



















**EXHIBIT II-1**  
**FY 2021 BUDGET AUTHORITY**  
**FEDERAL HIGHWAY ADMINISTRATION**  
**(\$000)**

ACCOUNT NAME	M / D	FY 2019 ACTUAL	FY 2020 ENACTED	FY 2021 REQUEST
[Administrative Expenses (Contract Authority, subject to limitation)] <sup>1/</sup>	M	[\$449,692]	[\$456,798]	[\$478,897]
<b>Federal-aid Highways</b>	M	<b>\$46,007,596</b>	<b>\$47,104,092</b>	<b>\$50,721,000</b>
Contract Authority (subject to limitation)		\$45,268,596	\$46,365,092	
Exempt Contract Authority		\$739,000	\$739,000	
Flex Transfers to/from FTA		-\$1,074,394	-\$1,300,000	-\$1,300,000
Transfer to NHTSA <sup>2/</sup>		-\$105,024	-\$101,257	
Transfer to OST <sup>3/</sup>		-\$3,587	-\$271,800	
Sequestered Exempt Contract Authority		-\$45,818 <sup>4/</sup>	-\$43,601 <sup>5/</sup>	
<b>Highway Infrastructure Programs (GF)</b>	D	<b>\$3,250,000</b> <sup>6/</sup>	<b>\$2,166,140</b> <sup>7/</sup>	
<b>Emergency Relief (GF)</b>	D	<b>\$1,650,000</b> <sup>8/</sup>	-----	
<b>Miscellaneous Trust Funds (TF)</b>	M	<b>\$42,235</b>	<b>\$42,235</b>	
<b>Miscellaneous Appropriations (TIFIA Upward Reestimate GF)</b>	M	<b>\$135,141</b>	-----	
<b>Miscellaneous Appropriations - Rescission/Cancellation</b> <sup>9/, 10/</sup>	D	-----	<b>-\$19,935</b>	<b>-\$81,663</b>
<b>Appalachian Development Highway System - Cancellation</b> <sup>10/</sup>	D	-----	-----	<b>-\$11,960</b>
<b>Miscellaneous Highway Trust Fund - Cancellation</b> <sup>10/</sup>	D	-----	-----	<b>-\$43,581</b>
<b>TOTALS</b>				
<b>Gross New Budget Authority</b>		\$51,084,972	\$49,312,467	\$50,721,000
<b>Rescissions/Cancellations</b>		-----	-\$19,935	-\$137,204
<b>Transfers</b>		-\$1,183,005	-\$1,673,057	-\$1,300,000
<b>Sequestration</b>		-\$45,818	-\$43,601	-----
<b>NET NEW BUDGET AUTHORITY</b>		<b>\$49,856,149</b>	<b>\$47,575,874</b>	<b>\$49,283,796</b>
[Discretionary]		\$4,900,000	\$2,146,205	
[Mandatory]		\$44,956,149	\$45,429,669	

[ ] 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/ FHWA anticipates transfers to NHTSA in FY 2021 in amounts to be determined based on State penalty information.

3/ The TIFIA program transition from FHWA to the Office of the Secretary's Build America Bureau began in FY 2019. The FY 2019 transfer amount reflects amounts of new contract authority for administrative expenses. FY 2020 reflects the full transfer of contract authority net of the imposition of obligation limitation. FY 2021 assumes that the TIFIA program will be directly authorized to the Office of the Secretary's Build America Bureau.

4/ Reflects sequestration of 6.2 percent of contract authority exempt from obligation limitation per Sequestration Order dated February 12, 2018.

5/ Reflects sequestration of 5.9 percent of contract authority exempt from obligation limitation per Sequestration Order dated March 18, 2019.

6/ The Department of Transportation Appropriations Act, 2019 (Public Law 116-6) provided \$3.25 billion in additional highway funding from the General Fund.

7/ The Department of Transportation Appropriations Act, 2020 (Public Law 116-94) provided \$2.166 billion in additional highway funding from the General Fund.

8/ Public Law 116-20 provided \$1.65 billion from the General Fund for Emergency Relief in FY 2019.

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

10/ Cancellations proposed in the FY 2021 President's Budget.

**EXHIBIT II-2**  
**FY 2021 TOTAL BUDGETARY RESOURCES BY APPROPRIATION ACCOUNT**  
**FEDERAL HIGHWAY ADMINISTRATION**  
**Appropriations, Obligation Limitations, and Exempt Obligations**  
**(\$000)**

<u>ACCOUNT NAME</u>	<u>M / D</u>	<u>FY 2019 ACTUAL</u>	<u>FY 2020 ENACTED</u>	<u>FY 2021 REQUEST</u>
[Limitation on Administrative Expenses] <sup>1/</sup>	D	[\$449,692]	[\$456,798]	[\$478,897]
<b>Federal-aid Highways</b>		<b><u>\$46,007,596</u></b>	<b><u>\$47,104,092</u></b>	<b><u>\$50,721,000</u></b>
Obligation Limitation	D	\$45,268,596	\$46,365,092	
Exempt Contract Authority <sup>2/</sup>	M	\$739,000	\$739,000	
[Liquidation of contract authorization]	D	[\$46,007,596]	[\$47,104,092]	
Flex Transfers to/from FTA	D	-\$1,074,394	-\$1,300,000	-\$1,300,000
Transfer to NHTSA <sup>3/</sup>	D	-\$105,024	-\$101,257	
Transfer to OST <sup>4/</sup>	D	-\$3,587	-\$271,800	
<b>Highway Infrastructure Programs (GF)</b>	D	<b><u>\$3,250,000</u></b> <sup>5/</sup>	<b><u>\$2,166,140</u></b> <sup>6/</sup>	
<b>Emergency Relief (GF)</b>	D	<b><u>\$1,650,000</u></b> <sup>7/</sup>	-----	
<b>TOTALS</b>				
Gross New Budgetary Resources		\$50,907,596	\$49,270,232	\$50,721,000
Transfers		-\$1,183,005	-\$1,673,057	-\$1,300,000
<b>NET NEW BUDGET AUTHORITY</b>		<b><u>\$49,724,591</u></b>	<b><u>\$47,597,175</u></b>	<b><u>\$49,421,000</u></b>
[Mandatory]		<b>\$739,000</b>	<b>\$739,000</b>	
[Discretionary]		<b>\$48,985,591</b>	<b>\$46,858,175</b>	
[Obligation Limitation]		<b>\$45,268,596</b>	<b>\$46,365,092</b>	

[ ] 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/ FY 2019 does not reflect sequestration of 6.2 percent of contract authority exempt from obligation limitation per Sequestration Order dated February 12, 2018. FY 2020 does not reflect sequestration of 5.9 percent of contract authority exempt from obligation limitation per Sequestration Order dated March 18, 2019.

