U.S. Department of Transportation

Federal Highway Administration

Notice

Subject:

RESCISSION OF UNOBLIGATED BALANCES OF CONTRACT AUTHORITY ON SEPTEMBER 30, 2009

Classification Code	Date	Office of Primary Interest
N4510.710	August 25, 2009	**HCFB-1**

1. **What is the purpose of this Notice?** This Notice is to notify the States that $8,708,000,000 of unobligated Federal-aid highway funds apportioned to States will be rescinded on September 30, 2009, as required by Section 10212 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law (Pub. L.) 109-59, as amended by Section 1302(b) of the Pension Protection Act of 2006, Pub. L. 109-280 and Section 112 of the SAFETEA-LU Technical Corrections Act of 2008, Pub. L. 110-244, as affected by Title XI, Subtitle D, Section 1132(a) of the Energy Independence and Security Act of 2007 (EISA), Pub. L. 110-140. FHWA has no discretion in the application of the $8,708,000,000 rescission.

2. **What apportioned funds are being rescinded?**

   Pursuant to Section 10212 of SAFETEA-LU as amended, an amount of $8,708,000,000 is to be rescinded from the unobligated balances of funds apportioned before September 30, 2009, for the following programs:

   (1) Interstate Maintenance;

   (2) National Highway System;

   (3) Highway Bridge Program;

   (4) Highway Bridge Replacement and Rehabilitation Program;

   (5) Congestion Mitigation and Air Quality Improvement Program;

   (6) Surface Transportation Program (other than the Surface Transportation Program set-aside programs);

   (7) Metropolitan Planning;

   (8) Minimum Guarantee;

   (9) Equity Bonus;

   (10) Appalachian Development Highway System;

(11) Recreational Trails;

(12) Railway-Highway Crossings:

a. Protective Devices; and

b. Elimination of Hazards

(13) Safe Routes to School;

(14) Coordinated Border Infrastructure;

(15) Highway Safety Improvement Program (and separately the set-aside for the High Risk Rural Roads Program); and

(16) Each of the Surface Transportation Program set-aside programs as in effect on the day before **and** after the date of enactment of SAFETEA-LU:

a. Railway-Highway Crossings, Protective Devices;

b. Railway-Highway Crossings, Elimination of Hazards;

c. Hazard Elimination Program;

d. Optional Safety;

e. Transportation Enhancements;

f. Urbanized Areas with Population > 200,000;

g. Areas with a Population ≤ 200,000;

h. Mandatory Amount for Areas with a Population < 5,000; and

i. Amounts Available for Use in Any Area of the State.

3. **How is the total amount to be rescinded by State calculated?**

a. Pursuant to Section 10212 of SAFETEA-LU, as amended, the amount to be rescinded from each State is based on the aggregate amounts apportioned to each State for fiscal years (FY) 2004 through 2009 for the following programs: Interstate Maintenance, National Highway System, Highway Bridge Program, Highway Bridge Replacement and Rehabilitation, Congestion Mitigation and Air Quality Improvement Program, Surface Transportation Program (other than the Surface Transportation Program set-aside programs), Metropolitan Planning, Minimum Guarantee, Equity Bonus, Appalachian Development Highway System, Recreational Trails, Safe Routes to School, Railway-Highway Crossings, Coordinated Border Infrastructure, Highway Safety Improvement Program (and separately the set-aside for the High Risk Rural Roads Program), and each of the Surface Transportation Program set-aside programs.

b. The apportionments for such programs listed in subparagraph (a) are inclusive of funds programmatically distributed from the Minimum Guarantee and Equity Bonus programs, but exclusive of funds set aside for State Planning and Research and those funds withheld pursuant to section 154 of title 23, U.S.C. (Open Container Requirements), and section 164 of title 23, U.S.C. (Minimum Penalties for Repeat Offenders for Driving While Intoxicated or Driving Under the Influence), which are separate from, but impact the programs by operation of law.

c. The total amount to rescind by State was determined by multiplying the ratio that the aggregate amount apportioned to a State for FYs 2004 through 2009 bears to the total amount apportioned for all States for FYs 2004 through 2009 by the total amount to be rescinded, $8,708,000,000.

4. How is the total amount to be rescinded, $8,708,000,000, divided between Section 10212 of SAFETEA-LU, as amended, and Section 1132 of EISA?

The EISA, enacted subsequent to SAFETEA-LU, provides direction on the programmatic distribution for any rescissions of funds apportioned under chapter 1 of title 23, U.S.C. during FYs 2008 and 2009, a subset of the funds subject to the rescission under section 10212 of SAFETEA-LU. To determine how much of the $8,708,000,000 to be rescinded is administered pursuant to SAFETEA-LU, as amended, and to EISA, the following methodology was used:

a. Pursuant to Title XI, Subtitle D, Section 1132(a) of the Energy Independence and Security Act of 2007 (EISA), Pub. L. 110-140, the rescission shall be distributed within each State among programs which are apportioned under chapter 1 of title 23, U.S.C. The affected programs under chapter 1 of title 23, U.S.C., among which the rescission shall be distributed, are as follows: Interstate Maintenance, National Highway System, Highway Bridge Program, Highway Bridge Replacement and Rehabilitation, Congestion Mitigation and Air Quality Improvement Program, Surface Transportation Program (other than the Surface Transportation Program set-aside programs), Metropolitan Planning, Minimum Guarantee, Equity Bonus, Recreational Trails, Railway-Highway Crossings, Highway Safety Improvement Program (and separately the set-aside for the High Risk Rural Roads Program), and each of the Surface Transportation Program set-aside programs.

