

U.S. Department of Transportation

**Federal Highway Administration**

1200 New Jersey Avenue, SE

Washington, DC 20590

202-366-4000

**BIPARTISAN INFRASTRUCTURE LAW**

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# FACT SHEETS

## Federal Share

Note: All references noted as "BIL" in this document are to the Bipartisan Infrastructure Law (BIL), enacted as the Infrastructure Investment and Jobs Act, Pub. L. 117-58 (Nov. 15, 2021).

### Overview

The maximum share of project costs that may be funded with Federal-aid (the "Federal share") varies based upon the Federal-aid program from which the project receives funding. In some cases, the Federal share also is adjusted based on related statutory provisions. Within this document, changes made by BIL to Federal share are noted in *italicized type*.

### Statutory Authority

Generally 23 U.S.C. 120, except as otherwise indicated.

### Standard Federal Share

Except as otherwise provided, the Federal share payable for projects or activities carried out under title 23, U.S.C., shall be:

- 90% of the total cost thereof for a project on the Interstate System (including a project to add high occupancy vehicle lanes or auxiliary lanes but excluding a project to add other lanes); and
- 80% of the total cost thereof for any project that is not on the Interstate System. [23 U.S.C. 120(a)-(b)].

There are various exceptions and adjustments to the "standard" Federal share, which are detailed below and in program-specific fact sheets and guidance found at [Bipartisan Infrastructure Law - FHWA | Federal Highway Administration \(dot.gov\)](#).

### Adjustment or Increase to Federal Share

#### Sliding Scale

Section 120(a) and (b) of title 23, U.S.C., authorize an upward adjustment (the "sliding scale") to the Federal share for a State containing Federal and nontaxable Indian lands. A sliding scale State is eligible for an increased Federal share based upon the location of the project—90-95% for an applicable Interstate project and 80-95% for any other project. The amount of the upward adjustment is based on the percentage of Federal and nontaxable Indian lands in the State. (See [FHWA Notice N 4540.12](#) for the specific share allowable in each sliding scale State under this provision.) The sliding scale is not available to programs where Federal law sets a program-specific Federal share.

#### Designated Types of Projects

Section 120(c) of title 23, U.S.C., allows certain specified types of projects, mostly targeting safety improvements, to be eligible to receive a Federal share of up to 100%. A State may apply the higher Federal share on no more than 10% of its combined apportionment under 23 U.S.C. 104. *The BIL added vehicle-to-infrastructure communication equipment to this list. [BIL, § 11107(1)(A); 23 U.S.C. 120(c)(1)]* Further guidance may be found at: <https://www.fhwa.dot.gov/federalaid/141125.cfm>

#### Innovative Project Delivery Methods

A project that the Secretary determines incorporates innovations described in 23 U.S.C. 120(c)(3) is eligible for an increased Federal share by up to 5% of the total project cost, up to 100%, if funded by the National Highway Performance Program (NHPP), Surface Transportation Block Grant (STBG) Program, or Metropolitan Planning program. This increased Federal share flexibility is subject to limitations in 23 U.S.C. 120(c)(3)(C). *The BIL adds “contractual provisions that provide safety contingency funds to incorporate safety enhancements to work zones prior to or during roadway construction activities” to the list of innovations eligible for this increased Federal share.*

[BIL, § 11107(1)(B); 23 U.S.C. 120(c)(3)]

For more information see: [https://www.fhwa.dot.gov/innovation/resources/increased\\_Federal\\_share.cfm](https://www.fhwa.dot.gov/innovation/resources/increased_Federal_share.cfm)

## Workforce Development, Training, and Education

Subject to project approval by the Secretary, a State may obligate NHPP, STBG, Highway Safety Improvement Program (HSIP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds for surface transportation workforce development, training, and education at a Federal share of 100% (except for activities under the Local Technical Assistance Program, which are limited to a Federal share of 50%). 23 U.S.C. 504(e)(2)

*The BIL expands the list of activities eligible for this 100% Federal share, to include—*

- *Pre-apprenticeships, apprenticeships, and career opportunities for on-the-job training;*
- *University, college, community college, and vocational school support; and*
- *Activities associated with workforce training and employment services, such as targeted outreach and partnerships with industry, economic development organizations, workforce development boards, and labor organizations.*

[BIL, § 13007(a); 23 U.S.C. 504(e)(1)]