3/ FHWA anticipates transfers to NHTSA in FY 2021 in amounts to be determined based on State penalty information.

4/ The TIFIA program transition from FHWA to the Office of the Secretary's Build America Bureau began in FY 2019. The FY 2019 transfer amount reflects amounts of new contract authority for administrative expenses. FY 2020 reflects the full transfer of contract authority net of the imposition of obligation limitation. FY 2021 assumes that the TIFIA program will be directly authorized to the Office of the Secretary's Build America Bureau.

5/ The Department of Transportation Appropriations Act, 2019 (Public Law 116-6) provided \$3.250 billion in additional highway funding from the General Fund.

6/ The Department of Transportation Appropriations Act, 2020 (Public Law 116-94) provided \$2.166 billion in additional highway funding from the General Fund.

7/ Public Law 116-20 provided \$1.65 billion from the General Fund for Emergency Relief in FY 2019.

**EXHIBIT II-3**  
**FY 2021 BUDGET REQUEST BY STRATEGIC GOAL AND OBJECTIVE**  
**FEDERAL HIGHWAYS ADMINISTRATION**  
**Appropriations, Obligation Limitations, & Exempt Obligations**

This exhibit not provided at this time pending the Administration's surface transportation reauthorization proposal.

**EXHIBIT II-4**  
**FY 2021 OUTLAYS**  
**FEDERAL HIGHWAY ADMINISTRATION**  
**(\$000)**

ACCOUNT NAME	M / D	FY 2019 ACTUAL	FY 2020 ENACTED	FY 2021 REQUEST
Federal-aid Highways (TF)		44,166,588	45,009,566	46,327,712
Subject to Obligation Limitation	D	43,245,206	44,135,063	45,497,477
Exempt Contract Authority	M	913,430	860,773	808,442
Emergency Relief Supplementals	D	7,952	13,730	21,793
Miscellaneous Highway Trust Funds (TF)	D	8,854	11,994	6,477
Miscellaneous Trust Funds (TF)	M	46,463	37,197	47,844
Right of Way Revolving Fund (TF)	M	----	4,279	----
Appalachian Development Highway System (TF)	D	88	----	----
Emergency Relief Program (GF)	D	766,762	758,517	702,862
Appalachian Development Highway System (GF)	D	6,496	17,150	9,844
Miscellaneous Appropriations (GF)	D	13,076	17,282	13,219
Miscellaneous Appropriations (TIFIA upward reestimate GF)	M	135,141	----	----
Highway Infrastructure Program (GF)	D	568,390	783,365	1,302,180
<b>TOTALS</b>		<b><u>45,711,858</u></b>	<b><u>46,639,350</u></b>	<b><u>48,410,138</u></b>
[Mandatory]		1,095,034	902,249	856,286
[Discretionary]		44,616,824	45,737,101	47,553,852

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

**ADMINISTRATIVE EXPENSES**  
**(\$000)**

	Baseline Changes										FY 2021 Request	
	FY 2019 Actual	FY 2020 Enacted	Annualization of Prior Pay Raises	Annualization of new FY 2020 FTE	FY 2021 Pay Raises	Adjustment for Compensable Days (261 days)	GSA Rent	WCF Increase/ Decrease	Inflation and other adjustments to base <sup>1/</sup>	FY 2021 Baseline Estimate		Program Increases/ Decreases
<b>PERSONNEL RESOURCES (FTE)</b>												
Direct FTE <sup>2/</sup>	2,004	2,036								2,034		2,034
<b>FINANCIAL RESOURCES</b>												
<b>ADMINISTRATIVE EXPENSES</b>												
Salaries and Benefits	\$318,993	\$335,500	\$2,600		\$2,536	-\$1,300			\$5,306	\$344,642		\$344,642
Travel	\$8,715	\$8,350						\$449	\$8,799			\$8,799
Transportation	\$1,579	\$1,579						\$16	\$1,595			\$1,595
GSA Rent	\$26,083	\$28,070					\$510		\$28,580			\$28,580
Communications & Utilities	\$877	\$877						\$9	\$886			\$886
Printing	\$389	\$389						\$4	\$393			\$393
Other Services:												
-WCF	\$44,587	\$50,420						\$2,400	\$52,820			\$52,820
-Other	\$34,957	\$23,206						\$9,098	\$32,304			\$32,304
Supplies	\$1,207	\$1,207						\$12	\$1,219			\$1,219
Equipment	\$4,372	\$3,952						\$460	\$4,412			\$4,412
Appalachian Regional Commission (ARC)	\$2,140	\$3,248							\$3,248			\$3,248
<b>Subtotal, Limitation on Administrative Expenses (LAE)</b>	<b>\$443,899</b>	<b>\$456,798</b>	<b>\$2,600</b>	<b>\$0</b>	<b>\$2,536</b>	<b>-\$1,300</b>	<b>\$510</b>	<b>\$2,400</b>	<b>\$15,353</b>	<b>\$478,897</b>	<b>\$0</b>	<b>\$478,897</b>
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
<b>GRAND TOTAL, Obligation Limitation</b>	<b>\$467,899</b>	<b>\$480,798</b>	<b>\$2,600</b>	<b>\$0</b>	<b>\$2,536</b>	<b>-\$1,300</b>	<b>\$510</b>	<b>\$2,400</b>	<b>\$15,353</b>	<b>\$502,897</b>	<b>\$0</b>	<b>\$502,897</b>