b. The FY 2009 apportionments for such programs listed in subparagraph (a) are inclusive of funds programmatically distributed from the Minimum Guarantee and Equity Bonus Programs, but exclusive of funds set aside for State Planning and Research and those funds withheld pursuant to section 154 of title 23, U.S.C. (Open Container Requirements), and section 164 of title 23, U.S.C. (Minimum Penalties for Repeat Offenders for Driving While Intoxicated or Driving Under the Influence), which are separate from, but impact the programs by operation of law.

c. The total to be rescinded by State pursuant to Section 1132 of EISA was determined by multiplying the ratio that the total amount apportioned to a State under chapter 1 of title 23, U.S.C. for FYs 2004 through 2009 for the programs subject to the rescission bears to the total amount apportioned to that State for FYs 2004 through 2009 for all of the programs subject to the rescission. The amount to be rescinded pursuant to Section 1132 of EISA is $8,518,888,896.

d. The total amount to be rescinded by State pursuant to Section 10212 of SAFETEA-LU was determined by deducting the amount calculated for a State in paragraph 4(c) from the total amount calculated to be rescinded from a State in paragraph 3(c). The amount to be rescinded pursuant to Section 10212 of SAFETEA-LU, as amended, is $189,111,104.

e. Each State's share of the total amount to be rescinded is reflected in Table 1.

5. How is the total amount to be rescinded from each State by program determined?

a. Pursuant to Section 10212(c)(1) of SAFETEA-LU, as amended, within each State, the rescission will be distributed among the affected programs by the ratio that the aggregate amount of unobligated funds available to each State on September 30, 2009, for the Appalachian Development Highway System, Safe Routes to School, and Coordinated Border Infrastructure programs, bears to the aggregate amount of unobligated funds available to the State on September 30, 2009, for all of the Appalachian Development Highway System, Safe Routes to School, and Coordinated Border Infrastructure programs. In order to allow ample time to implement the rescission and close out the fiscal year, the Federal Highway Administration (FHWA) has set a date of September 25, 2009, as the last day for States to obligate funds in the Fiscal Management Information System (FMIS). The data required to determine the program-by-program distribution will be based on the unobligated balances available to each State as of 11:59 pm on September 25, 2009. As a result, the final program-by-program distribution will not be known until such time. **Further information on the program-by-program distribution will be provided in a future Notice <u>to be issued after September 25, 2009</u>.**

b. Pursuant to Section 1132(a) of EISA of 2007, within each State, the rescission will be distributed among the affected programs – to the extent sufficient funds remain available for obligation – in the ratio that the amount of funds apportioned for each affected program under chapter 1 of title 23, U.S.C., for FY 2009 bears to the amount of funds apportioned for all affected programs under chapter 1 of title 23, U.S.C. for FY 2009. The program-by-program distribution of the amounts to be rescinded pursuant to Section 1132 of EISA is reflected in Table 2.

6. What are the flexibility provisions that apply to the rescission?

a. Pursuant to Section 10212(c)(2) of SAFETEA-LU, the Secretary must make a second calculation for each program not under chapter 1 of title 23, U.S.C. For each program, the State's rescission amount calculated per paragraph 3(c) is multiplied by the ratio that the total amount apportioned to the State for such program for FYs 2004 through 2009 bears to the aggregate amount apportioned to the State for all programs subject to the rescission.

b. If the amount to be rescinded for a "covered program" calculated per paragraph 5(a), exceeds the amount calculated per paragraph 6(a), then

(1) The amount calculated in paragraph 5(a) will be rescinded; and

(2) The State shall immediately restore to the apportionment account for the covered program from the unobligated balances of programs (other than the covered programs) an amount of funds required so that the net rescission from the covered programs does not exceed the amount calculated for the covered program in paragraph 6(a).

c. The term "covered program" means those programs authorized under section 130 and 152 of title 23, U.S.C., paragraph (2) and (3) of section 133(d) of that title, section 144 of that title, section 149 of that title, and section 1404 of SAFETEA-LU, as amended.

d. Pursuant to Section 1132(b) of EISA, a State may make adjustments to the distribution of the rescission within the State for a fiscal year by transferring the amounts to be rescinded among the affected programs, except that in making such adjustments the State may not rescind from any such affected program more than 110 percent of the funds to be rescinded from the program as determined by the distribution. The maximum allowable adjustment for each affected program is reflected in Table 3.

7. What actions are required?

a. Division Administrators should ensure that this Notice is provided to State departments of transportation.

b. Not later than **September 4, 2009**, a State must identify the program codes from which any additional amounts are to be rescinded, based on the flexibility provision in Section 1132(b) of EISA. Each Division Administrator should ensure that this information is submitted on the attached Table 4 to the FHWA Office of Budget (HCFB) official electronic mailbox, "FHWA, BudgetDivision."

c. NOTE: NO FUNDS WILL BE WITHDRAWN FROM FMIS BEFORE SEPTEMBER 29. Therefore, once the program codes and amounts have been determined and submitted to the HCFB, a State should ensure that a sufficient amount of unobligated funds are available

within each program code subject to rescission and that no obligations are incurred by the State against the amounts identified to be rescinded.

8. What is the timeline for administering the rescission?

a. **September 4:** States must identify the program codes from which any additional amounts are to be rescinded, based on the flexibility provision in Section 1132(b) of EISA and submit to the "FHWA, BudgetDivision" mailbox.

b. **September 25:** FMIS will close for obligations no later than 11:00 pm EDT.

c. **September 26 - 27:** Both the FMIS and Apportionment Analysis Team will run the reports necessary to determine the amounts to be rescinded by program for the three programs for which the programmatic distribution of the rescission is based on unobligated balances as of the close of the FY.

d. **September 28:** FHWA will issue a Notice informing the States of the amounts to be rescinded by program and provide further instructions on the flexibility provisions. **A State wishing to use the flexibility provisions pursuant to Section 10212(d) of SAFETEA-LU, as amended, must provide responses via e-mail to "FHWA, BudgetDivision" by no later than close of business on September 28.**

e. **September 29 - 30:** The FMIS Team will withdraw funds from FMIS.

