-94) provided \$2.166 billion in additional highway funding from the General Fund for FY 2020. The Department of Transportation Appropriations Act, 2021 (Public Law 116-260) provided \$2 billion in additional highway funding from the General Fund for FY 2021. The Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Public Law 116-260) provided \$10 billion in additional highway funding from the General Fund for FY 2021.

**EXHIBIT III-1a
FEDERAL-AID HIGHWAYS
SUMMARY ANALYSIS OF CHANGE FROM FY 2021 TO FY 2022
Appropriations, Obligation Limitations, and Exempt Obligations
(\$000)**

	<u>(\$000)</u>	<u>FTE</u>
FY 2021 EXTENSION (OBLIGATION LIMITATION + EXEMPT CA)	\$47,061,969	2,563
Federal-aid Highways		
<u>ITEM</u>		
ADJUSTMENTS TO BASE:		
Annualization of FY 2021 pay raise (1.0 percent)	\$857	
FY 2022 pay raise (2.7 percent)	\$6,963	
FY 2022 FERS increase (1.1 percent) ^{1/}	\$3,859	
Restoring hiring to normal operating levels post-hiring freeze	\$4,676	28
GSA rent	\$421	
Reduction in Working Capital Fund (WCF)	-\$1,889	
Reduction to Other Services	-\$7,130	
Restoring travel to normal operating conditions	\$5,260	
Non-pay inflation	\$86	
SUBTOTAL, ADJUSTMENTS TO BASE	\$13,103	28
PROGRAM DECREASES		
Offset in salaries and benefits for Shared Services ^{2/}	-\$1,612	-10
Offset in Information Technology for Shared Services ^{3/}	-\$4,541	
SUBTOTAL, PROGRAM DECREASES	-\$6,153	-10
PROGRAM INCREASES		
Federal-aid Highway Program	-\$13,103	
Shared Services Increase to WCF - IT ^{4/}	\$6,153	
SUBTOTAL, PROGRAM INCREASES	-\$6,950	0
FY 2022 REQUEST [OB. LIM. + EXEMPT CA]	47,061,969	2,581

1/ The budget request assumes that the cost of FERS as a percentage of salaries and benefits will increase from 17.3 percent in FY 2021 to 18.4 percent in FY 2022.

2/ Estimate of offset (decrease) in Salaries and Benefits due to the transition to an IT shared services model administered by the Department.

3/ Estimate of offset (decrease) in FHWA IT services and equipment due to transition to a shared services model administered by the Department.

4/ Estimate of increase in WCF contribution due to the transition of IT commodity functions to a shared services model administered by the Department.

**FEDERAL HIGHWAY ADMINISTRATION
FEDERAL-AID HIGHWAY PROGRAM AUTHORIZATIONS OF CONTRACT AUTHORITY**

Fixing America's Surface Transportation (FAST) Act (Public Law 114-94)

**Continuing
Appropriations
Act, 2021 and
Other Extensions
Act (Public Law
116-159)**

Program	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Total FY 2016-2020	FY 2021
Apportioned Programs	39,727,500,000	40,547,805,000	41,424,020,075	42,358,903,696	43,373,294,311	207,431,523,082	43,373,294,311
Highway Safety Improvement Program ^{1/}	2,454,094,512	2,508,792,347	2,556,434,401	2,603,108,774	2,656,122,968	12,778,553,002	2,656,342,811
National Highway Performance Program ^{2/}	22,332,260,060	22,830,010,326	23,263,553,053	23,741,885,964	24,237,436,805	116,405,146,208	24,239,437,431
Surface Transportation Block Grant Program ^{3/}	11,162,564,768	11,425,377,855	11,668,517,528	11,876,557,947	12,137,825,290	58,270,843,388	12,138,745,516
Congestion Mitigation & Air Quality Improvement Program	2,309,059,935	2,357,349,730	2,402,948,048	2,448,515,802	2,496,402,513	12,014,276,028	2,493,588,533
National Highway Freight Program	1,140,250,003	1,090,683,553	1,189,833,898	1,338,557,053	1,487,293,352	6,246,617,859	1,487,305,365
Metropolitan Transportation Planning	329,270,722	335,591,189	342,733,147	350,278,156	358,213,383	1,716,086,597	357,874,655
Nationally Significant Freight and Highway Projects	800,000,000	850,000,000	900,000,000	950,000,000	1,000,000,000	4,500,000,000	1,000,000,000
Federal Lands and Tribal Transportation Programs	1,050,000,000	1,075,000,000	1,100,000,000	1,125,000,000	1,150,000,000	5,500,000,000	1,150,000,000
Federal Lands Transportation Program	335,000,000	345,000,000	355,000,000	365,000,000	375,000,000	1,775,000,000	375,000,000
Federal Lands Access Program	250,000,000	255,000,000	260,000,000	265,000,000	270,000,000	1,300,000,000	270,000,000
Tribal Transportation Program	465,000,000	475,000,000	485,000,000	495,000,000	505,000,000	2,425,000,000	505,000,000
Research, Technology, and Education Program	414,500,000	417,500,000	417,500,000	420,000,000	420,000,000	2,089,500,000	420,000,000
Highway Research and Development Program	125,000,000	125,000,000	125,000,000	125,000,000	125,000,000	625,000,000	125,000,000
Technology and Innovation Deployment Program	67,000,000	67,500,000	67,500,000	67,500,000	67,500,000	337,000,000	67,500,000
Training and Education	24,000,000	24,000,000	24,000,000	24,000,000	24,000,000	120,000,000	24,000,000
Intelligent Transportation Systems Program	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000	500,000,000	100,000,000
University Transportation Centers	72,500,000	75,000,000	75,000,000	77,500,000	77,500,000	377,500,000	77,500,000
Bureau of Transportation Statistics	26,000,000	26,000,000	26,000,000	26,000,000	26,000,000	130,000,000	26,000,000
Federal Allocation Programs	404,000,000	404,000,000	404,000,000	404,000,000	404,000,000	2,020,000,000	404,000,000
Construction of Ferry Boats and Ferry Terminal Facilities	80,000,000	80,000,000	80,000,000	80,000,000	80,000,000	400,000,000	80,000,000
Disadvantaged Business Enterprise	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	50,000,000	10,000,000
Emergency Relief ^{2/}	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000	500,000,000	100,000,000
Highway Use Tax Evasion Projects	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	20,000,000	4,000,000
On-the-Job Training	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	50,000,000	10,000,000
Territorial and Puerto Rico Highway Program	200,000,000	200,000,000	200,000,000	200,000,000	200,000,000	1,000,000,000	200,000,000
TIFIA Program	275,000,000	275,000,000	285,000,000	300,000,000	300,000,000	1,435,000,000	300,000,000
Administrative Expenses ^{4/}	429,000,000	435,795,000	442,691,925	449,692,304	456,797,689	2,213,976,918	456,797,689
TOTAL, FHWA	43,100,000,000	44,005,100,000	44,973,212,000	46,007,596,000	47,104,092,000	225,190,000,000	47,104,092,000
CA Subject to Obligation Limitation	42,361,000,000	43,266,100,000	44,234,212,000	45,268,596,000	46,365,092,000	221,495,000,000	46,365,092,000
CA Exempt from Obligation Limitation	739,000,000	739,000,000	739,000,000	739,000,000	739,000,000	3,695,000,000	739,000,000

1/ Amounts for the Highway Safety Improvement Program (HSIP) include set aside for Railway-Highway Crossings Program (RHCP) (\$225.0 million in FY 2016 and increasing by \$5.0 million each year through FY 2020/FY 2021) and \$3.5 million set aside each fiscal year for allocated funding to carry out certain safety-related activities.