1/ Consistent with OMB Memoranda M-19-24 dated July 2019, the amount shown above for Salaries and Benefits includes an estimated increase of \$2.4 million for awards spending, from \$3.6 million in FY 2020 to \$6.0 million in FY 2021. This increase is calculated by increasing the FY 2020 base award pay, relative to non-SES salaries, and increasing that percentage by one full percent. These percentages are 1.5 percent and 2.5 percent for FY 2020 and 2021, respectively. Additional increases shown on this line are attributable to various Pay Raise and FERS contribution percentage increases for FY 2020 and 2021 as prescribed by OPM and OMB guidance.

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).

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

	<u>FY 2019 ACTUAL</u>	<u>FY 2020 ENACTED</u>	<u>FY 2021 REQUEST</u>
<b>DIRECT:</b>			
Federal-aid Highways			
Limitation on Administrative Expenses (LAE)	44,587	50,420	52,820
Federal Lands Highways (Direct Construction)	2,080	1,400	1,400
<b>TOTAL</b>	<b>46,667</b>	<b>51,820</b>	<b>54,220</b>

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

	<b>FY 2019 ACTUAL</b>	<b>FY 2020 ENACTED</b>	<b>FY 2021 REQUEST</b>
<b><u>DIRECT FUND, BY APPROPRIATION</u></b>			
Federal-aid Highways <sup>1/</sup>	2,566	2,588	2,586
Miscellaneous Trust Funds	16	16	16
<b>SUBTOTAL, DIRECT FUNDED</b>	<b>2,582</b>	<b>2,604</b>	<b>2,602</b>
<b><u>REIMBURSEMENT/ ALLOCATIONS/OTHERS</u></b>			
Reimbursements			
Federal-aid Highways	48	48	48
Allocations from other Organizations			
BUILD Grants (from OST)	3	3	3
<b>SUBTOTAL, REIMBURSEMENTS/ALLOCATIONS/OTHER</b>	<b>51</b>	<b>51</b>	<b>51</b>
<b>TOTAL FTEs <sup>2/</sup></b>	<b><u>2,633</u></b>	<b><u>2,655</u></b>	<b><u>2,653</u></b>

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

TIFIA Program staff transitioned to the Office of the Secretary's Build America Bureau in May 2019. FY 2019 reflects 11 TIFIA FTE, which represents the amount prior to the transition.

FY 2020 includes a reduction of 12 FTE to account for the transition of Information Technology services to a shared services platform administered by the Department.

FY 2021 includes a reduction of 2 FTE to reflect public affairs and congressional affairs staff transitioning to the Department.

2/ The FTE in this exhibit differ from the FY 2020 and FY 2021 FTE provided in the President's Budget Appendix due to an update, which occurred after the MAX A-11 system closed.

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

	<u>FY 2019 ACTUAL</u>	<u>FY 2020 ENACTED</u>	<u>FY 2021 REQUEST</u>
<b><u>DIRECT FUND, BY APPROPRIATION</u></b>			
Federal-aid Highways <sup>1/</sup>	2,614	2,694	2,692
Miscellaneous Trust Funds	16	16	16
SUBTOTAL, DIRECT FUNDED	<u>2,630</u>	<u>2,710</u>	<u>2,708</u>
<b><u>REIMBURSEMENT/ ALLOCATIONS/OTHERS</u></b>			
Reimbursements			
Federal-aid Highways	48	48	48
Allocations from other Organizations			
BUILD Grants (from OST)	3	3	3
SUBTOTAL, REIMBURSEMENT/ALLOCATION/OTHERS	<u>51</u>	<u>51</u>	<u>51</u>
<b>TOTAL POSITIONS</b>	<b><u>2,681</u></b>	<b><u>2,761</u></b>	<b><u>2,759</u></b>

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

TIFIA Program staff transitioned to the Office of the Secretary's Build America Bureau in May 2019. FY 2019 includes zero TIFIA positions, which reflects the end-of-year on-board level.

FY 2020 includes a reduction of 12 FTP to account for the transition of Information Technology services to a shared services platform administered by the Department.

FY 2021 includes a reduction of 2 FTP to reflect public affairs and congressional affairs staff transitioning to the Department.



**EXHIBIT II-9  
FEDERAL HIGHWAY ADMINISTRATION  
HISTORICAL FUNDING LEVELS (2011-2020)  
(\$000)**

	<u>FY 2011</u>	<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>
<b>Federal-Aid Highways</b>										
<b>Obligation Limitation</b>	\$41,107,000	\$39,143,583	\$39,699,000 <sup>1/</sup>	\$40,256,000	\$40,256,000	\$42,361,000	\$43,266,100	\$44,234,212	\$45,268,596	\$46,365,092
<b>Contract Authority Exempt from Obligation Limitation</b>	\$739,000	\$739,000	\$739,000 <sup>2/</sup>	\$739,000 <sup>3/</sup>	\$739,000 <sup>4/</sup>	\$739,000 <sup>5/</sup>	\$739,000 <sup>6/</sup>	\$739,000 <sup>7/</sup>	\$739,000 <sup>8/</sup>	\$739,000 <sup>9/</sup>
<b>Liquidation of Contract Authority</b>	\$41,846,000	\$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
Limitation on Admin Expenses - FHWA GOE [non-add]	\$413,533	\$412,000	\$416,126	\$416,100	\$415,000 <sup>10/</sup>	\$429,000	\$435,795	\$442,692	\$449,692	\$456,798
<b>Payment to the Highway Account of the Highway Trust Fund</b>			\$6,200,000 <sup>2/</sup>	\$22,365,000 <sup>3/</sup>	\$6,068,000	\$51,900,000				
<b>Transfer from the Leaking Underground Storage Tank Trust Fund to the Highway Account of the Highway Trust Fund</b>		\$2,400,000		\$1,000,000		\$100,000	\$100,000 <sup>6/</sup>	\$100,000 <sup>7/</sup>		
<b>Supplemental Emergency Relief Funds (GF)</b>		\$1,662,000	\$2,022,000 <sup>2/</sup>				\$1,532,017	\$1,374,000	\$1,650,000	
<b>Appalachian Development Highway System (GF)</b>										
<b>Miscellaneous Appropriations</b>										
<b>Highway Infrastructure Programs (GF)</b>								\$2,525,000	\$3,250,000	\$2,166,140

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/ 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.