Victor M. Mendez
Administrator

Attachments

FEDERAL HIGHWAY ADMINISTRATION

RESCISSION OF UNOBLIGATED BALANCES OF CONTRACT AUTHORITY
Pursuant to Section 10212 of SAFETEA-LU (P.L. 109-59), as Amended, and
Section 1132 of the Energy Independence Security Act of 2007 (EISA)

STATE	Pursuant to Sect. 1132 of EISA	Pursuant to Sect. 10212 of SAFETEA-LU	Total To Be Rescinded
ALABAMA	$162,422,705	$13,238,776	$175,661,481
ALASKA	80,258,283	468,932	80,727,215
ARIZONA	168,110,315	2,290,619	170,400,934
ARKANSAS	108,845,510	263,960	109,109,470
CALIFORNIA	785,820,478	7,721,081	793,541,559
COLORADO	114,296,348	387,404	114,683,752
CONNECTICUT	119,080,552	309,694	119,390,246
DELAWARE	34,393,696	221,857	34,615,553
DIST. OF COL.	34,367,512	221,857	34,589,369
FLORIDA	441,541,449	1,294,522	442,835,971
GEORGIA	310,754,675	5,409,142	316,163,817
HAWAII	38,324,315	221,857	38,546,172
IDAHO	64,852,171	466,690	65,318,861
ILLINOIS	288,844,180	1,034,474	289,878,654
INDIANA	217,486,727	533,870	218,020,597
IOWA	97,274,538	271,578	97,546,116
KANSAS	91,558,086	267,406	91,825,492
KENTUCKY	134,378,789	16,360,539	150,739,328
LOUISIANA	134,538,932	398,530	134,937,462
MAINE	37,754,382	2,502,151	40,256,533
MARYLAND	137,860,210	2,584,712	140,444,922
MASSACHUSETTS	146,639,592	501,229	147,140,821
MICHIGAN	256,658,178	6,017,456	262,675,634
MINNESOTA	131,573,132	1,198,428	132,771,560
MISSISSIPPI	100,984,497	1,715,094	102,699,591
MISSOURI	201,253,235	477,133	201,730,368
MONTANA	82,245,730	1,520,968	83,766,698
NEBRASKA	64,419,048	222,921	64,641,969
NEVADA	61,110,241	248,929	61,359,170
NEW HAMPSHIRE	40,821,545	280,228	41,101,773
NEW JERSEY	232,074,247	706,185	232,780,432
NEW MEXICO	81,790,863	527,364	82,318,227
NEW YORK	395,728,816	11,225,187	406,954,003
NORTH CAROLINA	238,920,391	10,296,116	249,216,507
NORTH DAKOTA	52,377,538	2,010,877	54,388,415
OHIO	300,635,649	6,622,258	307,257,907
OKLAHOMA	135,496,421	315,855	135,812,276
OREGON	98,156,426	299,626	98,456,052
PENNSYLVANIA	374,596,576	30,162,689	404,759,265
RHODE ISLAND	44,208,991	221,857	44,430,848
SOUTH CAROLINA	144,037,697	1,307,609	145,345,306
SOUTH DAKOTA	57,538,757	221,857	57,760,614
TENNESSEE	179,691,242	10,453,254	190,144,496
TEXAS	728,707,560	11,605,850	740,313,410
UTAH	64,620,916	272,893	64,893,809
VERMONT	34,753,924	1,753,682	36,507,606
VIRGINIA	221,186,542	8,700,939	229,887,481
WASHINGTON	144,955,555	2,723,119	147,678,674
WEST VIRGINIA	73,270,416	20,357,610	93,628,026
WISCONSIN	171,020,687	452,383	171,473,070
WYOMING	56,650,631	221,857	56,872,488
TOTAL	$8,518,888,896	$189,111,104	$8,708,000,000

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

CALCULATION OF AMOUNTS OF UNOBLIGATED BALANCES TO BE RESCINDED ON SEPTEMBER 30, 2009 UNDER THE PROVISIONS IN TITLE XI, SUBTITLE D, SECTION 1132(a) OF THE ENERGY INDEPENDENCE AND SECURITY ACT OF 2007**

