



Memorandum

Subject: **ACTION:** Section 129 of the Consolidated
Appropriations Act, 2008, Demo ID MA249

Date: July 9, 2008

Dwight A. Horne

From: Dwight A. Horne
Director, Office of Program Administration

Reply to
Attn. of: HIPA-10

To: Division Administrators

Previously we allocated a total of \$324,747,206 for 390 of the 392 surface transportation priorities projects identified in Section 129 of Division K of the Consolidated Appropriations Act, 2008 (Public Law 110-161). This amount reflects the amount available after applying the two percent rescission set in Section 129 of the Act. The project descriptions can be found in the *Joint Explanatory Statement to Accompany the Consolidated Appropriations Amendment*. These projects are being funded with revenue aligned budget authority (RABA) authorized for fiscal year 2008, under section 110 of title 23, United States Code, as amended by Section 129. At that time, we indicated that the funding for two projects would be provided in a separate action.

We are therefore, allocating \$882,000 of program code LY90 funds (DELPHI code 15X043A050.0000.050LY90500), with an equal amount of obligation authority, to "*Community Transportation Association of America, Nationwide Joblinks*" under Massachusetts Demo ID MA249.

These funds are available until expended, and the Federal share is 100 percent. These funds are subject to obligation limitation, but it is special obligation limitation that is also available until used. Since the contract authority is available until expended and the obligation authority is available until used, there is no deadline by which the funds must be obligated or transferred to another Federal agency.

Additionally, Section 129 allows for these funds to be transferred to another Federal agency. The State should submit an FHWA Transfer Request Form to the Division Office, as outlined in Tom Park's July 19, 2007 memorandum titled, "*Fund Transfers to Other Agencies and Among Title 23 Programs.*" The Division Office concurrence should then be forwarded to the Office of Budget.

By copy of this memorandum, we are requesting that the Office of Financial Management process this request through the Demo Tracking System in FMIS.

If you have any questions, please contact Joe Taylor at 202-366-1564.