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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 [\$453,549,689] \$478,897,049, 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[. 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] \$49,982,000,000 for fiscal year [2020] 2021: [Provided, That the Secretary may collect and spend fees, as authorized by title 23, United States Code, to cover the costs of services of expert firms, including counsel, in the field of municipal and project finance to assist in the underwriting and servicing of Federal credit instruments and all or a portion of the costs to the Federal Government of servicing such credit instruments: Provided further, That such fees are available until expended to pay for such costs: Provided further, That such amounts are in addition to administrative expenses that are also available for such purpose, and are not subject to any obligation limitation or the limitation on administrative expenses under section 608 of title 23, United States Code.]*

**\*\*Reason for excluding the final three provisos: The TIFIA Program and all related legislative language is reflected in the Office of the Secretary for Transportation budget justification.\*\***

(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] \$50,721,000,000 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 of Transportation \$2,166,140,392: *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 2020 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 of the funds made available under this heading—

- (1) \$781,140,392 shall be for activities eligible under sections 133(b)(1) and 133(b)(4) 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) \$1,150,000,000 shall be for a bridge replacement and rehabilitation program;
  - (3) \$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;
  - (4) \$3,500,000 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;
  - (5) \$1,500,000 shall be for activities eligible under the Territorial Highway Program, as described in section 165(c)(6) of title 23, United States Code;
  - (6) \$70,000,000 shall be for the nationally significant Federal lands and tribal projects program under section 1123 of the FAST Act;
  - (7) \$50,000,000 shall be for competitive grants for activities described in section 130(a) of title 23, United States Code;
  - (8) \$5,000,000 shall be for the Regional Infrastructure Accelerator Demonstration Program authorized under section 1441 of the FAST Act; and
  - (9) \$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 for activities eligible under sections 133(b)(1) and 133(b)(4) 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, the term “State” means any of the 50 States or the District of Columbia: *Provided further*, That the funds made available under this heading for activities eligible under sections 133(b)(1) and 133(b)(4) 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, shall be suballocated in the manner described in section 133(d) of such title, except that the set-aside described in section 133(h) of such title shall not apply to funds made available under this heading: *Provided further*, That the funds made available under this heading for activities eligible under sections 133(b)(1) and 133(b)(4) 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, shall be administered as if apportioned under chapter 1 of such title and shall remain available through September 30, 2023: *Provided further*, That the funds made available under this heading for activities eligible under sections 133(b)(1) and 133(b)(4) 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, shall be apportioned to the States in the same ratio as the obligation limitation for fiscal year 2020 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, and shall remain available through September 30, 2023: *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 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 remain available through September 30, 2023: *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: *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 \$50,000,000;
- (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 \$50,000,000 shall be redistributed equally among each State that does not meet the definition of a qualifying State:

*Provided further*, That 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) based on the National Bridge Inventory as of December 31, 2018: *Provided further*, That the funds made available under this heading for a bridge replacement and rehabilitation program shall be administered as if apportioned under chapter 1 of title 23, United States Code, and shall remain available through September 30, 2023: *Provided further*, That the funds made available under this heading, in paragraph (7) in the third 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 the funds made available under this heading, in paragraph (7) of the third proviso, shall be administered as if apportioned under chapter 1 of title 23, United States Code: *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: *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 amounts provided under this heading in paragraphs (7), (8), and (9) shall remain available until expended.]

**\*\*Reason for excluding the Highway Infrastructure Programs: The FY 2021 Budget does not request funding for the program.\*\***

#### ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY ADMINISTRATION

[SEC. 120.

- (a) For fiscal year 2020, 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 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 2020, 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.

(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.]

\*\*Reason for excluding section: In the coming months, the Administration will submit a comprehensive surface transportation reauthorization proposal to the Congress for consideration.\*\*

[SEC. 121.] *SEC. 120.* 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.] *SEC. 121.* 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 to the Department of Transportation may be used to provide credit assistance unless not less than 3 day before any application approval to provide credit assistance under sections 603 and 604 of title 23, United States Code, the Secretary of Transportation provides notification in writing to the following committees: the House and Senate Committees on Appropriations; the Committee on Environment and Public Works and the Committee on Banking, Housing and Urban Affairs of the Senate; and the Committee on Transportation and Infrastructure of the House of Representatives: *Provided*, That such notification shall include, but not be limited to, the name of the project sponsor; a description of the project; whether credit assistance will be provided as a direct loan, loan guarantee, or line of credit; and the amount of credit assistance.]

**\*\*Reason for excluding section: The TIFIA Program and all related legislative language is reflected in the Office of the Secretary for Transportation budget justification.\*\***

[SEC. 124.] *SEC. 122.* 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.

[SEC. 125.] *SEC. 123.* (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 [a quarterly]*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] 100 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 [each quarter] *annually* to the House and Senate Committees on Appropriations.

**\*\*Reason for changing reporting requirement from quarterly to annually: The majority of the requests to repurpose earmarks are submitted during the last quarter of the fiscal year. Thus, FHWA proposes to reduce the frequency of this reporting requirement to annual rather than quarterly.\*\***

[SEC. 126. The following are repealed:

(1) Section 352 of the National Highway System Designation Act of 1995 (Public Law 104–59, 109 Stat. 568).