		National	Surface Transportation Program					Highway Bridge Program		Congestion	Highway Safety	Railway-Highway Crossings		High					
	Interstate	Highway	Transportation	Areas	Areas	Areas	Available for	15% Mandatory	85% Optional	Mitigation & Air	Improvement	Protective	Elimination	Risk Rural	Recreational	Metro	Equity Bonus		Grand
State	Maintenance	System	Enhancements	> 200K	< 200K	< 5K	Any Area	Off-System	On/Off-System	Quality Improvement	Program	Devices	of Hazards	Roads	Trails	Planning	Exempt	Special	Total**
Alabama	$33,234,112	$37,462,722	$4,780,706	$6,753,118	$13,719,724	$3,642,570	$14,469,247	$3,265,899	$18,506,759	$3,034,855	$7,958,652	$603,267	$603,267	$569,617	$411,422	$809,389	$3,050,294	$9,547,085	$162,422,705
Alaska	15,742,966	18,563,817	1,702,777	0	0	0	14,303,324	1,057,316	5,991,457	4,770,074	2,809,305	140,936	140,936	115,311	494,852	389,453	3,398,579	10,637,180	80,258,283
Arizona	35,925,807	43,478,715	4,133,788	16,440,088	4,272,335	2,540,133	13,951,533	980,547	5,556,434	12,574,875	7,708,334	317,732	317,732	486,895	384,106	1,403,508	4,270,756	13,366,997	168,110,315
Arkansas	21,338,195	24,372,533	2,784,669	2,304,991	10,190,175	2,976,304	9,282,881	2,627,625	14,889,877	2,744,840	4,796,969	472,312	472,313	342,741	348,883	379,028	2,063,293	6,457,881	108,845,510
California	116,148,317	165,129,111	18,645,361	80,539,315	14,580,805	6,699,805	61,091,954	18,748,737	106,242,844	106,283,576	28,311,469	1,953,816	1,953,816	2,197,198	1,171,083	11,339,587	10,843,795	33,939,889	785,820,478
Colorado	22,951,027	30,779,245	2,892,961	10,055,100	3,358,565	2,859,241	9,763,744	1,350,423	7,652,395	9,403,563	4,331,966	375,125	375,125	339,127	410,432	1,164,149	1,509,522	4,724,638	114,296,348
Connecticut	16,427,896	15,147,704	2,344,204	7,541,092	2,269,639	1,180,377	5,996,765	6,427,190	36,420,746	11,044,308	2,809,218	172,538	172,538	199,310	274,929	1,140,625	2,303,081	7,208,392	119,080,552
Delaware	1,525,044	13,733,608	927,420	3,092,680	1,320,084	803,971	3,130,041	464,158	2,630,228	2,525,072	1,435,098	138,194	138,194	113,068	222,309	381,877	438,910	1,373,740	34,393,696
Dist. of Col.	634,095	13,813,829	836,545	4,705,562	0	0	2,823,338	1,015,434	5,754,129	2,267,669	1,273,572	142,725	142,725	116,775	214,113	394,398	56,322	176,281	34,367,512
Florida	81,083,275	116,031,743	12,397,259	50,512,479	15,133,773	4,088,331	41,840,750	5,157,099	29,223,563	3,297,152	20,061,205	1,054,491	1,054,491	1,153,760	498,645	4,968,310	13,071,805	40,913,318	441,541,449
Georgia	70,543,579	64,846,475	8,629,949	23,937,455	18,080,607	4,441,927	27,875,994	3,219,170	18,241,963	17,162,814	13,358,371	1,030,385	1,030,385	808,893	436,017	1,942,497	8,515,527	26,652,667	310,754,675
Hawaii	2,628,890	12,958,239	995,039	0	0	0	8,030,029	1,203,143	6,817,814	2,446,477	1,378,982	147,884	147,884	120,996	229,395	408,652	196,347	614,544	38,324,315
Idaho	13,330,708	17,788,526	1,394,913	1,653,513	4,207,312	1,985,559	4,707,830	945,252	5,356,431	3,034,461	2,514,943	210,962	210,962	161,665	426,352	379,524	1,584,366	4,958,892	64,852,171
Illinois	64,281,082	54,810,424	7,096,777	28,850,030	6,637,243	4,432,096	23,951,621	5,319,529	30,143,998	23,282,480	10,312,076	1,234,109	1,234,109	734,930	429,897	3,572,446	5,453,252	17,068,081	288,844,180
Indiana	47,490,606	48,031,674	5,446,482	13,176,876	13,886,341	3,573,246	18,381,877	3,078,502	17,444,843	11,171,881	7,005,498	866,603	866,603	419,149	336,305	1,228,718	6,073,169	19,008,354	217,486,727
Iowa	18,163,971	26,401,830	2,532,537	2,755,804	8,268,842	3,220,877	8,547,314	2,227,960	12,625,106	2,322,967	3,907,634	605,196	605,196	320,481	313,803	403,754	980,962	3,070,304	97,274,538
Kansas	17,208,906	24,023,055	2,826,208	5,519,887	6,189,821	3,359,836	9,041,726	1,771,973	10,041,180	2,397,726	4,726,055	820,001	820,001	419,431	305,612	485,585	387,682	1,213,401	91,558,086
Kentucky	29,400,173	33,489,686	3,157,398	5,706,096	8,917,015	3,137,253	10,656,218	2,764,805	15,667,226	3,073,193	4,929,367	428,136	428,136	342,470	345,217	562,546	2,754,033	8,619,821	134,378,789
Louisiana	22,288,971	20,657,419	2,776,062	6,162,015	7,006,853	2,446,478	9,369,208	6,933,041	39,287,233	2,356,658	4,600,059	486,526	486,525	353,046	331,251	876,110	1,966,511	6,154,966	134,538,932
Maine	7,546,953	8,271,968	955,209	0	3,424,605	1,549,512	2,984,470	1,185,869	6,719,924	2,387,960	1,338,885	167,724	167,725	125,215	505,460	422,903	0	0	37,754,382
Maryland	24,156,952	27,242,622	3,183,910	11,496,517	3,449,559	1,640,454	9,951,918	4,550,292	25,784,989	13,140,333	4,240,973	292,722	292,722	344,626	299,813	1,679,902	1,479,920	4,631,986	137,860,210
Massachusetts	21,610,836	21,899,968	3,132,984	12,688,528	700,536	1,746,389	9,081,272	7,480,387	42,388,859	15,938,394	3,404,446	308,500	308,500	298,857	325,412	2,236,468	748,024	2,341,232	146,639,592
Michigan	44,333,026	55,480,178	7,228,923	21,679,199	12,695,033	5,135,752	23,705,990	4,946,595	28,030,709	19,307,955	10,546,618	1,013,683	1,013,683	788,607	1,053,235	2,676,774	4,121,712	12,900,506	256,658,178
Minnesota	25,360,248	31,362,894	4,051,005	11,063,904	7,965,205	3,757,797	12,456,842	1,398,398	7,924,253	6,957,006	5,958,527	716,726	716,726	432,443	752,824	978,095	2,353,631	7,366,608	131,573,132
Mississippi	18,848,175	25,363,497	2,681,872	2,992,401	9,196,655	2,896,474	9,051,317	2,197,069	12,450,060	2,517,143	5,215,648	423,544	423,544	407,380	325,819	377,628	1,359,908	4,256,363	100,984,497