2/ Amounts exempt from Obligation Limitation include \$100,000,000 for Emergency Relief and \$639,000,000 of the National Highway Performance Program apportionments. FY 2016 amounts do not reflect sequestration of 6.8 percent per Sequestration Order dated February 2, 2015. FY 2017 amounts do not reflect sequestration of 6.9 percent per Sequestration Order dated February 9, 2016. FY 2018 amounts do not reflect sequestration of 6.6 percent per Sequestration Order dated May 23, 2017. FY 2019 amounts do not reflect sequestration of 6.2 percent per Sequestration Order dated February 12, 2018. FY 2020 amounts do not reflect sequestration of 5.9 percent of contract authority exempt from obligation limitation per Sequestration Order dated March 18, 2019. FY 2021 amounts do not reflect sequestration of 5.7 percent of contract authority exempt from obligation limitation per Sequestration Order dated February 10, 2020.

3/ Amounts for Surface Transportation Block Grant Program include set aside for Transportation Alternatives equal to \$835.0 million in FY 2016 and FY 2017 and \$850.0 million in FY 2018 through FY 2021.

4/ Includes FHWA General Operating Expenses (GOE) and transfers to the Appalachian Regional Commission (ARC) for administrative activities associated with the Appalachian development highway system.

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Federal Highway Administration Fiscal Year 2022 Budget

The Federal Highway Administration's (FHWA) fiscal year (FY) 2022 Budget request of \$47.1 billion for the Federal-aid Highway Program will advance the Secretary of Transportation's vision of building America's economy and infrastructure back better. This request will continue to prioritize safety as the foundation of everything we do, while helping our Nation's economy recover and rebuild, rising to the climate challenge, and ensuring transportation equity across communities.

FHWA's Budget will support the Secretary of Transportation's priorities of safety, transformational investment, transportation equity, addressing the climate change challenge, and job creation.

SAFETY

Safety is FHWA's top priority. Our Nation lost 36,096 people in crashes on our highways in 2019, and in 2020 fatalities and the fatality rate per 100 million miles driven are estimated to have risen sharply.

Highway Safety Improvement Program

FHWA requests \$2.7 billion for its core safety program, the Highway Safety Improvement Program (HSIP). This funding will support investment in roadway infrastructure and allow States to implement the Safe System Approach in which human life and health are primary considerations when designing a road. These investments will also help achieve the Department's vision of significantly reducing transportation-related fatalities in the next 10 years. FHWA will work with States to encourage prioritizing safety-related investments in communities that have been historically underserved and adversely affected by past infrastructure decisions, with a focus on disadvantaged communities including high poverty and rural areas.

The HSIP is based on a performance-driven process that identifies and analyzes highway safety problems and advances highway safety improvement projects that have the greatest potential to reduce fatalities and serious injuries. The HSIP provides funds to States to address safety challenges on all public roads, including local and rural roads, and provides States the resources to address emerging areas of risk with innovative safety interventions. For example, FHWA is championing the systemic application of multiple low-cost countermeasures at stop-controlled intersections. This approach, which can yield a benefit-to-cost ratio of twelve to one, involves deploying a group of safety improvements, such as enhanced signing and pavement markings at numerous stop-controlled intersections within a jurisdiction. This innovative approach leads to a 10 percent reduction in injury and fatal crashes and a 15 percent reduction in nighttime crashes.

The HSIP includes a set-aside for the Railway-Highway Crossings Program to reduce the number of fatalities, injuries, and crashes at public railway-highway grade crossings. Through this program, State and local agencies are implementing data-driven practices to successfully

address highway-railway crossing safety planning, implementation, and evaluation challenges. These noteworthy practices can help streamline project development and implementation, improve coordination with rail partners, and utilize funding effectively – with the goal of reducing roadway fatalities and serious injuries.

For example, hinged pedestrian gate skirts are secondary horizontal bars that hang under an existing pedestrian gate at a railway-highway crossing. This treatment deters pedestrians from going under a gate that is in movement and in the down position. The low position of the gate skirt also benefits people who are blind or have low vision because the gate can be detected using canes, or other mobility aids. In 2016, three pedestrians were hit and killed near the Main Street and Ramsey transit station in Ramsey, New Jersey. In the summer of 2017, New Jersey DOT became the second State in the country to install a hinged pedestrian gate skirt. As part of the project, New Jersey DOT also added fencing, signs, and pavement markings to increase safety and improve general awareness near the crossing. According to New Jersey DOT, as of October 2019, the number of violations decreased at the location, and most importantly, no fatalities had occurred since the installation of the hinged pedestrian gate skirt.

Another set-aside from the HSIP supports transportation safety outreach, training, and education through the following activities: Operation Lifesaver, the Public Road Safety Clearinghouse, Work Zone Safety Grants, the National Work Zone Safety Information Clearinghouse, and guardrail training. These programs are needed now more than ever. In 2019, 842 people died in highway work-zone crashes compared to 757 the prior year. The 11 percent increase is the largest percentage increase of highway work zone fatalities since 2006. FHWA has supported work zone safety efforts for more than 20 years through grants to States for specialized work zone safety training. To date, FHWA has supported the delivery of nearly 4,300 courses to over 120,000 State and local DOT personnel as well as other transportation agency staff.

In addition to the HSIP, several other key FHWA programs have safety-related eligible activities, such as the Surface Transportation Block Grant (STBG) Program and the National Highway Performance Program (NHPP).

Pedestrian Safety

FHWA is committed to a holistic approach to transportation, with emphasis on safe and efficient travel for all users. Funding for pedestrian projects is available under the HSIP and several of FHWA's other programs including the NHPP and the STBG. FHWA's Safe Transportation for Every Pedestrian helps reduce pedestrian fatalities by promoting the use of proven pedestrian safety countermeasures, such as road diets (reducing the number of lanes that pedestrians cross), pedestrian hybrid beacons, and pedestrian refuge islands. For instance, the installation of a pedestrian hybrid beacon can result in a 55 percent reduction in pedestrian crashes, a 29 percent reduction in total crashes, and a 15 percent reduction in serious injury and fatal crashes.

Pedestrian safety continues to be a focus area of FHWA's research programs because annual pedestrian fatalities are near their highest levels in decades. A pedestrian safety initiative FHWA launched in FY 2020 will establish enhanced methods for pedestrian data collection and more accurate determination of where pedestrian risk is greatest. In FY 2022, FHWA will expand the

capability of our Virtual/Augmented Reality Laboratory, which supports and allows for testing of various pedestrian and bicyclist measures.

Complete Streets

FHWA will emphasize a Complete Streets approach to transportation investment and will work with States, Metropolitan Planning Organizations (MPOs), Tribes, and local governments to ensure that streets are designed and operated safely, and support mobility and accessible travel for all road users both inside and outside of vehicles. Developing a transportation system primarily for motorized vehicular traffic has failed to meet the travel needs and preferences of large segments of the country's population, particularly historically disadvantaged communities. Typical elements that make up a Complete Street include sidewalks, bicycle lanes, shared-use paths, designated bus lanes, safe and accessible transit stops, and frequent and safe crossings for pedestrians. A strength of Complete Streets is that they are context-sensitive, meaning they are appropriate for the area in which the project is being implemented. A design for a Complete Street in a rural area will look different from one in an urban or suburban area; the common denominator, however, is balancing safety and convenience for everyone using the road.

Complete Streets have wide-ranging impacts including improved safety for all users, reduced fossil fuel emissions that contribute to climate change, creating and maintaining vibrant neighborhoods, and improved public health. One example of how FHWA supports Complete Streets is through Safe Routes to School projects, which are eligible under FHWA's Transportation Alternatives (TA) funding. Safe Routes to School projects bring together individual schools and school districts, students, parents, and law enforcement to develop projects that encourage students to walk or bike to and from their schools. By empowering communities to make walking and biking to school a safe activity, these projects provide safe travel for children while reducing traffic congestion on streets around schools.

