

# The American Recovery and Reinvestment Act of 2009

## Bill Summary Prepared by CDOT (1/30/2009)

Current Bill Status: House approved the bill on January 28. Senate has approved in committee and bill is expected to be on the floor next week. Target for final passage is still “mid-February.”

Significant Changes Since Last Update: House moved the deadlines to “obligate” funds in “75 and 90 days” rather than the 180 the committee allowed for. Summary now has side-by-side comparison. Please note that all dollar figures for Colorado are estimates.

House Bill: <http://thomas.loc.gov/cgi-bin/query/z?c111:H.R.1>:

Senate Bill: <http://www.thomas.gov/cgi-bin/query/z?c111:S.336>:

FHWA Q&A: <http://www.fhwa.dot.gov/economicrecovery/qandas.htm>

| <b>House Bill: \$46 Billion</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Senate Bill: \$45 Billion</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <b>Earmarks</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| No Earmarks                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | No Earmarks                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Match Provisions</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| No Match Required (except for some aviation)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | No Match Required                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Highways (Formula)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• \$30b nationally (\$412m for Colorado); 40% of the funds sub-allocated under STP Formula, including 45% of sub-allocated funds to the TMAs (\$64.4m for Colorado, see below), and a portion to Enhancements (\$18.5m for Colorado)</li> <li>• TMAs: 50% of funds obligated in 75 days or revert to state for use anywhere in the state. Other 50% obligated by June 2010. (DRCOG: \$48.1m, PPACG \$11.3m, NFRMPO \$5.0m)</li> <li>• State: 50% obligated in 90 days or rescinded and redistributed to states that met the 50%. Other 50% obligated by August 2010 or rescinded and redistributed to states that met the 50%.</li> <li>• “Preference” for projects in economically distressed areas</li> <li>• “Preference” for projects in TIP/STIP</li> <li>• “Preference” for projects to be completed in three years or less</li> <li>• Economic stimulus funds cannot supplant state funds for transportation projects (working on determining full meaning of this amendment)</li> </ul> | <ul style="list-style-type: none"> <li>• \$27b for projects (\$425.7m for Colorado) under STP formula. A portion of the funds are sub-allocated to the TMAs (\$1052.m in Colorado), leaving \$320.5m of state funds, of which 5% must go to the CMAQ program.</li> <li>• Initial 50% of funds go to state and must be obligated by state in 180 days or rescinded and redistributed to the states that met the 50%.</li> <li>• Of the amount sub-allocated to TMAs, projects must be obligated within one year or funds are rescinded and provided to Secretary for the competitive grant program (see below). Does allow local grantees to apply for an extension in some circumstances. (TMA draft projects funding amounts: DRCOG: \$78.6m; PPACG: \$18.5m; NFRMPO: \$8.2m)</li> <li>• 10% of the funds are dedicated to the Enhancement program, although the bill language is a bit unclear on details of how those funds are allocated.</li> </ul> |
| <b>Highways (Competitive Grant to State &amp; Local Governments)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <ul style="list-style-type: none"> <li>• No similar provision</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <ul style="list-style-type: none"> <li>• \$5.5b for competitive grants, with equitable distribution among the states, and with urban and rural consideration. Grants between \$20m and \$500m. Highways or transit. Local governments and states may apply.</li> <li>• Apply for grants in 180 days, FHWA awards in one year.</li> <li>• Rescinded money from second half of formula category funds flows to FHWA for a second round of stimulus in this category, with applications due in 1 year, and grants made 6 months after that.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                      |

| <b>Highways (Other Funding Programs)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
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| <ul style="list-style-type: none"> <li>Public Lands and Indian Reservation Roads: \$550m (part of the overall \$30b)</li> <li>DBE Bonding Assistance: \$20m (part of overall \$30b)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                              | <ul style="list-style-type: none"> <li>Federal Lands &amp; Indian Reservations: \$500m (part of overall \$27b)</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Federal Railroad Administration</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <ul style="list-style-type: none"> <li>Intercity Passenger Rail: \$300m for capital costs, with preference to repair, rehab, upgrade, or purchase of assets or infrastructure that can be awarded within 90 days of enactment. Funds are 100% federal.</li> </ul>                                                                                                                                                                                                                                                                                                                                           | <ul style="list-style-type: none"> <li>Intercity Passenger Rail: \$250m in supplemental grants to states for intercity passenger rail service to provide capital assistance for improving intercity passenger rail service as well as maintaining existing passenger rail corridors. 100% federal funds.</li> </ul>                                                                                                                                                                                                                                                                                                           |
| <ul style="list-style-type: none"> <li>Amtrak: \$800m</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <ul style="list-style-type: none"> <li>Amtrak: \$850m</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <ul style="list-style-type: none"> <li>No similar provision</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <ul style="list-style-type: none"> <li>High-Speed Rail Corridor Program: \$2b for discretionary grants for capital projects in designated high-speed rail corridors.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Federal Transit Administration</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <ul style="list-style-type: none"> <li>Transit Capital Grants: \$7.5b, including:</li> <li>\$5.4b for 5307 and \$600m for 5311 (for Colorado, \$99.2 urban* and \$12.4 rural)</li> <li>100% federal and apportioned no later than 7 days after date of enactment.</li> <li>50% of the funds must be obligated within 90 days after apportionment</li> <li>(*urban formula= 71.12% Denver-Aurora; 10.08% C.S.; 4.02% Fort Collins; 3.78% Boulder; 1.79% G.J.; 2.35% Greeley; 1.46% Lafayette-Louisville; 2.6% Longmont; 2.79% Pueblo. Based on FY '08 transit capital distribution for Colorado).</li> </ul> | <ul style="list-style-type: none"> <li>Transit Capital Grants: \$8.4b for capital projects that include rolling stock, construction, and other items. (71% to urban formula, 19% to growing states formula 10% to rural formula) – (for Colorado, total funds are estimated at \$122m)</li> <li>50% of the funds obligated in 180 days or rescinded and redistributed to states that met the 50%.</li> <li>50% of the funds obligated in one year or rescinded and provided to Secretary for the competitive grant program (see above). Does allow local grantees to apply for an extension in some circumstances.</li> </ul> |
| <ul style="list-style-type: none"> <li>Transit Rail Modernization/Fixed Guideway: \$2b for capital expenditures (\$11m for Colorado)</li> <li>100% federal, and apportioned no later than 7 days after date of enactment.</li> <li>50% of the funds must be obligated within 90 days after apportionment</li> </ul>                                                                                                                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>No similar provision</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <ul style="list-style-type: none"> <li>Transit New Starts: \$2.5b: priority for projects that are in construction or are able to award contracts based on bids within 90 days of enactment.</li> <li>Deadline for grantees to enter into contracts</li> </ul>                                                                                                                                                                                                                                                                                                                                               | <ul style="list-style-type: none"> <li>No similar provision</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Federal Aviation Administration</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <ul style="list-style-type: none"> <li>Facilities &amp; Equipment: No similar provision</li> <li>\$3b Airport improvement grants (undetermined funding for Colorado). House bill appears to require match for this program.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                      | <ul style="list-style-type: none"> <li>\$200m for Facilities &amp; Equipment, including: <ul style="list-style-type: none"> <li>\$50m FAA power systems</li> <li>\$50m modernization of air traffic control centers</li> <li>\$80m replace air traffic control towers and terminal Radar approach control facilities</li> <li>\$20m installation of airport lighting, navigation, and landing equipment</li> </ul> </li> <li>\$1.1b Airport improvement grants. No match, priority to projects to be completed in two years. FAA must give priority to projects that supplement, not supplant, existing funding.</li> </ul>   |