Missouri	39,719,342	44,511,293	4,946,793	13,599,361	9,978,394	4,247,954	15,211,387	5,273,235	29,881,668	5,312,177	8,266,497	721,472	721,472	578,604	383,872	1,159,406	4,053,451	12,686,857	201,253,235
Montana	19,894,789	26,465,299	1,493,027	0	5,476,636	2,921,644	5,038,968	668,651	3,789,023	3,169,179	2,827,290	222,639	222,639	173,169	379,052	378,753	2,209,495	6,915,477	82,245,730
Nebraska	11,552,603	20,069,984	1,720,446	4,463,542	2,717,581	2,496,388	5,806,507	944,376	5,351,467	2,382,646	2,812,037	431,276	431,276	234,503	262,523	379,777	571,956	1,790,160	64,419,048
Nevada	13,862,636	15,400,342	1,427,693	6,502,747	0	1,528,026	4,818,464	465,127	2,635,721	5,702,223	2,397,458	123,620	123,620	167,204	293,937	568,821	1,233,108	3,859,494	61,110,241
New Hampshire	5,678,910	11,302,170	1,030,984	427,825	4,223,639	849,296	3,300,456	973,954	5,519,073	2,665,271	1,514,682	145,985	145,985	119,442	387,593	403,406	516,448	1,616,426	40,821,545
New Jersey	31,393,724	45,589,731	4,605,977	23,224,233	1,185,388	1,498,999	15,545,171	8,272,707	46,878,676	25,170,373	5,945,677	463,825	463,825	424,253	325,771	2,979,890	4,384,142	13,721,885	232,074,247
New Mexico	21,067,115	25,338,529	1,859,011	3,590,144	4,228,524	2,638,266	5,716,457	579,441	3,283,501	2,719,964	3,261,681	198,345	198,345	235,625	291,345	379,471	1,502,485	4,702,614	81,790,863
New York	53,348,832	60,544,245	7,682,901	31,541,753	3,481,175	5,154,050	24,106,187	19,041,330	107,900,869	46,059,985	10,100,474	842,262	842,262	822,315	767,190	6,217,797	4,182,966	13,092,223	395,728,816
North Carolina	44,198,781	51,869,594	5,923,353	10,883,211	17,441,788	4,993,859	19,991,315	5,480,357	31,055,354	12,621,197	8,743,075	774,160	774,160	590,275	429,376	1,418,024	5,262,249	16,470,263	238,920,391
North Dakota	8,057,399	22,369,417	1,098,156	0	4,214,329	1,908,703	3,673,819	444,929	2,521,264	2,420,465	1,915,591	437,646	437,646	158,203	281,755	382,362	497,799	1,558,055	52,377,538
Ohio	59,456,925	57,214,267	7,158,032	23,163,932	11,986,612	5,113,384	24,158,357	7,273,294	41,215,335	23,184,083	9,883,874	1,077,394	1,077,395	693,721	473,014	2,776,633	5,987,906	18,741,491	300,635,649
Oklahoma	25,479,511	33,029,494	3,681,847	8,275,734	9,047,569	3,194,365	12,310,601	3,116,642	17,660,974	2,610,338	6,273,665	649,345	649,345	481,662	345,449	567,997	1,966,610	6,155,273	135,496,421
Oregon	16,542,855	23,527,455	2,311,545	6,574,475	3,687,417	2,740,552	7,801,466	3,176,907	18,002,472	4,040,383	3,688,369	386,585	386,585	305,141	387,212	746,152	932,435	2,918,420	98,156,426
Pennsylvania	55,931,466	59,027,998	7,413,726	21,816,925	8,853,004	6,411,686	22,248,969	19,540,055	110,726,979	26,712,899	9,676,835	935,831	935,832	763,565	585,579	3,282,644	4,777,992	14,954,591	374,596,576
Rhode Island	2,570,978	11,126,019	833,395	4,062,911	0	526,185	2,508,179	2,713,954	15,379,071	2,226,974	1,242,639	142,039	142,039	116,214	225,892	392,502	0	0	44,208,991
South Carolina	30,452,627	30,587,738	4,001,937	7,046,535	12,895,727	2,568,636	13,506,538	2,394,575	13,569,258	2,963,380	7,609,673	518,657	518,657	500,846	304,748	705,337	3,363,970	10,528,858	144,037,697
South Dakota	10,410,284	20,116,189	1,352,198	0	5,540,136	2,065,981	4,158,011	489,346	2,772,962	2,662,100	2,561,901	287,920	287,920	189,410	263,755	379,503	968,825	3,032,316	57,538,757
Tennessee	40,324,188	41,924,203	4,631,201	10,603,672	11,712,311	3,734,523	14,839,974	2,379,507	13,483,872	8,640,901	7,788,271	572,228	572,229	525,255	375,947	1,109,863	3,988,749	12,484,348	179,691,242
Texas	145,359,976	183,277,945	19,456,537	63,850,488	35,790,674	9,801,861	65,665,813	7,149,734	40,515,159	36,809,317	28,716,468	2,057,748	2,057,748	1,766,421	726,651	5,415,457	19,441,088	60,848,475	728,707,560
Utah	20,971,014	14,448,033	1,558,338	6,316,691	783,641	1,665,319	5,259,391	460,058	2,606,996	2,502,769	2,113,141	180,532	180,532	156,745	374,707	621,436	1,070,627	3,350,946	64,620,916
Vermont	4,340,470	9,533,175	843,241	0	3,899,323	843,907	2,845,937	1,144,240	6,484,027	2,286,514	1,283,217	145,059	145,059	118,684	307,639	400,845	32,104	100,483	34,753,924
Virginia	45,542,109	44,535,531	5,623,785	17,887,130	10,107,958	3,638,704	17,293,140	4,770,679	27,033,849	13,189,819	8,221,384	566,616	566,616	563,175	357,288	1,797,132	4,719,648	14,771,979	221,186,542
Washington	25,149,544	28,762,986	3,225,916	10,256,270	5,064,824	2,824,684	10,887,467	5,819,562	32,977,519	8,406,642	4,585,942	510,408	510,409	398,985	462,770	1,648,812	838,476	2,624,339	144,955,555
West Virginia	13,584,894	13,693,109	1,527,563	0	6,822,433	1,770,111	4,697,257	2,378,584	13,478,639	2,796,664	2,895,495	213,746	213,746	174,390	277,060	328,979	2,038,249	6,379,497	73,270,416
Wisconsin	29,403,447	50,121,625	4,796,925	8,341,963	14,997,783	3,642,956	16,189,622	1,001,958	5,677,760	6,467,094	7,653,213	677,212	677,212	465,360	695,552	1,069,029	4,634,984	14,506,992	171,020,687
Wyoming	14,439,382	21,712,402	920,145	0	3,261,318	1,914,495	3,105,488	462,726	2,622,115	2,517,284	1,443,926	136,766	136,766	112,872	342,495	377,931	761,405	2,383,115	56,650,631
Total	$1,560,937,611	$1,917,240,255	$208,659,630	$612,056,192	$372,868,911	$148,808,916	$695,132,144	$196,732,341	$1,114,816,623	$541,684,073	$318,356,345	$27,543,153	$27,543,158	$22,548,030	$21,155,358	$76,489,885	$158,918,568	$497,397,703	$8,518,888,896