(2) Section 324 of the Department of Transportation and Related Agencies Appropriations Act, 1986 (Public Law 99–190; 99 Stat. 1288).

(3) Section 325 of the Department of Transportation and Related Agencies Appropriations Act, 1996 (Public Law 104–50; 109 Stat. 456).

Notwithstanding any other provision of law, tolls collected for motor vehicles on any bridge connecting the boroughs of Brooklyn, New York, and Staten Island, New York, shall be collected for any such vehicles exiting from such bridge in both Staten Island and Brooklyn.]

**\*\*Reason for removal of section: subsections (1) through (3) are repeals that were enacted by the FY 2020 appropriations law. The last sentence is removed to provide more flexibility for local and State decisionmakers.\*\***

[SEC. 127. Section 125(d) of title 23, United States Code, is amended by striking paragraph (4).]

\*\*Reason for removal: Section 127 was enacted by the FY 2020 appropriations law.

[SEC. 128. Until final guidance is published, the Administrator of the Federal Highway Administration shall make determinations on Buy America waivers for those waivers that were submitted before April 17, 2018, as if the notice of proposed rulemaking of that date was not in effect.]

\*\*Reason for removal of section: Final guidance on Buy America waivers is expected to be published prior to the enactment of FY 2021 appropriations. Therefore, this section will not be necessary.

[SEC. 129. Section 1948 of SAFETEA-LU (Public Law 109-59; 119 Stat. 1514) is repealed.]

\*\*Reason for removal: Represents a repeal that was already enacted by the FY 2020 appropriations law.\*\*

[SEC. 129A. Section 119(e)(5) of title 23, United States Code, is amended to read as follows:

“(5) REQUIREMENT FOR PLAN.—

“(A) IN GENERAL.—Notwithstanding section 120, each fiscal year, if the Secretary determines that a State has not developed and implemented a State asset management plan consistent with this section, the Federal share payable on account of any project or activity for which funds are obligated by the State in that fiscal year under this section shall be 65 percent.

“(B) DETERMINATION.—The Secretary shall make the determination under subparagraph (A) for a fiscal year not later than the day before the beginning of such fiscal year.”.]

\*\*Reason for excluding section: Amendment was enacted by the FY 2020 appropriations law\*\*

*SEC. 124. (a) Of the unobligated balances of funds remaining from—*

- (1) Public Law 105-66, and any other Act, appropriated to the “Appalachian Development Highway System” account under Treasury Account Fund Symbol 69X0640, a total of \$11,960,182 is hereby permanently cancelled;*
- (2) Public Law 111-117, and any other Act, appropriated to the “Surface Transportation Priorities” account under Treasury Account Fund Symbol 69X0538, a total of \$79,821,786 is hereby permanently cancelled;*
- (3) Public Law 110-161, and any other Act, appropriated to the “Delta Regional Transportation Development Program” account under Treasury Account Fund Symbol 69X0551, a total of \$1,841,344 is hereby permanently cancelled;*

- (4) *Public Law 106-346, and any other Act, appropriated to the “Miscellaneous Highway Project” account under Treasury Account Fund Symbol 69X8058, a total of \$38,552,346 is hereby permanently cancelled;*
- (5) *Public Law 102-388, and any other Act, appropriated to the “Highway Projects” account under Treasury Account Fund Symbol 69X8382, a total of \$5,028,247 is hereby permanently cancelled;*
- (b) *The cancellations under subsection (a) shall not be taken from the portions of unobligated balances of funds in such accounts for which a State used its authority under section 125 of division L of Public Law 114-113, section 422 of division K of Public Law 115-31, section 126 of division L of Public Law 115-141, section 125 of division G of Public Law 116-6, or section 125 of division H of Public Law 116-94.*

*\*\*Reason for including section: Rescissions of old earmarked funds with little or no recent activity.\*\**

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

	<b>FY 2019 ACTUAL</b>	<b>FY 2020 ENACTED</b>	<b>FY 2021 REQUEST</b>
[Limitation on Administrative Expenses] <sup>1/</sup>	[\$449,692]	[\$456,798]	[\$478,897]
<b>Federal-aid Highways</b>	<b>\$46,007,596</b>	<b>\$47,104,092</b>	<b>\$50,721,000</b>
Obligation Limitation	\$45,268,596	\$46,365,092	\$49,982,000
Exempt Programs <sup>2/</sup>	\$739,000	\$739,000	\$739,000
<b>Highway Infrastructure Program</b>			
Appropriated Budget Authority (GF)	<b>\$3,250,000</b> <sup>3/</sup>	<b>\$2,166,140</b> <sup>4/</sup>	-----
<b>Emergency Relief Program</b>			
Appropriated Budget Authority (GF)	<b>\$1,650,000</b> <sup>5/</sup>	-----	-----
<b>TOTAL</b>	<b>\$50,907,596</b>	<b>\$49,270,232</b>	<b>\$50,721,000</b>
<b>FTE</b>			
Direct Funded	2,582	2,604	2,602
Reimbursable, allocated, other	51	51	51
<b>Total, FTE</b>	<b>2,633</b>	<b>2,655</b>	<b>2,653</b>

**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 maintain and improve the safety, condition, and performance of our national highway system. These funds will help create a well-coordinated, well-maintained transportation network that supports our economy, creates jobs, and leads us into the future.

[ ] 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/ FY 2019 does not reflect sequestration of 6.2 percent of contract authority exempt from obligation limitation per Sequestration Order dated February 12, 2018. FY 2020 does not reflect sequestration of 5.9 percent of contract authority exempt from obligation limitation per Sequestration Order dated March 18, 2019.

3/ The Department of Transportation Appropriations Act, 2019 (Public Law 116-6) provided \$3.250 billion in additional highway funding from the General Fund.

4/ The Department of Transportation Appropriations Act, 2020 (Public Law 116-94) provided \$2.166 billion in additional highway funding from the General Fund.

