



— State of —
North Dakota
Office of the Governor

John Hoeven
Governor

March 5, 2010

Mr. Ray LaHood, Secretary
c/o Joel Szabat, Deputy Assistant Secretary
for Transportation Policy
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Subject: Public Law 111-5 – American Recovery and Reinvestment Act of 2009

Dear Mr. LaHood:

To expedite the delivery of funds through Public Law 111-5, the American Recovery and Reinvestment Act of 2009 (ARRA), I, Governor John Hoeven of the great state of North Dakota, hereby submit an amended section 1201 certification that is consistent in form and content with the USDOT April 22, May 13, June 26, July 1, September 24, 2009, and February 9, 2010 guidance. Further this certification is consistent with the September 25, 2009 email guidance from Ms. Janet Myers to Mr. Wendall Meyer, both of the Federal Highway Administration (FHWA).

Under section 1201, I certify that the state of North Dakota will maintain its effort with regard to state funding for the types of projects that are funded under ARRA. The attached amended section 1201 specifically includes a representation about the maintenance of effort for each covered program as defined in section 1201(d)(2) of the Recovery Act.

If you have any questions or require additional information as it regards surface transportation and transit projects, please contact Mr. Francis G. Ziegler, PE, Director, North Dakota Department of Transportation, at (701) 328-2581 or 608 E. Boulevard Ave, Bismarck, ND 58505. If you have any questions or require additional information as it regards aeronautics projects, please contact Mr. Lawrence E. Taborsky, Director, North Dakota Aeronautics Commission, at (701) 328-9650 or PO Box 5020, Bismarck, ND 58502.

Sincerely,

A handwritten signature in black ink, appearing to read "John Hoeven".

John Hoeven
Governor

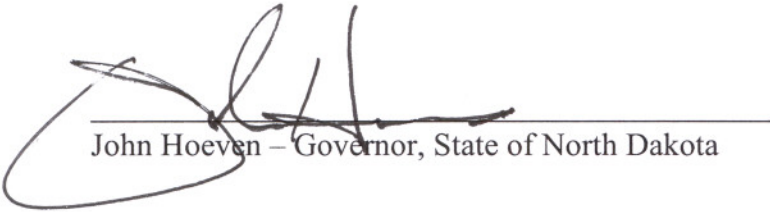
38:34:58
Enclosures

600 E Boulevard Ave.
Bismarck, ND 58505-0001
Phone: 701.328.2200
Fax: 701.328.2205
www.nd.gov

**CERTIFICATION UNDER SECTION 1201 OF THE AMERICAN
RECOVERY AND REINVESTMENT ACT**
(Amended):

Pursuant to Title XII, section 1201 of the American Recovery and Reinvestment Act (Pub. L. 111-5 (Feb. 17, 2009)), hereinafter ARRA, I, John Hoeven, Governor of the great State of North Dakota, hereby certify to the Secretary of Transportation that the State of North Dakota, hereinafter State, will maintain its effort with regard to State funding for the types of projects in DOT "covered programs" funded under ARRA. The enclosed list of DOT "covered programs" identifies the amount of funds the State planned, as of February 17, 2009, to expend from State sources between February 17, 2009 and September 30, 2010, for the types of projects under the DOT "covered programs" funded under ARRA.

I understand that if the State is unable to maintain the level of funding identified in this list of the types of projects under the DOT "covered programs" funded under ARRA, the State will thereafter be prohibited by the Secretary of Transportation from receiving additional limitation on obligations for Federal-aid highway and highway safety construction programs that occurs after August 1 for federal fiscal year 2011.



John Hoeven – Governor, State of North Dakota

Signed this 5th day of March, 2010

Attachment

State of North Dakota
Recovery Act Section 1201

List of DOT "Covered Programs" under ARRA and the amount of funds the State planned, as of February 17, 2009, to expend from State sources between February 17, 2009 and September 30, 2010, for the types of projects under the DOT "covered programs" funded under ARRA

"Supplemental Discretionary Grants for a National Surface Transportation System" – Office of the Secretary of Transportation – (\$0)

"Supplemental Funding for Facilities and Equipment" – Federal Aviation Administration - (\$0)

"Grants-in-Aid for Airports" – Federal Aviation Administration - (\$2,700,000)

"Highway Infrastructure Investment" – Federal Highway Administration – (\$172,031,238)

"Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service" – Federal Railroad Administration - (\$0)

"Capital Grants to the National Railroad Passenger Corporation" – Federal Railroad Administration - (\$0)

"Transit Capital Assistance" – Federal Transit Administration (\$4,824,760)

"Fixed Guideway Infrastructure Investment" – Federal Transit Administration - (\$0)

"Capital Investment Grants" – Federal Transit Administration - (\$0)

"Supplemental Grants for Assistance to Small Shipyards" – Maritime Administration - (\$0)