**Note: The total amount of unobligated balances to be rescinded shown on this page are equal to those amounts shown in the column labeled "Pursuant to Sect. 1132 of EISA" on Table 1 of this notice. Please refer to paragraph 5(b) of FHWA Notice N4510.710 for a full explanation of how these amounts were derived.

MAXIMUM AMOUNT OF UNOBLIGATED BALANCES THAT MAY BE RESCINDED FROM A PROGRAM ON SEPTEMBER 30, 2009 UNDER THE PROVISIONS IN TITLE XI, SUBTITLE D, SECTION 1132(b) OF THE ENERGY INDEPENDENCE AND SECURITY ACT OF 2007**

			Surface Transportation Program					Highway Bridge Program				Railway-Highway Crossings					Equity Bonus	
State	Interstate Maintenance	National Highway System	Transportation Enhancements	Areas > 200K	Areas < 200K	Areas < 5K	Available for Any Area	15% Mandatory Off-System	85% Optional On/Off-System	Congestion Mitigation & Air Quality Improvement	Highway Safety Improvement Program	Protective Devices	Elimination of Hazards	High Risk Rural Roads	Recreational Trails	Metro Planning	Exempt	Special
Alabama	$36,557,523	$41,208,994	$5,258,777	$7,428,430	$15,091,697	$4,006,827	$15,916,172	$3,592,489	$20,357,435	$3,338,341	$8,754,517	$663,594	$663,594	$626,578	$452,564	$890,328	$3,355,323	$10,501,793
Alaska	17,317,262	20,420,199	1,873,055	0	0	0	15,733,656	1,163,048	6,590,603	5,247,081	3,090,235	155,030	155,030	126,842	544,337	428,398	3,738,437	11,700,898
Arizona	39,518,388	47,826,586	4,547,167	18,084,097	4,699,568	2,794,146	15,346,687	1,078,602	6,112,077	13,832,363	8,479,168	349,505	349,505	535,585	422,516	1,543,859	4,697,831	14,703,697
Arkansas	23,472,014	26,809,786	3,063,136	2,535,490	11,209,192	3,273,934	10,211,170	2,890,388	16,378,864	3,019,325	5,276,665	519,544	519,544	377,015	383,771	416,931	2,269,623	7,103,669
California	127,763,148	181,642,022	20,509,897	88,593,246	16,038,885	7,369,785	67,201,150	20,623,611	116,867,128	116,911,934	31,142,616	2,149,198	2,149,198	2,416,918	1,288,192	12,473,546	11,928,174	37,333,878
Colorado	25,246,130	33,857,170	3,182,258	11,060,610	3,694,422	3,145,165	10,740,118	1,485,465	8,417,635	10,343,919	4,765,163	412,637	412,637	373,039	451,475	1,280,564	1,660,474	5,197,102
Connecticut	18,070,686	16,662,475	2,578,624	8,295,201	2,496,603	1,298,414	6,596,441	7,069,910	40,062,821	12,148,739	3,090,139	189,792	189,792	219,241	302,422	1,254,687	2,533,389	7,929,231
Delaware	1,677,549	15,106,969	1,020,161	3,401,947	1,452,093	884,368	3,443,045	510,574	2,893,251	2,777,580	1,578,608	152,014	152,014	124,375	244,539	420,064	482,801	1,511,114
Dist. of Col.	697,505	15,195,211	920,199	5,176,119	0	0	3,105,671	1,116,978	6,329,541	2,494,436	1,400,929	156,998	156,998	128,453	235,525	433,837	61,954	193,909
Florida	89,191,602	127,634,917	13,636,985	55,563,726	16,647,150	4,497,165	46,024,825	5,672,809	32,145,919	3,626,867	22,067,326	1,159,940	1,159,940	1,269,136	548,510	5,465,141	14,378,986	45,004,650
Georgia	77,597,937	71,331,123	9,492,944	26,331,200	19,888,668	4,886,120	30,663,593	3,541,087	20,066,160	18,879,095	14,694,208	1,133,423	1,133,423	889,782	479,619	2,136,747	9,367,080	29,317,934
Hawaii	2,891,779	14,254,064	1,094,543	0	0	0	8,833,032	1,323,458	7,499,595	2,691,125	1,516,880	162,672	162,672	133,095	252,335	449,517	215,982	675,998
Idaho	14,663,779	19,567,379	1,534,404	1,818,864	4,628,043	2,184,115	5,178,613	1,039,778	5,892,075	3,337,907	2,766,437	232,058	232,058	177,831	468,987	417,476	1,742,803	5,454,781
Illinois	70,709,190	60,291,467	7,806,454	31,735,033	7,300,967	4,875,306	26,346,784	5,851,482	33,158,397	25,610,728	11,343,284	1,357,520	1,357,520	808,423	472,886	3,929,691	5,998,577	18,774,889
Indiana	52,239,666	52,834,842	5,991,131	14,494,563	15,274,975	3,930,571	20,220,065	3,386,352	19,189,327	12,289,069	7,706,048	953,264	953,264	461,064	369,935	1,351,589	6,680,486	20,909,189