5/ Public Law 116-20 provided \$1.65 billion from the General Fund for Emergency Relief in FY 2019.

**EXHIBIT III-1a**  
**FEDERAL-AID HIGHWAYS**  
**SUMMARY ANALYSIS OF CHANGE FROM FY 2020 TO FY 2021**  
**Appropriations, Obligation Limitations, and Exempt Obligations**  
**(\$000)**

	<u>(\$000)</u>	<u>FTE</u>
<b>FY 2020 ENACTED (OBLIGATION LIMITATION + EXEMPT CA)</b>	<b>\$47,104,092</b>	<b>2,588</b>
<b>Federal-aid Highways</b>		
<b><u>ITEM</u></b>		
<b>ADJUSTMENTS TO BASE:</b>		
Annualization of FY 2020 pay raise (3.1 percent)	\$2,600	
FY 2021 pay raise (1.0 percent)	\$2,536	
Adjustment for compensable day	-\$1,300	
GSA rent	\$510	
Working Capital Fund (WCF)	\$2,400	
FY 2021 FERS increase	\$2,911	
FY 2021 awards increase	\$2,395	
Restoring activities reduced in FY 2020 due to FY 2020 pay raise and FERS increases	\$9,651	
Non-pay inflation	\$396	
Transition of public affairs and congressional affairs staff to the Department.	\$0	-2
<b>SUBTOTAL, ADJUSTMENTS TO BASE</b>	<b>\$22,099</b>	<b>-2</b>
<b>PROGRAM REDUCTIONS</b>		
<b>SUBTOTAL, PROGRAM REDUCTIONS</b>	<b>\$0</b>	<b>0</b>
<b>PROGRAM INCREASES</b>		
Federal-aid Highway Program	\$3,594,809	
<b>SUBTOTAL, PROGRAM INCREASES</b>	<b>\$3,594,809</b>	<b>0</b>
<b>FY 2021 REQUEST [OB. LIM. + EXEMPT CA]</b>	<b>\$50,721,000</b>	<b>2,586</b>

1/ Consistent with OMB Memoranda M-19-24 dated July 2019, the amount shown above for Salaries and Benefits includes an estimated increase of \$2.4 million for awards spending, from \$3.6 million in FY 2020 to \$6.0 million in FY 2021. This increase is calculated by increasing the FY 2020 base award pay, relative to non-SES salaries, and increasing that percentage by one full percent. These percentages are 1.5 percent and 2.5 percent for FY 2020 and 2021, respectively. Additional increases shown on this line are attributable to various Pay Raise and FERS contribution percentage increases for FY 2020 and 2021 as prescribed by OPM and OMB guidance.



**FEDERAL HIGHWAY ADMINISTRATION**  
**FEDERAL-AID HIGHWAY PROGRAM AUTHORIZATIONS OF CONTRACT AUTHORITY UNDER THE FIXING AMERICA'S SURFACE TRANSPORTATION (FAST) ACT (PUBLIC LAW 114-94)**

Program	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Total FY 2016-2020
<b>Apportioned Programs</b>	<b>39,727,500,000</b>	<b>40,547,805,000</b>	<b>41,424,020,075</b>	<b>42,358,903,696</b>	<b>43,373,294,311</b>	<b>207,431,523,082</b>
Highway Safety Improvement Program <sup>1/</sup>	2,454,094,512	2,508,792,347	2,556,434,401	2,603,108,774	2,656,122,968	12,778,553,002
National Highway Performance Program <sup>2/</sup>	22,332,260,060	22,830,010,326	23,263,553,053	23,741,885,964	24,237,436,805	116,405,146,208
Surface Transportation Block Grant Program <sup>3/</sup>	11,162,564,768	11,425,377,855	11,668,517,528	11,876,557,947	12,137,825,290	58,270,843,388
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
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
Metropolitan Transportation Planning	329,270,722	335,591,189	342,733,147	350,278,156	358,213,383	1,716,086,597
<b>Nationally Significant Freight and Highway Projects</b>	<b>800,000,000</b>	<b>850,000,000</b>	<b>900,000,000</b>	<b>950,000,000</b>	<b>1,000,000,000</b>	<b>4,500,000,000</b>
<b>Federal Lands and Tribal Transportation Programs</b>	<b>1,050,000,000</b>	<b>1,075,000,000</b>	<b>1,100,000,000</b>	<b>1,125,000,000</b>	<b>1,150,000,000</b>	<b>5,500,000,000</b>
Federal Lands Transportation Program	335,000,000	345,000,000	355,000,000	365,000,000	375,000,000	1,775,000,000
Federal Lands Access Program	250,000,000	255,000,000	260,000,000	265,000,000	270,000,000	1,300,000,000
Tribal Transportation Program	465,000,000	475,000,000	485,000,000	495,000,000	505,000,000	2,425,000,000
<b>Research, Technology, and Education Program</b>	<b>414,500,000</b>	<b>417,500,000</b>	<b>417,500,000</b>	<b>420,000,000</b>	<b>420,000,000</b>	<b>2,089,500,000</b>
Highway Research and Development Program	125,000,000	125,000,000	125,000,000	125,000,000	125,000,000	625,000,000
Technology and Innovation Deployment Program	67,000,000	67,500,000	67,500,000	67,500,000	67,500,000	337,000,000
Training and Education	24,000,000	24,000,000	24,000,000	24,000,000	24,000,000	120,000,000
Intelligent Transportation Systems Program	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000	500,000,000
University Transportation Centers	72,500,000	75,000,000	75,000,000	77,500,000	77,500,000	377,500,000
Bureau of Transportation Statistics	26,000,000	26,000,000	26,000,000	26,000,000	26,000,000	130,000,000
<b>Federal Allocation Programs</b>	<b>404,000,000</b>	<b>404,000,000</b>	<b>404,000,000</b>	<b>404,000,000</b>	<b>404,000,000</b>	<b>2,020,000,000</b>
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
Disadvantaged Business Enterprise	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	50,000,000
Emergency Relief <sup>2/</sup>	100,000,000	100,000,000	100,000,000	100,000,000	100,000,000	500,000,000
Highway Use Tax Evasion Projects	4,000,000	4,000,000	4,000,000	4,000,000	4,000,000	20,000,000
On-the-Job Training	10,000,000	10,000,000	10,000,000	10,000,000	10,000,000	50,000,000
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
<b>TIFIA Program</b>	<b>275,000,000</b>	<b>275,000,000</b>	<b>285,000,000</b>	<b>300,000,000</b>	<b>300,000,000</b>	<b>1,435,000,000</b>
<b>Administrative Expenses <sup>4/</sup></b>	<b>429,000,000</b>	<b>435,795,000</b>	<b>442,691,925</b>	<b>449,692,304</b>	<b>456,797,689</b>	<b>2,213,976,918</b>
<b>TOTAL, FHWA</b>	<b>43,100,000,000</b>	<b>44,005,100,000</b>	<b>44,973,212,000</b>	<b>46,007,596,000</b>	<b>47,104,092,000</b>	<b>225,190,000,000</b>
<b>CA Subject to Obligation Limitation</b>	<b>42,361,000,000</b>	<b>43,266,100,000</b>	<b>44,234,212,000</b>	<b>45,268,596,000</b>	<b>46,365,092,000</b>	<b>221,495,000,000</b>
<b>CA Exempt from Obligation Limitation</b>	<b>739,000,000</b>	<b>739,000,000</b>	<b>739,000,000</b>	<b>739,000,000</b>	<b>739,000,000</b>	<b>3,695,000,000</b>

