



U.S. Department
of Transportation
**Federal Highway
Administration**

Memorandum

Subject: **ACTION:** Disaster Relief Appropriations Act of 2013
OMB Waiver

Date: July 12, 2013

From: Charles W. Bolinger
Acting Director, Office of Program Administration

Reply to:
Attn. of HIPA-10

To: Division Administrators
Division Engineers
Directors of Field Services
Director of Technical Services

The Disaster Relief Appropriations Act of 2013 (Sandy Supplemental) contains a requirement that funding provided by the Act must be expended within 24 months of obligation unless waived by the Office of Management and Budget (OMB). On July 9, 2013, OMB granted waivers to eight Federal programs including FHWA's Emergency Relief (ER/ERFO) program.

The waiver applies to previously authorized and to future ER and ERFO projects using ER90 (Sandy Supplemental) funds. Consequently, it is no longer required that project agreements using ER90 funds include the following statement in the remarks section:

"The State will de-obligate funds not expended within 24 months of the date of authorization, unless OMB has issued a waiver."

While OMB has waived the specific 24-month requirement, there is still a strong expectation from Congress and the public that these funds will be obligated and expended as soon as possible. Division offices should work with their State DOT or Federal/Tribal partners to expeditiously authorize eligible ER and ERFO repairs with these funds.

If you have any questions, please contact Mr. Greg. Wolf (ER) at 202-366-4655 or Mr. Sergio Mayorga (ERFO) at 202-366-9491.

Attachment