Iowa	19,980,369	29,042,013	2,785,791	3,031,385	9,095,727	3,542,964	9,402,045	2,450,756	13,887,616	2,555,264	4,298,398	665,715	665,715	352,529	345,184	444,129	1,079,058	3,377,334
Kansas	18,929,796	26,425,360	3,108,829	6,071,876	6,808,804	3,695,819	9,945,899	1,949,170	11,045,298	2,637,499	5,198,660	902,002	902,001	461,374	336,173	534,144	426,450	1,334,741
Kentucky	32,340,191	36,838,655	3,473,138	6,276,705	9,808,717	3,450,978	11,721,840	3,041,285	17,233,948	3,380,513	5,422,304	470,949	470,949	376,717	379,739	618,801	3,029,436	9,481,803
Louisiana	24,517,868	22,723,160	3,053,668	6,778,217	7,707,539	2,691,126	10,306,129	7,626,345	43,215,956	2,592,324	5,060,065	535,178	535,178	388,350	364,376	963,721	2,163,163	6,770,462
Maine	8,301,648	9,099,165	1,050,730	0	3,767,066	1,704,463	3,282,917	1,304,456	7,391,916	2,626,756	1,472,773	184,497	184,497	137,737	556,006	465,193	0	0
Maryland	26,572,648	29,966,884	3,502,301	12,646,169	3,794,515	1,804,499	10,947,110	5,005,322	28,363,488	14,454,367	4,665,070	321,994	321,994	379,088	329,795	1,847,892	1,627,911	5,095,184
Massachusetts	23,771,920	24,089,964	3,446,283	13,957,381	770,590	1,921,028	9,989,400	8,228,425	46,627,745	17,532,233	3,744,891	339,350	339,350	328,742	357,953	2,460,115	822,826	2,575,355
Michigan	48,766,328	61,028,196	7,951,815	23,847,119	13,964,537	5,649,327	26,076,589	5,441,255	30,833,780	21,238,750	11,601,280	1,115,051	1,115,051	867,468	1,158,558	2,944,452	4,533,883	14,190,557
Minnesota	27,896,273	34,499,183	4,456,106	12,170,295	8,761,726	4,133,576	13,702,526	1,538,237	8,716,678	7,652,707	6,554,380	788,399	788,399	475,687	828,106	1,075,905	2,588,994	8,103,268
Mississippi	20,732,992	27,899,847	2,950,059	3,291,641	10,116,320	3,186,121	9,956,449	2,416,777	13,695,066	2,768,857	5,737,213	465,898	465,898	448,118	358,401	415,391	1,495,899	4,682,000
Missouri	43,691,276	48,962,423	5,441,472	14,959,297	10,976,233	4,672,749	16,732,526	5,800,559	32,869,835	5,843,395	9,093,147	793,619	793,619	636,464	422,259	1,275,347	4,458,796	13,955,543
Montana	21,884,268	29,111,828	1,642,330	0	6,024,300	3,213,808	5,542,865	735,516	4,167,925	3,486,097	3,110,020	244,903	244,903	190,486	416,957	416,628	2,430,444	7,607,025
Nebraska	12,707,863	22,076,982	1,892,491	4,909,897	2,989,339	2,746,027	6,387,158	1,038,814	5,886,613	2,620,911	3,093,241	474,403	474,403	257,954	288,775	417,754	629,152	1,969,176
Nevada	15,248,900	16,940,376	1,570,462	7,153,022	0	1,680,828	5,300,310	511,640	2,899,293	6,272,445	2,637,204	135,982	135,982	183,924	323,331	625,703	1,356,419	4,245,444
New Hampshire	6,246,801	12,432,386	1,134,082	470,607	4,646,003	934,226	3,630,501	1,071,349	6,070,981	2,931,798	1,666,150	160,584	160,584	131,387	426,353	443,746	568,093	1,778,069
New Jersey	34,533,096	50,148,704	5,066,574	25,546,656	1,303,926	1,648,899	17,099,689	9,099,978	51,566,543	27,687,411	6,540,245	510,208	510,208	466,678	358,348	3,277,879	4,822,557	15,094,073
New Mexico	23,173,827	27,872,381	2,044,912	3,949,159	4,651,376	2,902,092	6,288,103	637,385	3,611,851	2,991,960	3,587,849	218,179	218,179	259,188	320,480	417,418	1,652,734	5,172,876
New York	58,683,715	66,598,669	8,451,192	34,695,928	3,829,293	5,669,455	26,516,805	20,945,463	118,690,956	50,665,984	11,110,521	926,488	926,488	904,546	843,910	6,839,577	4,601,262	14,401,446
North Carolina	48,618,659	57,056,554	6,515,688	11,971,533	19,185,966	5,493,245	21,990,447	6,028,392	34,160,890	13,883,317	9,617,382	851,576	851,576	649,303	472,313	1,559,826	5,788,474	18,117,289
North Dakota	8,863,140	24,606,359	1,207,971	0	4,635,762	2,099,573	4,041,201	489,422	2,773,390	2,662,511	2,107,150	481,411	481,410	174,023	309,931	420,598	547,579	1,713,861