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) 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.

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 2020.

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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## Budget Request Narrative

The FY 2021 Budget includes \$602 billion to support a 10-year reauthorization of Federal Highway Administration (FHWA) programs. A strong, modern and world-class network of highways is critical to the Nation's safety, economy, mobility and global competitiveness. The proposed surface transportation reauthorization incorporates input from FHWA's partners and stakeholders by continuing the momentum of increased program and funding flexibilities to States, and removing red tape and other barriers to innovation and efficiency, while ensuring safety is the number one focus. Many of these reforms are guided by our recognition that States and localities, not the Federal government, are best equipped to understand the infrastructure challenges and investments needs for their communities.

Broadly, the proposal is a culmination of a concerted effort to modernize and enhance surface transportation programs. By breaking down outdated statutory, regulatory and programmatic barriers to innovation and efficiency, the proposal will empower States and local authorities to better use the Federal-aid highway program to best meet their needs. The proposal will right-size the Federal role in areas where States and localities can make more tailored and efficient decisions, and provide our State and local partners with funding certainty and programmatic continuity over the long-term. The FHWA provisions of the proposed surface transportation reauthorization advance the following priorities:

**Transportation Safety:** Safety is the Department of Transportation's number one priority. FHWA in turn has advanced a safe systems approach and zero death vision at the national, State and local level. Yet with over four million miles of public roads, safety challenges remain. The proposed surface transportation reauthorization will help address and enhance the safety of the Nation's highways by giving States and localities more flexibility with their safety dollars and by engaging our partners and stakeholders in safety enhancing program efficiencies and innovations with respect to heavy freight mobility, rural safety, safe driver behavior, and accelerating recovery efforts in communities after disasters. In particular, the proposed surface transportation reauthorization will provide increased flexibility in the Highway Safety Improvement Program, and modernize the Railway-Highway Crossing Program to reflect new technologies and offer greater flexibility for States to enhance safety.

**Increased Flexibility and Faster Project Delivery:** While safety is DOT's top priority, a focus on programmatic flexibility and faster project delivery in the proposed surface transportation reauthorization will help drive safety and other

enhancements, by allowing States to assume a greater role in certain routine approvals and program actions, reducing Federal involvement in areas where the inefficiencies of Federal oversight exceed the benefits, and enabling a better and more streamlined and efficient transportation planning process by focusing planning and environmental review requirements on areas that have more complicated issues or greater risks.

**Modernizing Our Highways and Bridges:** The Nation’s highways and bridges need to be upgraded. The percentage of vehicle miles traveled on the National Highway System pavement in “good” condition was only 62 percent in 2018. There were 16,764 bridges on the Federal-aid highway system in poor condition in 2018. According to the 2019 Urban Mobility Report, traffic congestion cost commuters an estimated \$179 billion in 2017. Based on the ATRI 2018 Cost of Congestion to the Trucking Industry Report, traffic congestion cost the trucking industry an estimated \$74 billion in 2016. The proposed surface transportation reauthorization will significantly improve the condition and performance of the Nation’s highways and bridges through historic investments. The Budget provides \$50.7 billion in the first year of the reauthorization, just over 8 percent increase over the previous year, with increases of 3.8 percent in subsequent years. Most of this funding will be in the form of flexible grants to States to repair, rebuild, and bring our network of highways into the 21<sup>st</sup> century.

**Promoting Innovation Through Research:** The proposal will support highway research programs that address critical knowledge gaps that would not otherwise be effectively addressed by other research sponsors. These programs will accelerate implementation of technologies and new solutions to meet current and future highway transportation needs, including those addressing safety. These programs will focus on research products that can be transferred to end users and/or made available in the marketplace.