Safety Research

Safety is a core focus area of FHWA's Research, Technology, and Education (RT&E) Program. This program addresses the contributing factors to deaths and injuries related to roadway design, construction, and maintenance, and develops robust data analysis tools that enable transportation professionals to match those contributing factors with cost-effective countermeasures. Investments in safety research include: data-driven safety plans to reduce rural roadway departures; analysis of human behavior in response to automated vehicle technologies; and studies on Evaluation of Low-Cost Safety Improvements to assess the safety effectiveness and cost-benefit of roadway and roadside safety improvements by applying advanced statistical analysis.

INFRASTRUCTURE INVESTMENT

Our Nation's transportation infrastructure is aging and many communities are not appropriately served by our roads and bridges. Investment is needed now to repair and modernize our roads and bridges to build a better future for all users. FHWA's programs will be a vital component for bringing about this change.

National Highway Performance Program

FHWA's request of \$24.2 billion for the National Highway Performance Program (NHPP) will support improvements to the condition and performance of the National Highway System (NHS). The NHS is a system of roads and bridges that are critical to national interests and enhance mobility, security, economic growth, and quality of life nationwide. The NHS is comprised of the Interstate System, all principal arterials including border crossings, intermodal connectors, and roads important to national defense.

The NHS totals approximately 220,000 miles of high-volume roads and over 145,000 bridges. It provides mobility to most of the Nation's population and almost all of it supports commerce and national defense, and promotes intermodal connectivity. While NHS mileage is only a small portion of the Nation's overall public road mileage, it carries 55 percent of all vehicular traffic. Much of truck-borne freight uses it at some point in its journey. While it comprises 53 percent of United States highway border crossings, it handles 98 percent of the value of total truck trade with Canada and Mexico. Furthermore, the NHS is vital to rural communities. In rural areas, the NHS carries just under 50 percent of all vehicle miles traveled, and provides critical access for jobs, health care, and commerce.

The NHPP will continue to direct Federal funds towards addressing national performance goals for the NHS. Among these are the condition of pavements and bridges. Past performance has demonstrated that sustained investment in our Nation's roads and bridges leads to better roadway and bridge conditions. For example:

- The share of travel on NHS pavements with good ride quality rose from 48 percent in 2000 to 62 percent in 2019. This improvement came despite the Moving Ahead for Progress in the 21st Century Act increasing NHS mileage by almost 60,000 miles. Bringing pavements up to a state of good repair provides the following benefits: decreased wear and tear on vehicles, and reduced repair costs; reduced traveler delays; and lowered crash rates. Given that the NHS carries the majority of all vehicular traffic, a one percent increase translates into 18 billion more vehicle miles travelled occurring on pavements with good ride quality.
- The percentage of Non-Interstate NHS pavements in good condition increased from 56.2 percent in 2017 to 57.0 percent in 2019.
- The percentage of deck area on NHS bridges classified as in "Good" condition increased from 41.7 percent in 2012 to 41.9 percent in 2020.

Preserving and improving the NHS through the NHPP keeps our Nation's highways and bridges safe, benefits both urban and rural areas nationwide, creates employment opportunities, and strengthens the economy.

Surface Transportation Block Grant Program

FHWA's request of \$12.1 billion for the Surface Transportation Block Grant Program (STBG) provides funding that has the greatest flexibility among FHWA's core programs. The STBG Program is available for the roughly 1,000,000 miles of Federal-aid highways, for bridges on any public road, and for transit capital projects. This program gives transportation agencies, local governments, and communities the ability to direct funding to address State and local priorities. Additionally, this program will develop and improve interconnected, multimodal transportation networks, help improve roadway safety for all road users, including pedestrians and bicyclists, improve air quality, reduce congestion, foster affordable transportation, and improve quality of life.

A long-term commitment to funding this program has resulted in the following benefits:

- The share of vehicle miles travelled on Federal-aid highway pavements with good ride quality rose from 43 percent in 2000 to 53 percent in 2019.
- The percentage of the deck area of bridges classified as in "Poor" condition dropped from 7.8 percent in 2012 to 5.2 percent in 2020 even as the total number of bridges in the Nation's inventory increased from 607,380 to 618,456. The percentage of the deck area on bridges classified as in "Good" condition remained steady at approximately 44 percent from 2012 to 2020.
- More short trips are being accomplished by walking and biking. Approximately 12 percent of all trips were made by bicycling or walking in 2017, compared with 8 percent in 1994. In 2017, walking comprised 11 percent and bicycling 1 percent of all trips.

The STBG Program supports communities of all sizes by targeting a majority of funds to areas in proportion to the relative share of State population. Both urbanized areas and rural areas nationwide receive targeted funding through the STBG Program.

Through its flexibility, wide range of eligible projects, and targeted nature, the STBG Program improves safety, mobility, accessibility, transportation choices, and quality of life for all communities.

National Highway Freight Program

Investment in our Nation's freight infrastructure is needed to support safety and maintain a strong economy through projected population and economic growth. Nationwide, truck vehicle miles traveled increased nearly 2.5 percent per year on the Interstate from 2014 to 2019. Between 2016 and 2045, the U.S. will see freight activity grow by 44 percent in tonnage. FHWA's National Highway Freight Program (NHFP) request of \$1.5 billion will support States in improving the efficient movement of freight on the National Highway Freight Network.

The NHFP addresses a longstanding need to reduce the existing backlog in freight infrastructure investment. The NHFP offers States and their private-sector partners secure funding to plan and

deliver improvements in freight infrastructure and operations that yield a high return on Federal investment for the economy and provide wide-ranging public benefits.

Freight projects are often multimodal, multi-jurisdictional, complex, or involve partnership with the private sector, making them difficult to administer under current Federal and State funding programs. Freight proponents identify these issues as challenges to implementing freight solutions despite widespread need and a significant backlog of projects. The NHFP is contributing to reducing this backlog, helping our Nation's freight industry meet the growth in demand in a responsible, effective, and sustainable way.

Infrastructure for Rebuilding America Grant Program

Further advancing needed freight projects, along with other nationally significant highway projects, is the Infrastructure for Rebuilding America (INFRA) discretionary grant program. FHWA's request of \$1 billion for INFRA provides financial assistance to States, metropolitan planning organizations, Tribal governments, special-purpose districts and port authorities with a transportation function, and local governments to complete nationally significant projects. Projects supported by this program provide public benefits including improved national and regional economic vitality, innovation, and safety in both rural and urban areas. INFRA allows States, MPOs, local governments and other eligible entities to apply for funding to complete projects that improve safety, generate economic benefits, reduce congestion, enhance resiliency, and hold the greatest promise to eliminate freight bottlenecks and improve critical freight movements.

INFRA puts an emphasis on projects that support economic growth, deploy innovative technology, expand access to broadband, use innovative project delivery practices, and use innovative financing. In FY 2020, the Department awarded INFRA grants to 20 projects in 20 States to support various infrastructure improvement projects across the country. Approximately 50 percent of these grants were awarded to projects in rural areas. For example, the Kentucky Transportation Cabinet received a FY 2020 INFRA grant award for a project that will widen 11 miles of the Mountain Parkway from two to four lanes between the KY 191 overpass and the KY 205 interchange. This project will improve horizontal curves, enhance clear zones, and modernize existing interchanges along the corridor. The project will support economic vitality, improve safety, and reduce travel time.

Federal Lands Transportation and Access Programs

The Federal Government owns approximately 30 percent of the land in the United States. These Federal public lands are found across our Nation in rural and urban areas. FHWA's Federal Lands Programs invest in transportation infrastructure that provides access to and within Federal Lands.