Ohio	65,402,617	62,935,694	7,873,835	25,480,325	13,185,273	5,624,722	26,574,192	8,000,624	45,336,869	25,502,491	10,872,261	1,185,134	1,185,134	763,094	520,316	3,054,296	6,586,697	20,615,640
Oklahoma	28,027,462	36,332,443	4,050,032	9,103,308	9,952,326	3,513,801	13,541,661	3,428,307	19,427,071	2,871,372	6,901,032	714,279	714,279	529,828	379,994	624,797	2,163,271	6,770,800
Oregon	18,197,141	25,880,200	2,542,700	7,231,923	4,056,159	3,014,607	8,581,613	3,494,597	19,802,720	4,444,421	4,057,205	425,244	425,243	335,655	425,933	820,767	1,025,679	3,210,262
Pennsylvania	61,524,612	64,930,798	8,155,098	23,998,618	9,738,304	7,052,854	24,473,866	21,494,061	121,799,677	29,384,189	10,644,519	1,029,415	1,029,415	839,922	644,137	3,610,909	5,255,791	16,450,049
Rhode Island	2,828,075	12,238,621	916,734	4,469,202	0	578,803	2,758,997	2,985,349	16,916,978	2,449,672	1,366,903	156,243	156,243	127,836	248,481	431,753	0	0
South Carolina	33,497,889	33,646,511	4,402,131	7,751,189	14,185,299	2,825,499	14,857,192	2,634,032	14,926,183	3,259,719	8,370,641	570,523	570,523	550,931	335,223	775,871	3,700,367	11,581,744
South Dakota	11,451,312	22,127,808	1,487,419	0	6,094,149	2,272,580	4,573,812	538,281	3,050,258	2,928,310	2,818,091	316,712	316,712	208,351	290,130	417,453	1,065,707	3,335,548
Tennessee	44,356,607	46,116,623	5,094,321	11,664,040	12,883,543	4,107,975	16,323,971	2,617,457	14,832,259	9,504,991	8,567,098	629,451	629,451	577,781	413,542	1,220,849	4,387,624	13,732,783
Texas	159,895,974	201,605,739	21,402,191	70,235,536	39,369,741	10,782,047	72,232,394	7,864,707	44,566,675	40,490,249	31,588,115	2,263,523	2,263,522	1,943,063	799,317	5,957,003	21,385,197	66,933,323
Utah	23,068,116	15,892,836	1,714,172	6,948,360	862,005	1,831,851	5,785,330	506,064	2,867,696	2,753,046	2,324,455	198,585	198,585	172,419	412,178	683,579	1,177,690	3,686,041
Vermont	4,774,517	10,486,492	927,565	0	4,289,255	928,297	3,130,531	1,258,664	7,132,430	2,515,166	1,411,539	159,564	159,564	130,553	338,402	440,930	35,315	110,532
Virginia	50,096,320	48,989,084	6,186,164	19,675,843	11,118,754	4,002,575	19,022,454	5,247,747	29,737,234	14,508,801	9,043,523	623,278	623,277	619,492	393,016	1,976,845	5,191,612	16,249,177
Washington	27,664,499	31,639,285	3,548,508	11,281,897	5,571,307	3,107,152	11,976,214	6,401,519	36,275,271	9,247,306	5,044,536	561,449	561,449	438,883	509,047	1,813,693	922,324	2,886,772
West Virginia	14,943,383	15,062,420	1,680,320	0	7,504,677	1,947,122	5,166,983	2,616,442	14,826,503	3,076,330	3,185,045	235,121	235,121	191,829	304,765	361,877	2,242,074	7,017,446
Wisconsin	32,343,791	55,133,787	5,276,617	9,176,160	16,497,562	4,007,251	17,808,584	1,102,153	6,245,536	7,113,804	8,418,535	744,933	744,933	511,896	765,107	1,175,932	5,098,483	15,957,692
Wyoming	15,883,320	23,883,642	1,012,159	0	3,587,449	2,105,944	3,416,036	508,999	2,884,327	2,769,013	1,588,319	150,443	150,443	124,159	376,745	415,724	837,546	2,621,426
Total	$1,717,031,371	$2,108,964,276	$229,525,595	$673,261,814	$410,155,805	$163,689,799	$764,645,361	$216,405,580	$1,226,298,283	$595,852,488	$350,191,983	$30,297,472	$30,297,467	$24,802,832	$23,270,894	$84,138,872	$174,810,427	$547,137,473

Note: The amounts on this page reflect 110% of the amounts of unobligated balances to be rescinded shown on Table 2 of this notice. Please refer to paragraph 6(d) of FHWA Notice N4510.710 for a full explanation of how these amounts were derived.

ADJUSTMENT OF AMOUNTS TO BE RESCINDED

Pursuant to Title XI, Subtitle D, Section 1132(b) of the Energy Independence and Security Act of 2007

State: ________________________________

Amount Remaining To Be Rescinded			Programs From Which to Adjust the Remaining Amount To Be Rescinded		
Program Code	Program Title	Amount	Program Code	Program Title	Unobligated Balance to Rescind
	Total:	$0.00		Total:	$0.00