



U.S. Department  
of Transportation

**Federal Highway  
Administration**

# Notice

Subject:

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

Classification Code	Date	Office of Primary Interest
<b>N 4510.675</b>	July 25, 2008	<b>HCFB-1</b>

1. **What is the purpose of this Notice?** This Notice transmits the revised certificate of apportionment of Congestion Mitigation and Air Quality Improvement Program funds authorized for FY 2008 pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law (Pub. L. No.) 109-59. The apportionment is effective immediately.
2. **Does this Notice cancel FHWA Notice 4510.667?** Yes. This Notice cancels FHWA Notice 4510.667, Revised Apportionment of Fiscal Year (FY) 2008 Congestion Mitigation and Air Quality Improvement Program Funds, dated January 30, 2008. The revisions to the apportionment are required pursuant to the terms of Title I, Section 111 of the SAFETEA-LU Technical Corrections Act of 2008, Pub. L. No. 110-244, which requires a percentage takedown from the amount apportioned for the Congestion Mitigation and Air Quality Improvement Program. The takedown is being used to fund the Future Strategic Highway Research Program under Section 510 of Title 23, United States Code (U.S.C.).
3. **What is the availability of these funds?**
  - a. The Congestion Mitigation and Air Quality Improvement Program funds resulting from this apportionment are available for obligation until September 30, 2011. Any amounts not obligated by the State on or before September 30, 2011, shall lapse.
  - b. The funds resulting from this apportionment are available for obligation immediately and will be subject to obligation controls in force at the time of obligation.
  - c. The Federal share will be in accordance with Section 120 of Title 23, U.S.C.
  - d. The program code to be used when obligating these funds is L400.
4. **What is the background information?**
  - a. Section 1101(a)(5) of the SAFETEA-LU authorizes a total of \$1,749,098,821 in contract authority for the Congestion Mitigation and Air Quality Improvement Program for FY 2008.

- b. Section 104(f) of Title 23, U.S.C., applies a 1.25 percent takedown for Metropolitan Planning from the amount authorized for the Congestion Mitigation and Air Quality Improvement Program. This provision reduces the amount apportioned by \$21,863,735.
  - c. Section 111 of the SAFETEA-LU Technical Corrections Act of 2008, Pub. L. No. 110-244, requires a 0.205 percent takedown for the Future Strategic Highway Research Program from the amount apportioned for the Congestion Mitigation and Air Quality Improvement Program. This provision reduces the amount apportioned by \$3,585,653.
  - d. The total contract authority available for distribution in FY 2008 net of these reductions is \$1,723,649,433.
5. **What action is required?** Division Administrators should ensure that copies of this Notice are provided to the State departments of transportation.



James D. Ray  
Acting Administrator

Attachment

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

TO—

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

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

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

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

Third, pursuant to Section 111 of the SAFETEA-LU Technical Corrections Act of 2008, Pub. L. No. 110-244, I have deducted 0.205% from the sum of \$1,749,098,821 that can be apportioned for the fiscal year ending September 30, 2008 pursuant to Section 1101(a)(5) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, for the purpose of carrying out Section 510 of Title 23, United States Code. The amount deducted is \$3,585,653. The resulting amount is \$1,723,649,433.

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

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

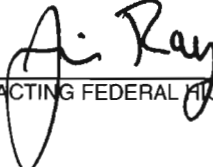
U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION

N4510.675 - Attachment

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

<u>STATE</u>	<u>AMOUNT</u>
ALABAMA	\$8,618,248
ALASKA	8,618,248
ARIZONA	36,151,492
ARKANSAS	8,618,248
CALIFORNIA	363,132,110
COLORADO	28,276,548
CONNECTICUT	32,862,435
DELAWARE	8,618,248
DIST. OF COL.	8,618,248
FLORIDA	8,618,248
GEORGIA	40,341,549
HAWAII	8,618,248
IDAHO	8,618,248
ILLINOIS	75,698,545
INDIANA	31,203,124
IOWA	8,618,248
KANSAS	8,618,248
KENTUCKY	9,789,529
LOUISIANA	8,618,248
MAINE	8,618,248
MARYLAND	45,455,446
MASSACHUSETTS	58,072,333
MICHIGAN	59,315,422
MINNESOTA	23,215,466
MISSISSIPPI	8,618,248
MISSOURI	16,618,745
MONTANA	8,618,248
NEBRASKA	8,618,248
NEVADA	19,079,486
NEW HAMPSHIRE	8,618,248
NEW JERSEY	78,755,418
NEW MEXICO	8,618,248
NEW YORK	155,192,312
NORTH CAROLINA	36,714,260
NORTH DAKOTA	8,618,248
OHIO	71,939,418
OKLAHOMA	8,618,248
OREGON	14,445,717
PENNSYLVANIA	87,796,210
RHODE ISLAND	8,858,121
SOUTH CAROLINA	8,618,248
SOUTH DAKOTA	8,618,248
TENNESSEE	24,716,991
TEXAS	102,558,862
UTAH	8,618,248
VERMONT	8,618,248
VIRGINIA	39,463,841
WASHINGTON	31,100,295
WEST VIRGINIA	8,618,248
WISCONSIN	17,439,558
WYOMING	8,618,248
TOTAL	\$1,723,649,433

APPROVED EFFECTIVE

  
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ACTING FEDERAL HIGHWAY ADMINISTRATOR