APPORTIONMENT

Main statutory citation(s): MAP-21 §1105, 1122; 23 USC 104, 130, 213

Overview
Prior to MAP-21, each apportioned program had its own formula for distribution, and the total amount of Federal assistance a State received was the sum of the amounts it received for each program. MAP-21 instead provides a total apportionment for each State and then divides that State amount among individual apportioned programs.

Total funding for Federal-aid highway formula programs
MAP-21 authorizes a total combined amount ($37.5 billion in FY13 and $37.8 billion in FY14) in contract authority to fund five formula programs (including certain setasides within the programs described below):
- National Highway Performance Program (NHPP);
- Surface Transportation Program (STP);
- Highway Safety Improvement Program (HSIP);
- Congestion Mitigation and Air Quality Improvement Program (CMAQ); and
- Metropolitan Planning Program.

Division of total apportioned amount among States
MAP-21 requires FHWA to divide the total authorized amount among the States in the following manner:
- In FY13, the State receives the same total apportionment that it received in FY12.
- In FY14, the State receives a total apportionment share equal to the State's share of FY12 formula funds. The resulting total apportionment is adjusted, if necessary, to ensure that the State receives at least 95% of the dollar amount of its contributions to the Highway Account of the Highway Trust Fund.

Division of a State's apportionment among programs
After determining the total apportionment for a State, MAP-21 divides that apportionment among the State's individual formula programs in the following manner:

CMAQ [23 USC 104(b)(4)]	Funded in an amount equal to the State's total apportionment multiplied by the following ratio:	$\dfrac{\text{State's FY09 CMAQ \$}}{\text{State's total FY09 apportionments}}$
Metro Planning [23 USC 104(b)(5)]	Funded in an amount equal to the State's total apportionment multiplied by the following ratio:	$\dfrac{\text{State's FY09 Metro Planning \$}}{\text{State's total FY09 apportionments}}$
NHPP [23 USC 104(b)(1)] STP [23 USC 104(b)(2)] HSIP [23 USC 104(b)(3)]	The remainder (net of CMAQ and Metro Planning) is divided based on the following proportions:	63.7% to NHPP 29.3% to STP 7.0% to HSIP
Railway Highway Crossings [23 USC 130]	Funded with an amount set aside from the State's HSIP apportionment – • Based on a current law formula for distribution; and • Such that the national total for the program is $220 million per year.	

Transportation Alternatives (TA) [**§**1122; 23 USC 213]	Funded via setaside from NHPP, STP, HSIP, CMAQ, & Metro Planning: • The State receives a share of total TA funding equal to its share of total FY09 transportation enhancements (TE) funding. • The setaside is taken proportionally from each of the five programs in relation to the relative sizes of the State's apportionments (e.g., if a State's NHPP apportionment makes up 50% of what the State receives for the five programs, 50% of the setaside is applied against NHPP). • Unless the State opts out, an amount of TA equal to the State's FY09 Recreational Trails Program (RTP) apportionment is set aside for the RTP.