FHWA's request of \$375 million for the Federal Lands Transportation Program (FLTP) will support projects that improve multimodal transportation on roads, bridges, trails, transit systems, and other transportation facilities within Federal lands. FHWA partners with Federal Land Management Agencies (FLMAs) to administer the FLTP. Projects completed through the FLTP

provide safe, seamless, multimodal access on Federal lands; support increased visitation; improve transportation infrastructure safety; and reduce congestion. These outcomes help expand economic development and create new jobs in and around rural and urban Federal lands that contribute to the local, regional, and national economies.

The FLTP fosters innovation in transportation and transportation technologies. Projects are evaluated for compatibility with FHWA's Every Day Counts initiative, as well as other innovation deployment priorities that will improve infrastructure performance and investment. These innovation efforts identify and rapidly deploy proven innovations to shorten the project delivery process, enhance roadway safety, reduce traffic congestion, enhance the life of infrastructure, and integrate automation.

For example, the rehabilitation of Glacier National Park's Going-To-The-Sun Road is an FLTP project that utilized innovative solutions. The dedication occurred in Summer 2019 after over \$150 million of rehabilitation of this signature road. This project included innovative safety solutions with the implementation of a removable, crash-tested, log guardrail system installed that is removed in the winter to avoid avalanche damage.

FHWA also requests \$270 million for the Federal Lands Access Program (FLAP) and this funding will support projects on transportation facilities owned by State, local, and Tribal governments, providing access to lands owned and operated by the Federal Government. To promote efficient and effective access to destination points within Federal lands, it is vitally important that the State- and local-owned roads that connect with Federal Lands Transportation facilities are in safe and good condition so the traveling public can seamlessly access these Federal properties and enjoy the recreational and other opportunities therein.

Frequently, the State- and local-owned roads for accessing Federal lands are lower classification roads that have limited eligibility under the Federal-aid highway program. Prior to the authorization of FLAP, many of these important State- and local-owned roads fell into a state of disrepair due to constrained transportation resources. FLAP addresses this gap and is intended to complement the FLTP.

FLAP funds are commonly pooled with other Federal and non-Federal funding sources and serve as an effective mechanism for leveraging taxpayers' dollars in rural America. Through funding flexibilities in current law, and when coupled with integrated transportation planning between FLMAs and States, projects that otherwise may have been constructed separately can be combined into a single project and be delivered in a cost-effective and time-efficient manner.

A recent example of a FLAP project in Wyoming is on Southfork Road. The Southfork Road project is a major 7.38-mile reconstruction project that provides access to millions of acres of the Federal Shoshone National Forest and the Bureau of Land Management's Castle Rock area. It also provides access to the non-Federal Buffalo Bill State Park. This project includes roadway rehabilitation and widening, drainage repairs, and safety improvements.

Research, Technology, and Education Program

FHWA's request of \$420 million for the Research, Technology, and Education (RT&E) Program will deliver research, development, and training to address critical knowledge gaps that are not effectively addressed by other highway research sponsors and to foster the implementation of technologies to meet current and future highway transportation needs across all communities. The program seeks to generate new innovations; provide better decision-support data, information, and tools; and build effective partnerships that will allow our Nation to make optimal investments in the transportation system. Innovations developed and/or advanced through FHWA's RT&E Program support and improve safety and enable a more reliable transportation system that is cost-effective and sustainable, thus improving overall economic competitiveness and quality of life.

The RT&E Program is comprised of the following subprograms:

- The **Highway Research and Development (HRD) Program** (\$125 million) provides for research and development to produce transformative solutions to improve safety, foster innovation, accelerate projects, and better meet operations, policy, and infrastructure needs.
 - FHWA's research programs seek to improve safety, reduce congestion, enhance infrastructure design and construction, and provide data and analyses to decision-makers throughout the transportation community.
 - FHWA research programs fill a critical gap in the development of transformative innovations. While the private sector and university research programs are critical to the advancement of highway safety, operations, and infrastructure, the FHWA research program is not constrained by the same barriers to innovation such as risk aversion and long-term investments. This allows FHWA, in coordination with these other research entities, to lead the way and accelerate innovation in critical areas that will serve all communities.
 - FHWA's ability to lead research innovation is exemplified by the Exploratory Advanced Research Program which conducts longer-term, higher-risk research in all the research program areas. These research products have the potential for dramatic breakthroughs in transportation. For FY 2022, emerging research topics may include advanced modeling approaches of novel supplementary and alternative materials used for highway pavements and structures; new methods for advanced computing at the edge for traffic control and safety systems that can evolve with emerging mobility technologies; and new approaches for researching human behavior including methods that provide evidence on the interaction between emerging technology and behavior.
- The **Technology and Innovation Deployment Program (TIDP)** (\$67.5 million) turns research products into proven technologies that address emerging needs and promotes rapid adoption of proven, market-ready technologies and innovations.

- This program will fund efforts to advance research products into proven technologies and demonstrated practices; identify the market forces that will influence successful technology and innovation deployment; and plan and deliver effective technical assistance, training, communication and outreach to promote rapid adoption of proven, market-ready technologies and innovations.
- One example of how FHWA champions innovative solutions is the Every Day Counts (EDC) Program.
 - EDC is a State and local-based program that identifies and rapidly deploys proven, yet underutilized market-ready innovations to shorten the project delivery process, enhance roadway safety, reduce traffic congestion, and integrate automation.
 - Proven innovations promoted through EDC facilitate greater efficiency at the State and local levels, saving time, money and resources that can be used to deliver more projects. The EDC Program will continue to provide transportation agencies with training, technical support, tools, and resources to advance stakeholder-selected innovations in a manner that best meets their needs. Each State has used 14 or more of the 43 innovations promoted through EDC since the program's inception, and 28 States have adopted more than 30.
 - Through EDC, FHWA is championing the use of virtual public involvement techniques and strategies. Virtual public involvement provides State DOTs and local agencies throughout the country with a platform of innovative tools and strategies for making public involvement more accessible, thus providing a better understanding of the public's concerns regarding transportation system performance and needs. These new opportunities for information sharing and public involvement include, but are not limited to, telephone town halls, online meetings, pop-up outreach, social meetings/meeting-in-a-box kits, story maps, quick videos, crowdsourcing, survey tools, real-time polling tools, social media following, visualization, and working with bloggers. Early and strong public engagement has the potential to accelerate project delivery by helping identify and address public concerns early in the planning process, thereby reducing delays from previously unknown interests late in the project delivery process.
- **The Intelligent Transportation Systems (ITS) Program** (\$100 million) fosters innovation in transportation through the deployment of technology to enhance the safety, efficiency and convenience of surface transportation, resulting in saved lives, improved access, and increased productivity and mobility. The ITS Program seeks to provide innovative solutions to transportation problems for all users. For example, the Complete Trip - ITS4US Deployment Program is designed to bring publicly and privately sponsored research together to create large-scale, replicable deployments that generate

increased multimodal mobility options for all travelers regardless of location, income, or disability. To address transportation needs of all travelers, and specifically travelers in underserved transportation communities, the entire trip from conception and planning to execution and from origin to destination must be considered. The Complete Trip-ITS4US Deployment Program intends to fund multiple large-scale, replicable deployments of integrated innovative technologies to address the challenges of planning and executing all segments of a complete trip.

- The **Training and Education (T&E) Program** (\$24 million) provides resources for the development and delivery of technical assistance, training, professional development, and education programs to improve the professional capacity of the workforce that manages, develops and maintains the Nation's highway system. This program provides educational and professional capacity building opportunities and resources to the surface transportation community by routinely updating and delivering training and technical assistance on core competencies; identifying and developing training and technical assistance needs for emerging competencies and new skills; promoting technology transfer and innovative practices and technologies; and supporting transportation professionals in the acquisition of their advanced degrees.
- **University Transportation Centers** (\$77.5 million) and the **Bureau of Transportation Statistics** (\$26 million) are funded through the Federal-aid Highway Program and are administered by the Office of the Assistant Secretary for Research and Technology in the Office of the Secretary of Transportation.

