



August 20, 2012

Congress continues its August recess. They will not return to session until the week of September 10, a week later than usual, in order to attend the party conventions in Tampa and Charlotte. The biggest recent political news was the announcement by Mitt Romney of his running mate – Rep. Paul Ryan (R-WI). Rep. Ryan has not been particularly involved in transportation policy issues or initiatives during his tenure in Congress beyond raising serious concerns about the financial health of the Highway Trust Fund and its impact on the overall federal budget. However, rather than supporting measures to increase Trust Fund revenues, he has been a proponent of significantly cutting transportation programs to fit current revenues. He, like all House Republicans, opposed the 2009 ARRA stimulus bill which included significant infrastructure funding. He voted for the “Broun” amendment to MAP-21 that would have drastically reduced highway spending down to a level that the existing Trust Fund revenues could fund, but he did vote in favor of final passage of MAP-21.

While Congress has been out of town, US DOT has been busy issuing MAP-21 implementation materials, various reports, and state funding announcements.

MAP-21 Implementation

The Parsons Brinckerhoff Transportation Update [website](#) is continuously being updated with new MAP-21 implementation materials. Both FHWA and FTA have posted a variety of Fact Sheets on MAP-21 programs. Here is a [link](#) to the Fact Sheets on the FHWA site which include CMAQ, TIFIA and STP, and a [link to FHWA's "Q&As"](#) about program details. Here is a [link](#) to the FTA site which includes [Fact Sheets](#) on Bus and Bus Facilities, Fixed Guideway [Capital Investments Grants](#), State of Good Repair Grants, Transit Asset Management and Urbanized Area Formula Grants.

US DOT Redistribution of Unused Earmarks

On August 17, as part of President Obama's “We Can't Wait” infrastructure initiative, US DOT Secretary Ray LaHood announced the release of \$473 million in unspent transportation funding to states. The funding is comprised of unobligated [highway](#) earmarks that were appropriated between FY'03 and FY'06. According to US DOT, “the stalled money will be used this year -- states must identify the projects that will receive the funds by October 1 and obligate it by December 31, 2012.” Funds not obligated December 31 will be “proportionally redistributed in FY'13 to states that met the deadline.”



The US DOT press release explains that state departments of transportation will have the ability to use their unspent earmarked highway funds on any eligible highway, transit, passenger rail, or port project. Here is a [link](#) to more information on the announcement. Here is a [link](#) to a state-by-state list of the newly available funds and a list of the earmarked projects whose unspent balances are being redistributed (27 pages).

FTA FY'14 New Starts Guidance

FTA has announced initial details of its plan for the FY'14 New Starts & Small Starts Annual Report, scheduled to be published in February 2013 along with the Administration's FY'14 budget request. Here is a [link](#) to the announcement.

New Starts and Small Starts project sponsors who are seeking an FTA funding recommendation for FY'14 funds, or whose project has had significant changes since last year's report, should submit their updated information to FTA. The submission deadline is September 14, 2012.

FTA is maintaining the same reporting requirements as it had for FY'13 (i.e., there are no MAP-21 related changes at this time). While it would require considerable effort for transit agencies to comply with the new MAP-21 requirements in less than a month before information is due to FTA, FY'14 is the final year authorized by the new bill, meaning FTA won't require grantees to report using the new criteria until after MAP-21 has expired.

FTA has not indicated yet whether it intends to publish an updated [SCC workbook](#) (to account for base year costs in 2012 dollars) or update the cost effectiveness thresholds, therefore, project sponsors who will be submitting this year are encouraged to check FTA's website periodically in case a new SCC workbook or new reporting instructions are published.

FRA Notice of Proposed State Rail Plan Guidance

The Federal Railroad Administration (FRA) published a notice in the August 14 Federal Register requesting public comment on its proposed State Rail Plan Guidance as required by the Passenger Rail Investment and Improvement Act (PRIIA). Here is a [link](#) to the Federal Register notice and a [link](#) to the proposed State Rail Plan Guidance document. According to FRA, this draft guidance provides an explanation of the proposed process to be followed in developing State rail plans, FRA's review and acceptance procedure, the standardized State rail plan format, a list of the minimum State rail plan content requirements, and



requirements established by PRIIA. An overview of PRIIA and the High-Speed Intercity Passenger Rail (HSIPR) program is also provided.

States that completed State rail plans before the date of enactment of PRIIA, October 16, 2008, that substantially meet the requirements of PRIIA as determined by FRA (acting for the Secretary of Transportation), will be deemed accepted and eligible for capital grants under Sections 301, 302, and 501 of PRIIA. Further, for State rail plans that were completed after the enactment of PRIIA and prior to this issued guidance, FRA will treat them as if they were completed prior to the enactment of PRIIA. Because State rail plans must be updated at least every five years, they will be reviewed and accepted by FRA on a rolling basis. Comments are due on or before October 15, 2012.

Congressional Rail Caucus Overview of Pending HSR Projects

The Congressional Bicameral High-Speed & Intercity Passenger Rail (HSIPR) Caucus, using information from FRA, has issued a new document which provides an overview of high-speed and intercity passenger rail construction projects that are completed, underway or will begin in the next six months. For each project the Congressional District (CD), amount obligated, funding source, description and project type are listed. Here is a [link](#) to the report.

Additional information and materials can be found on the PB Transportation Update website at www.PBTransportationUpdate.com