**RESEARCH, TECHNOLOGY & EDUCATION  
DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION  
BUDGET AUTHORITY  
(In thousands of dollars)**

	CLASSIFICATION (A, B, D, F, or T)	FY 2019 ACTUAL	FY 2020 ENACTED	FY 2021 REQUEST
<b>FEDERAL HIGHWAY ADMINISTRATION</b>				
<b>Research, Technology &amp; Education (RT&amp;E) Program</b>				
<b>A. Highway Research and Development</b>		<b>112,625</b>	<b>113,250</b>	
<i>Highway Research and Development, Applied Research</i>	A	61,268	61,608	
<i>Highway Research and Development, Development Research</i>	D	15,317	15,402	
<i>Highway Research and Development, Deployment (Technology Transfer)</i>	T	36,040	36,240	
<b>B. Technology and Innovation Deployment Program</b>		<b>60,818</b>	<b>61,155</b>	
<i>Technology and Innovation Deployment, Deployment (Technology Transfer)</i>	T	60,818	61,155	
<b>C. Training and Education Program</b>		<b>21,624</b>	<b>21,744</b>	
<i>Training and Education Program, Training and Education (Technology Transfer)</i>	T	21,624	21,744	
<b>D. Intelligent Transportation Systems</b>		<b>90,100</b>	<b>90,600</b>	
<i>Intelligent Transportation Systems, Applied Research</i>	A	71,179	71,574	
<i>Intelligent Transportation Systems, Deployment (Technology Transfer)</i>	T	18,921	19,026	
<b>E. University Transportation Centers (UTC) <sup>1/</sup></b>		<b>69,828</b>	<b>70,215</b>	
<i>University Transportation Centers (UTC), Applied Research</i>	A	69,828	70,215	
<b>F. State Planning and Research (SP&amp;R) <sup>2/</sup></b>		<b>208,826</b>	<b>213,833</b>	
<i>State Planning and Research (SP&amp;R), Applied Research</i>	A	125,295	128,300	
<i>State Planning and Research (SP&amp;R), Development Research</i>	D	31,324	32,075	
<i>State Planning and Research (SP&amp;R), Deployment (Technology Transfer)</i>	T	52,207	53,458	
<b>G. Administrative/Facility Expenses</b>		<b>22,059</b>	<b>22,059</b>	
<i>Administrative Expenses</i>		20,529	20,529	
<i>Turner-Fairbank Highway Research Center Facility</i>	F	1,530	1,530	
<b>H. Advanced Transportation &amp; Congestion Mgmt. Technologies Deployment [Non-add] <sup>3/</sup></b>		<b>[60,000]</b>	<b>[60,000]</b>	
<b>Subtotal</b>		<b>585,879</b>	<b>592,856</b>	
<b>Subtotal, Applied Research (A) <sup>4/</sup></b>		327,570	331,697	
<b>Subtotal, Development Research (D) <sup>4/</sup></b>		46,641	47,477	
<b>Total Technology Transfer/Deployment (T) <sup>4/</sup></b>		189,610	191,623	
<b>Subtotal, Research and Development Facilities (F) <sup>4/</sup></b>		1,530	1,530	
<b>Subtotal, Administrative Expenses <sup>4/</sup></b>		20,529	20,529	
<b>Add: Bureau of Transportation Statistics <sup>1/</sup></b>		26,000	26,000	
<b>Less: Administrative/Facility Expenses</b>		-22,059	-22,059	
<b>Less: State Planning and Research (SP&amp;R)</b>		-208,826	-213,833	
<b>Total Title V Programs <sup>4/ 5/</sup></b>		<b>380,994</b>	<b>382,964</b>	

1/ Details for this program are contained in the Office of the Assistant Secretary for Research and Technology FY 2021 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/ Per the FAST Act, 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 2019 enacted amounts reflect a 9.9 percent "lop-off" resulting from the imposition of the obligation limitation. FY 2020 reflects a 9.4 percent "lop-off".

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## FY 2021 Budget

### Federal Highway Administration Information Technology Budget Narrative

(Budget Authority in Thousands)

<b>Budget Account</b>	<b>FY 2019 Actual</b>	<b>FY 2020 Enacted</b>	<b>FY 2021 Request</b>
Federal-Aid Highways			
<i>Commodity IT SS WCF</i>	\$33,390	\$39,588	\$40,286
<i>FHWA IT</i>	\$71,967	\$74,700	\$72,690
<b>Total</b>	<b>\$105,357</b>	<b>\$114,288</b>	<b>\$112,976</b>

The budget requests **\$113 million** in FY 2021 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).

FHWA's FY 2021 IT request will provide essential resources to carry out the agency's mission. FHWA requires secure and up-to-date IT platforms to ensure the successful administration of the \$50.7 billion Federal-aid highway program.

FHWA's IT investments directly support critical functions of the agency, including:

- Emergency responses to hurricanes, earthquakes, and other natural disasters, allowing for communication and information sharing, including field data collection and transcription, and damage reporting during emergencies, as well as aiding in disaster recovery and reconstruction through the maintenance of state-of-the-art technology such as the Mobile Solution for Assessment and Reporting (MSAR) - a cloud-based information system used to collect and report post-disaster transportation information.
- National tunnel and bridge inspection and reporting procedures for an electronic inventory to monitor tunnel and bridge conditions to ensure the safety of the traveling public.
- Timeliness and quality of the environmental review process streamlining interagency collaboration associated with all National Environmental Policy Act (NEPA) Classes of Action, and minimizing environmental impacts of transportation.

#### ***Commodity IT Shared Services through the WCF***

OCIO will continue to provide FHWA commodity IT shared services in FY 2021 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 **\$40.3 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***

FHWA's IT systems are critical to the successful delivery of the Federal-aid highway program. Through these investments, FHWA monitors the management of funding distributed to the States; compiles and makes available vital transportation data on highway and bridge condition and performance; and supports initiatives for Federal Lands, Tribes, and transportation research.

The following major mission-critical IT systems will be maintained by FHWA in FY 2021. 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): approximately \$3.3 million.** FHWA'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: approximately \$3.8 million.** FHWA manages 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, NHS 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: approximately \$6.9 million.** FHWA provides 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 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 **\$13 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.
- **Purchase Request Information System (PRISM).** FHWA requests **\$0.6 million** for the Purchase Request Information System (PRISM) maintenance, contractor support, and help desk support services.
- **Websites and Systems** – FHWA requests **\$2.6 million** for the National Highway Institute (NHI) Web Portal & Course Management, Recovery Data Act System (RADS), Highway Needs and Investment Analysis Software, and Emergency Data Relief Portal.

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