The **State Planning and Research (SP&R) Program**, a \$214 million set-aside from the NHPP, STBG, HSIP, CMAQ, and NHFP, supports States in meeting State-identified research needs. The State DOTs can utilize this program to address specific needs within their State or pool their contributions through different mechanisms to further leverage their funds. The National Cooperative Highway Research Program (NCHRP), which is funded by State Planning and Research contributions, funds projects that are selected by the States through the American Association of State Highway and Transportation Officials Special Committee on Research and Innovation. The NCHRP has a long history of developing valuable tools, innovations, and resources for the States. A recent example is NCHRP report 897: *Tools to Facilitate Implementation of Effective Metropolitan Freight Transportation Strategies*. This report provides transportation practitioners and decision makers with guidance for implementing effective metropolitan freight transportation strategies.

Transportation Infrastructure Finance and Innovation Act Program

FHWA's request of \$300 million for the Transportation Infrastructure Finance and Innovation Act (TIFIA) Program will provide Federal credit assistance to surface transportation projects of national or regional significance. The TIFIA Program leverages Federal dollars in a time of scarce budgetary resources, facilitating private participation in transportation projects and encouraging innovative financing mechanisms that help accelerate project delivery. By offering flexible repayment terms and attracting private capital, the TIFIA Program stimulates infrastructure investment that would be significantly or permanently delayed without TIFIA

financing. The Office of the Secretary of Transportation's Build America Bureau oversees the TIFIA Program, including the evaluation of individual projects, and provides overall policy direction and program decisions for the TIFIA Program.

Construction of Ferry Boats and Ferry Terminal Facilities

FHWA's request of \$80 million for the Construction of Ferry Boats and Ferry Terminal Facilities (FBP) Program will provide funding to construct ferry boats and ferry terminal facilities. Ferry services are important links in the network of Federal-aid highways. Often ferries carry significant numbers of passengers and vehicles. In many cases, they are the only reasonable form of transportation, particularly on coastal islands which have year-round residents.

The FBP addresses mobility and access in urban and rural areas by providing valuable assistance to help States and other entities replace or acquire new ferry boats; replace propulsion systems with newer, cleaner and more energy-efficient power plants; update navigational control systems; construct new terminals; improve access for persons with disabilities; and replace and construct new docking facilities. Through these activities, the program provides vital connections on the network of Federal-aid highways, increasing mobility and safety, particularly for citizens for which ferry services are a vital form of transportation.

Highway Use Tax Evasion Projects

FHWA's request of \$4 million the Highway Use Tax Evasion Projects (HUTE) Program will provide funding to the Internal Revenue Service (IRS) and the States to carry out intergovernmental enforcement efforts, along with training and research, to reduce evasion of payment of motor fuel and other highway use taxes, which are the principal sources for Federal and State highway funding.

Through the efforts of this program, the IRS has launched several initiatives over the past ten years, including: Diesel Examinations, Tire Tax Examinations, the review of Heavy Highway Vehicle Use Tax (HVUT) returns, mislabeled imported fuel examinations, examinations of mislabeled products at refineries and terminals, and examinations of questionable credit claims. Over the past five years, \$10 million in funding was provided to the IRS, which resulted in \$482 million in assessments through various activities, including internal audits, refinery and terminal inspections, and retail truck inspections. The IRS initiatives are not solely funded from HUTE funds, but they provide a significant portion of the funding.

The HUTE Program yields benefits at the State level as well. For example, in 2019, using HUTE funds, the Alabama DOT realized a \$2 million increase in International Fuel Tax Agreement revenue and over \$870 thousand in fuel tax assessed on suspected fuel tax evasion cases.

The collection of highway use taxes is a critical part of the Federal-aid highway program. The HUTE program helps increase transportation revenues at the Federal and State levels ensuring that these valuable tax dollars can be properly used to increase the safety and mobility of the Nation's roads and bridges.

TRANSPORTATION EQUITY

FHWA recognizes that entrenched disparities in our laws and public policies have denied equal opportunity to individuals and communities. FHWA is committed to advancing equity for all, embedding fairness in decision-making processes and working to redress inequities in our policies and programs that serve as barriers to equal opportunity. FHWA's Budget request advances equitable investment that helps build a transportation system that works for everyone and every community.

Metropolitan Planning Program

FHWA's request of \$357.9 million for the Metropolitan Planning Program will provide funding to MPOs for multimodal transportation planning and programming in metropolitan areas. This program ensures that MPOs carry out a coordinated transportation planning process and develop long range transportation plans and transportation improvement programs that make effective use of limited transportation funding. Through this program, FHWA promotes equity in transportation planning by working with States and MPOs to identify transportation improvement options, including improved access to alternative modes (including bicycle, pedestrian, and transit); increased transportation network connectivity; the consideration of accessible land use development; and improved telecommunications and delivery services, while engaging the public in the planning process. For example, in March 2021, FHWA authorized California to use the highway right-of-way to build temporary homeless shelter sites to address the State's homelessness crisis. The FHWA has also sent programmatic guidance to all States that would allow the safe use of highway right-of-way land for temporary homeless shelters, and outlines the process FHWA will follow to approve alternate uses of the right-of-way as well as alternate uses of Park and Ride lots.

Tribal Transportation Program

FHWA's request of \$505 million for the Tribal Transportation Program (TTP) will promote a coordinated approach to multimodal transportation in Indian country on roads owned by the Bureau of Indian Affairs (BIA), sovereign Federally-recognized Tribal governments, and other roads owned by States, counties, or local governments, which provide access to, or are located within, Tribal communities. More than 8 billion vehicle miles are traveled annually on the National Tribal Transportation Facility Inventory system, despite more than 60 percent of the system being unpaved. The TTP improves transportation safety, access, and mobility in Tribal communities. This program provides better access to housing, emergency services, schools, stores, jobs, and medical services, among others, and improves the quality of life on Tribal lands for all the 574 federally recognized sovereign Tribal governments.

Motor vehicle crashes leave an indelible mark on virtually every community. This is especially true for the Native American and Alaska Native populations of our country, who experience higher rates of fatal injuries associated with transportation than does the overall U.S. population. The TTP targets safety through a set-aside that emphasizes the development of strategic transportation safety plans using a data-driven approach to target transportation safety needs in Tribal communities.

Territorial and Puerto Rico Highway Program

FHWA's request of \$200 million for the Territorial and Puerto Rico Highway Program will provide needed transportation funding to Puerto Rico and the four territories of American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, and the United States Virgin Islands. Safe and reliable transportation infrastructure is critical for Puerto Rico and these territories to ensure that their communities have a high quality of life.

ADDRESSING CLIMATE CHANGE

FHWA is committed to reducing climate pollution; increasing resilience to the impacts of climate change; and conserving our lands and waters. FHWA's Budget considers the climate crisis and provides opportunities for investment in infrastructure that will help reduce harmful emissions and make infrastructure resilient to climate change.

Congestion Mitigation and Air Quality Improvement Program

FHWA's request of \$2.5 billion for the Congestion Mitigation and Air Quality Improvement (CMAQ) Program will support transportation projects that reduce the mobile source emissions for which an area has been designated nonattainment or maintenance for ozone, carbon monoxide, and particulate matter. Through the CMAQ Program, State and local governments can simultaneously reduce the costly impacts of traffic congestion while also improving air quality.

The CMAQ Program enhances quality of life and improves health nationwide by contributing to the attainment and maintenance of the National Ambient Air Quality Standards that act as a public health benchmark for many of the densely-populated areas of the country. CMAQ-funded projects, such as public transit, bicycle, and pedestrian facilities that promote multimodal transportation options and active living, can lead to congestion reduction, air quality improvements and positive health benefits. Many CMAQ projects also can provide additional public health benefits. For example, in addition to congestion relief, projects that focus on improved traffic flow and system efficiency can lower vehicle crash and injury risk while also reducing traveler stress levels.

The CMAQ Program offers States and MPOs significant flexibility in selecting projects that would provide air quality improvements and congestion relief benefits. Recent CMAQ-funded projects include converting high-occupancy vehicle lanes to high-occupancy toll lanes, installing alternative fuel charging and refueling infrastructure, supporting advanced intelligent transportation systems and vehicle-to-infrastructure communication technologies, retrofitting diesel engines in ferry boats, and applying advanced diesel engine technologies for trucks and locomotives. For example, in Boston, Massachusetts, CMAQ funds supported the Massachusetts Bay Transportation Authority Green Line Extension. The project reduced emissions, improved travel times in the corridor, and reduced traffic congestion with an estimated decrease of over 25,000 in regional daily vehicle miles traveled. In Seattle, Washington, CMAQ funds supported the conversion of ferries from diesel to hybrid electric. In addition to emissions benefits, the

conversion reduces an estimated \$14 million in annual operating costs and reduces engine noise and vibration resulting in less impact on marine life.

Emergency Relief

FHWA's request of \$100 million for the Emergency Relief (ER) Program will support communities in the repair or reconstruction of Federal-aid highways and roads on Federal lands that have suffered serious damage resulting from natural disasters, or catastrophic failures from an external cause. When a natural disaster or catastrophe strikes, the ER Program helps open damaged roads and bridges to essential traffic. Longer term permanent repairs to restore damaged highways are also funded through the ER Program. When economically justified, betterments to damaged highways, aimed at improving the resiliency of those facilities, would be eligible for funding through the ER Program.

In September 2020, FHWA made available \$574 million to help 39 States and Puerto Rico make repairs to roads and bridges damaged by storms, floods, and other unexpected events. ER funds are also available for immediate relief to help communities reopen damaged roads and bridges, thereby beginning the process of restoring essential services. For example, in September 2020 strong winds and hot, dry weather conditions caused several large fires across Oregon with damage to highways, including the widespread destruction of traffic control devices, guardrails and other hardware. FHWA provided \$5 million in "Quick release" ER funds to help the Oregon Department of Transportation repair infrastructure damage caused by these wildfires.

In addition to administering ER funding, FHWA provides internationally recognized technical expertise. FHWA staff is ready at a moment's notice to provide technical assistance to help affected areas begin their recovery. For example, FHWA has provided immediate relief to Puerto Rico, in the form of personnel and funding, following natural disasters. FHWA staff on the ground have been a valuable partner in working with Puerto Rico's governor and Highway and Transportation Authority. This includes helping assess the condition of infrastructure and providing other technical support and assistance throughout the recovery process. FHWA engineers continue to work alongside the staff of the Puerto Rico Department of Transportation and Public Works on emergency repair projects.

FHWA also utilizes state-of-the-art technologies, such as the Mobile Solution for Assessment and Reporting (MSAR) tool, when aiding in disaster recovery and reconstruction. MSAR is a cloud-based information system used to collect and report post-disaster transportation information. Instead of using the traditional paper process to complete a damage assessment, stakeholders can leverage MSAR to greatly improve response time, situational awareness, and data integrity. MSAR Users have utilized the software to document 88 unique disasters and 227 associated events nationally from 2018 to present. These events translate to approximately 2,910 inspected sites, with a total direct labor savings of \$4.6 million. Overall, MSAR has saved the ER community at least \$1.5 million annually.

Transportation Alternatives

FHWA's Transportation Alternatives funding, set-aside from the STBG Program, is frequently used by States and MPOs for pedestrian and bicycling infrastructure. This set-aside initiative helps States, local governments, and communities pursue transportation improvements that meet their priorities for safety, access, mobility, recreation, development, or economic objectives. Transportation Alternatives funds are used to create safe, accessible, and environmentally-sensitive communities through projects that provide access to jobs, services, housing, and recreation, and enhance and preserve the human and natural environment.

Electric Vehicles

FHWA supports the Administration's goal of installing 500,000 new electric vehicle (EV) chargers by 2030. FHWA's programs support our partners in States, Tribes, Territories, MPOs, and FLMAs in building out EV chargers along the NHS. These EV chargers will support inter-city, regional, and national travel, build consumer confidence by addressing driver range anxiety, and accelerate awareness of and public interest in the use of electric vehicles. Several FHWA programs, including the NHPP, STBG, CMAQ, and the Federal Lands and Tribal Transportation Programs, are available to plan for and build EV chargers; support workforce training for new technologies; and integrate EVs as part of strategies to address commuter, freight, and public transportation needs.

Highway Right-of-Way

FHWA has sent programmatic guidance to all States that would allow the safe use of highway right-of-way in innovative ways, such as for pressing public needs relating to climate change, equitable communications access, and energy reliability, while continuing to maintain the operations and safety of highway facilities. These uses of the highway right-of-way can better utilize the full value and productivity of an existing asset and reduce the ongoing maintenance expenses for States. Furthermore, the development of renewable energy projects and communications access in the highway right-of-way enable breakthrough transportation technology related to electrification and connected and autonomous vehicles, while reducing harmful pollutants that cause climate change.

JOB CREATION

Our Nation's transportation sector is only as strong as its workforce. Too often barriers exist inhibiting disadvantaged groups from participating fully and equally in the transportation industry. FHWA is committed to removing these barriers by creating equal opportunities for all.

On-the-Job Training Supportive Services Program

FHWA requests \$10 million for the On-the-Job Training Supportive Services (OJT/SS) Program, which requires prime contractors participating on Federally-assisted contracts to establish apprenticeship and training programs targeted to move minorities, women, and disadvantaged individuals into journey-level positions. This program supports State DOTs in the

implementation of skills training programs to prepare individuals – focusing on underrepresented groups – to participate in the highway construction workforce as trainees and apprentices on federally-assisted construction contracts. Additionally, the OJT/SS Program supports efforts within the academic community to engage students in transportation-related career opportunities. Funding is provided to States to partner with accredited academic institutions for the National Summer Transportation Institute program focused on science, technology, engineering, and math opportunities for high school and junior high/middle school students to learn about, and become familiar with, transportation-related career options. Funding also supports the Summer Transportation Internship Program for Diverse Groups, which provides internship opportunities for college students to engage with Department of Transportation modes to work in a transportation-related career field.

Disadvantaged Business Enterprise Supportive Services Program

FHWA's request of \$10 million for the Disadvantaged Business Enterprise Supportive Services (DBE/SS) Program will help States to develop, conduct, and administer training and provides technical assistance programs to increase the efficiency of small businesses owned and controlled by socially and economically disadvantaged individuals to compete, on an equal basis, for Federally-assisted highway contracts. State DOTs, as recipients of Federal highway funds are required to have DBE programs. Since FY 2015, FHWA has required State DOTs accepting DBE/SS funds to create and administer Business Development Programs (BDPs). These BDPs must provide DBEs the opportunity to be evaluated and must provide a structured process for the DBEs to receive firm-specific training and guidance to be competitive within the heavy highway marketplace. Program activities include seminars that highlight DBE Program regulation and/or policy changes, workshops geared to help small firms grow their business capacity, and training in bonding and financial assistance, marketing, and accounting.

Administrative Expenses

Funding for administrative expenses in the amount of \$492 million, including \$488.8 million for FHWA General Operating Expenses (GOE) and \$3.2 million for Appalachian Regional Commission (ARC) administrative expenses, will provide essential resources to carry out FHWA's mission. FHWA requires adequate administrative funding to maintain its leadership and oversight role for the Federal-aid highway program's increased complexity, accountability, and transparency.

Administrative expenses support FHWA GOE such as salaries and benefits for slightly under 2,100 employees, as well as rent, communications, utilities, contractual services, travel, supplies, and equipment to support the delivery of the Federal-aid highway program. In addition to FHWA GOE, administrative expenses funding also supports salaries, benefits, travel, and related expenses for the ARC.

This request reflects necessary increases for mostly non-discretionary items including government-wide pay raises; required increases in contributions to the Federal Employee Retirement System; restoring FHWA's level of onboard employees to its full staffing level following a recent hiring slowdown; returning to normal mission critical travel to support

infrastructure projects and FHWA programs following the COVID-19 pandemic; and other cost increases such as rent. Moreover, while FHWA requests the necessary level of resources to support the agency and its mission, FHWA has instituted significant GOE cost-saving measures in recent years, especially in personnel. For instance, since FY 2014, FHWA has permanently reduced its full staffing level by approximately 8.5 percent, including over 100 positions in recent years.

The Federal-aid highway program requires an appropriately staffed workforce that is sufficiently supported and well-trained. Without a properly staffed, trained, and equipped workforce capable of carrying out the Federal-aid highway program, the program would not be able to make roadways safer, maintain and improve road conditions, rehabilitate and repair bridges, accelerate project delivery, conduct and deploy innovative transportation research, address the challenges of transportation equity and climate change, and undertake many other functions critical to maintaining a safe and efficient transportation network.

A few examples of how FHWA is utilizing its administrative expenses resources to provide benefits to the American people include: FHWA's immediate response to the crash and resulting fire that damaged the Brent Spence Bridge, an important transportation link between Kentucky and Ohio and one of the busiest freight corridors in our Nation; work with stakeholders on the I-74 Mississippi Bridge project in Iowa and Illinois, which will improve safety, mobility, and access across the Mississippi River; and innovations such as the systemic deployment of proven roadway departure countermeasures, which help improve safety on rural roads.

The majority of FHWA's employees are located in 52 Division offices – one in each State; Washington, DC; and Puerto Rico. The agency also has three Federal Lands Highway Program Field offices and a Resource Center, which provides technical assistance, training, and innovative technology deployment assistance for the Division offices, State departments of transportation, metropolitan planning organizations, and local agencies. In total, FHWA has approximately 1,250 field staff, comprising over 60 percent of the GOE-funded workforce. Field staff work directly with State and local partners, other Federal agencies, and Tribes to oversee the Federal-aid highway program and assist these partners in advancing projects more quickly through innovations, such as the use of unmanned aerial systems and accelerated project delivery tools.

FHWA's Headquarters program staff provide national leadership and work directly with Division offices, States, and other partners to advance the Federal-aid highway program. These offices are responsible for leadership in making the Nation's roadways safer for all users, innovations to accelerate project delivery and reduce environmental review time, institution of performance management standards and processes, oversight of bridge inspection, coordination among other Federal agencies, and critical technical assistance to Division offices, States, and other partners.

FHWA's Headquarters offices also provide agency-wide support for the Federal-aid highway program, including administration of information technology (IT) systems such as those used to manage highway funding, or to report highway data; technical assistance on reauthorization and other legislation; and establishment and implementation of employee programs and training

opportunities to maintain a knowledgeable workforce. Furthermore, these offices provide all legal, IT, policy, human resources, training, finance, budget, and acquisitions support for the entire agency.

**Department of Transportation
FY 2022 Budget
Federal Highway Administration
Research, Development, & Technology Budget Narrative
(Budget Authority in Thousands)**

Budget Account	FY 2020 Actual	FY 2021 Enacted	FY 2022 President's Budget	Applied	Tech Transfer	Facilities	Experimental Development	Major Equipment, R&D Equipment
Research, Technology & Education (RT&E) Program								
Highway Research and Development	113,250	111,125	125,000	62,500	40,000	----	22,500	----
Technology and Innovation Deployment Program	61,155	60,008	67,500	----	67,500	----	----	----
Training and Education Program	21,744	21,336	24,000	----	24,000	----	----	----
Intelligent Transportation Systems	90,600	88,900	100,000	76,000	24,000	----	----	----
University Transportation Centers (UTC) ^{1/}	70,215	68,898	77,500	77,500	----	----	----	----
State Planning and Research (SP&R) ^{2/}	213,833	213,835	213,835	128,301	53,459	----	32,075	----
Advanced Transportation & Congestion Mgmt. Technologies Deployment [Non-add] ^{3/}	[54,360]	[53,340]	[60,000]	----	[60,000]	----	----	----
Subtotal, RT&E Program	570,797	564,101	607,835	344,301	208,959	----	54,575	----
Administrative	23,103	23,645	23,645	11,949	7,252	2,550	1,894	----
Add: Bureau of Transportation Statistics ^{1/}	26,000	26,000	26,000	26,000	----	----	----	----
Less: Administrative	-23,103	-23,645	-23,645	-11,949	-7,252	-2,550	-1,894	----
Less: State Planning and Research (SP&R)	-213,833	-213,835	-213,835	-128,301	-53,459	----	-32,075	----
Total Programs ^{4/5/}	382,964	376,266	420,000	242,000	155,500	----	22,500	----

1/ Details for this program are contained in the Office of the Assistant Secretary for Research and Technology FY 2022 budget.

2/ Title 23 U.S.C. 505(b) requires State DOT's to expend no less than 25 percent of their annual SP&R funds on RT&E activities. Total SP&R funding represents 2 percent of apportioned programs, exclusive of the Metropolitan Planning Program.

3/ The Advanced Transportation & Congestion Management Technologies Deployment Program will be funded by set-asides from Highway Research and Development, Technology and Innovation Deployment Program, and Intelligent Transportation Systems.

4/ Subtotals may not add due to rounding.

5/ FY 2020 actual amounts reflect the 9.4 percent "lop-off" resulting from the imposition of the obligation limitation. FY 2021 enacted amounts reflect the 11.1 percent "lop-off" resulting from the imposition of the obligation limitation. The FY 2022 President's Budget reflects authorized amounts per program before the "lop-off" percentage has been applied.

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FY 2022 Budget

Federal Highway Administration Information Technology Budget Narrative

(Budget Authority in Thousands)

Budget Account	FY 2020 Actual	FY 2021 Enacted	FY 2022 President's Budget
Federal-Aid Highways			
<i>Commodity</i>	\$35,603	\$39,186	\$44,469
<i>IT SS WCF</i>			
<i>Programmatic</i>	\$0	\$0	\$0
<i>IT SS WCF</i>			
<i>FHWA IT</i>	\$78,685	\$70,255	\$66,917
Total	\$114,288	\$109,441	\$111,386

The Federal Highway Administration (FHWA) is requesting **\$111.4 million** in FY 2022 for information technologies (IT) that support the full spectrum of FHWA programs, as well as the Department's initiative to transform and consolidate the management of certain IT solutions centrally by the Office of the Chief Information Officer (OCIO).

Commodity IT Shared Services through the WCF

OCIO will continue to provide FHWA commodity IT shared services in FY 2022 to achieve economies of scale and increase consistency of cybersecurity protections across the Department. Commodity IT Shared Services include IT functions and activities dedicated to basic support services, including network operations, end-user computing, telecommunications services, and server operations.

- **Commodity IT Shared Services** - FHWA requests **\$44.5 million** for Commodity IT Shared Services. FHWA's share was based on actual commodity IT consumption in prior years as well as planned future consumption. OCIO, in collaboration with FHWA, assumed a one-to-one cost estimate to transition all commodity IT to OCIO. FHWA will only be charged for services rendered.

FHWA IT

The following major mission-critical IT systems will be maintained by FHWA in FY 2022. This list is only a subset of all IT systems that support FHWA and are reported in Office of Management and Budget's (OMB) Corporate Investment Management System (CIMS).

- **Fiscal Management Information System 5.0 (FMIS)** – FHWA requests \$3.0 million for the agency's most mission-critical system, through which States are reimbursed for

Federal-aid program costs, authorize and modify projects, as well as track and report on critical financial and program information. FHWA staff use FMIS to apportion Federal-aid highway funding, set obligation limitations, transfer funds, approve projects, manage and oversee financial management of the Federal-aid program, and report on FHWA funding. The requested funding is to support operations and maintenance, critical system enhancements necessary to meet Congressionally mandated requirements (e.g., DATA Act, audit requirements for Federal awards under 2 CFR 200, etc.), and new enhancements based on requirements from State and Federal users.

- **Highway and Bridge Data Collection** – FHWA requests \$6.5 million to manage several IT investments used to compile, manage, and make available vital highway and bridge data, some of which is statutorily required. These investments include:
 - The **Highway Performance Monitoring System (HPMS)**, which supports a data-driven decision process among FHWA, the Department, and Congress. HPMS data are used extensively in the analysis of highway system condition, performance, and investment needs that make up the biennial Condition and Performance Reports to Congress. Those reports are used in establishing both authorization and appropriation legislation activities that ultimately determine the scope and size of the Federal-aid highway program and the level of Federal highway taxation.
 - The **National Bridge Inventory (NBI)**, which is a collection of bridge inventory and condition information collected under the auspices of the National Bridge Inspection Standards (NBIS) as prescribed by law. The information is used for performance measure reporting, National Highway System penalty determination, and reporting to Congress.
 - The **Integrated Transportation Information Platform (ITIP)** provides a comprehensive source for infrastructure condition and performance and Federal-aid project data elements. The ITIP integrates and provides seamless access to a wide range of data elements, which are maintained within FMIS, HPMS, and the NBI. Through ITIP, users are provided with data analysis, visualization, and reporting capabilities.
- **Direct Program Support for the Office of Federal Lands and the Office of Research, Development, and Technology** – FHWA requests \$19.8 million to provide the necessary tools to effectively manage FHWA’s initiatives for Federal Lands, Tribes, and transportation research, including investments in innovative technologies that improve highway safety and infrastructure.
 - For example, FHWA’s Turner-Fairbank Highway Research Center (TFHRC) is a member of Internet2, which is a research and development consortium led by over 200 universities working in partnership with industry and government to develop and deploy advanced network applications and technologies. Internet2 operates the Nation’s largest and fastest, coast-to-coast research and education network

that was built to deliver advanced, customized services that are accessed and secured by the community-developed trust and identity framework. TFHRC utilizes this high-speed, highly secure network to run applications on super computers at national labs, obtain access to massive data servers at research universities, and to send large amounts of data to test facilities that provide critical operational testing environments and which are operated by other Federal agencies. Access to this network is critical to support FHWA's world-class research and to enable efficient data sharing and processing.

- **Interagency Agreements** – FHWA requests **\$19.3 million** for funding Interagency Agreements (IAAs). FHWA partners with the Enterprise Service Center (ESC) for support services provided by the Delphi System and Accounting Services, PRISM DP2, and CASTLE/IR. Other IAAs support roadway safety, geo-economic system modeling, rural and statewide geographic information system, motor vehicle registration, highway needs and investment analysis, ecoregional revegetation, and environmental reviews.
- **Additional IT maintenance and support contributions staying within the mode:** FHWA requests \$18.3 million to support IT systems that are critical to the successful delivery of the Federal-aid highway program.

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**EXHIBIT VI-1
FEDERAL HIGHWAY ADMINISTRATION
HISTORICAL FUNDING LEVELS (2012-2021)
(\$000)**

	<u>FY 2012</u>	<u>FY 2013</u>	<u>FY 2014</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>	<u>FY 2019</u>	<u>FY 2020</u>	<u>FY 2021</u>
Federal-Aid Highways										
Obligation Limitation	\$39,143,583	\$39,699,000 ^{1/}	\$40,256,000	\$40,256,000	\$42,361,000	\$43,266,100	\$44,234,212	\$45,268,596	\$46,365,092	\$46,365,092
Contract Authority Exempt from Obligation Limitation	\$739,000	\$739,000 ^{2/}	\$739,000 ^{3/}	\$739,000 ^{4/}	\$739,000 ^{5/}	\$739,000 ^{6/}	\$739,000 ^{7/}	\$739,000 ^{8/}	\$739,000 ^{9/}	\$739,000 ^{10/}
Liquidation of Contract Authority	\$39,882,583	\$39,699,000	\$40,995,000	\$40,995,000	\$43,100,000	\$44,005,100	\$44,973,212	\$46,007,596	\$47,104,092	\$47,104,092
Limitation on Admin Expenses - FHWA GOE [non-add]	\$412,000	\$416,126	\$416,100	\$429,300 ^{11/}	\$429,000	\$435,795	\$442,692	\$449,692	\$456,798	\$478,897 ^{12/}
Supplemental Emergency Relief Funds (GF)	\$1,662,000	\$2,022,000 ^{2/}				\$1,532,017	\$1,374,000	\$1,650,000		
Highway Infrastructure Programs (GF)							\$2,525,000	\$3,250,000	\$2,166,140	\$12,000,000 ^{13/}

1/ Does not reflect P.L. 113-6 rescission of 0.2 percent of contract authority subject to limitation and obligation limitation.

2/ Does not reflect sequestration of 5.1 percent of contract authority exempt from obligation limitation and payment to the Highway Trust Fund, and 5.0 percent of supplemental emergency relief funds per Sequestration Order dated March 1, 2013.

3/ Does not reflect sequestration of 7.2 percent of contract authority exempt from obligation limitation and \$10.4 billion portion of the payment to the Highway Trust Fund per Sequestration Order dated April 10, 2013.

4/ Does not reflect sequestration of 7.3 percent of contract authority exempt from obligation limitation per Sequestration Order dated March 10, 2014.

5/ Does not reflect sequestration of 6.8 percent of contract authority exempt from obligation limitation per Sequestration Order dated February 2, 2015.

6/ Does not reflect sequestration of 6.9 percent of contract authority exempt from obligation limitation per Sequestration Order dated February 9, 2016.

7/ Does not reflect sequestration of 6.6 percent of contract authority exempt from obligation limitation per Sequestration Order dated May 23, 2017.

8/ Does not reflect sequestration of 6.2 percent of contract authority exempt from obligation limitation per Sequestration Order dated February 12, 2018.

9/ Does not reflect sequestration of 5.9 percent of contract authority exempt from obligation limitation per Sequestration Order dated March 18, 2019.

10/ Does not reflect sequestration of 5.7 percent of contract authority exempt from obligation limitation per Sequestration Order dated February 10, 2020.

11/ FY 2015 annual appropriations (PL 113-235) provided an obligation limitation of \$429.3 million for GOE and ARC. The Surface Transportation and Veterans Health Care Choice Improvement Act of 2015 (PL 114-41) provided contract authority of only \$415 million.

12/ For 2021, FHWA is using carryover administrative expenses Contract Authority (CA) to fully utilize the Limitation on Administrative Expenses (LAE) provided in the Appropriations Act.

13/ The Department of Transportation Appropriations Act, 2021 (Public Law 116-260) provided \$2 billion in additional highway funding from the General Fund for FY 2021. The Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Public Law 116-260) provided \$10 billion in additional highway funding from the General Fund for FY 2021.

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