## Appalachian Development Highway System (ADHS) projects

For fiscal years 2012 through 2050, for a State that uses funding apportioned for a program other than the ADHS program to construct a highway or access road that contributes to the completion of the ADHS, the Federal share may be up to 100% on that project. [Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21), § 1528, as amended]. For more information, see [FAST Act ADHS Questions & Answers - Special Funding - Federal-aid Programs and Special Funding - Federal Highway Administration \(dot.gov\)](#)

*The Federal share on projects funded with BIL ADHS advance appropriations from the General Fund is determined in accordance with 40 U.S.C. 14501. [BIL, division J, title VIII, Highway Infrastructure Programs heading, paragraph (9), second proviso]. The Federal share on projects funded with BIL ADHS Advance appropriations from the General Fund may be increased up to 100% at the option of the State. [BIL, division J, title VIII, Highway Infrastructure Programs heading, paragraph (9), sixth proviso].*

## Projects within Indian Reservations, National Parks and Monuments

When an eligible project uses funds from a program apportioned under 23 U.S.C. 104 and that project is located within the boundaries of an Indian reservation, national park, or national monument, the Federal share may be 100%. For more information, see FHWA [guidance](#) on this provision. [23 U.S.C. 120(f)]

## Flexible Federal Share

### Flexible Financing for Projects Obligated under the Transportation Alternatives (TA) Set-Aside Program

*The BIL provides additional flexible financing regarding the non-Federal share. Section 133(h)(7)(A) of title 23, U.S.C., requires the average annual non-Federal share of the total cost of all TA Set-Aside projects for which funds are obligated in a State for a fiscal year to be not less than the average non-Federal share of the cost of the projects that would otherwise apply under 23 U.S.C. 120.*

- *Funds made available under HSIP (23 U.S.C. 148) may be credited toward the non-Federal share of the costs of a TA Set-Aside project if the project is an eligible HSIP project as described in 23 U.S.C. 148(e)(1) and is consistent with the State strategic highway safety plan (subject to the requirements in 23 U.S.C. 133(h)(7)(A) and (C)). [BIL, § 11109(b)(1); 23 U.S.C. 133(h)(7)(B)(i)].*
- *Subject to the requirements of 23 U.S.C. 133(h)(7)(A) and (C), the Federal share of the cost of an individual TA Set-Aside project may be up to 100%.*
- *[BIL, § 11109(b)(1); 23 U.S.C. 133(h)(7)(B)(iii)].*
- *The non-Federal share for a project under this authority may be calculated on a project, multiple-project, or program basis. [BIL, § 11109(b)(1); 23 U.S.C. 133(h)(7)(B)(ii)].*
- *To use the flexible provisions under 23 U.S.C. 133(h)(7)(B), the State must have adequate financial controls, as certified by the Secretary, to account for the average annual non-Federal share. [BIL, § 11109(b)(1); 23 U.S.C. 133(h)(7)(C)].*

## Federal Share Flexibility Pilot Program

*A State selected to participate in the pilot program may determine the Federal share on a project, multiple-project, or program basis for projects under NHPP, STBG, HSIP, CMAQ, National Highway Freight Program (NHFP), Carbon Reduction Program (CRP) and the Promoting Resilient Operations for Transformative, Efficient, and Cost Saving Transportation (PROTECT) Formula Program, if the following conditions are met:*

- *Maximum Federal share of an individual project under the pilot program may be up to 100%;*

- *Minimum Federal share of an individual project under the pilot program is greater than 0%; and*
- *The average annual Federal share of the total cost of all projects authorized under these programs to which a participating State is applying the Federal share requirements under this pilot program shall be not more than the average of the maximum Federal Share of the projects if those projects were not carried out under this pilot program.*

*A State seeking to participate in the Pilot must submit an application and have in place adequate financial controls to account for the average annual non-Federal share.*

[BIL, § 11107(3); 23 U.S.C. 120(l)]

## Increased non-Federal Share

Notwithstanding any other provision of law, 23 U.S.C. 120(h) authorizes a State to contribute an amount in excess of the non-Federal share of any project under title 23, U.S.C., thus decreasing the Federal share for the project.

## Federal Share on Transfer of Funding between FHWA and Federal Transit Authority (FTA)

Any funds that have been transferred between FHWA and FTA remain subject to the Federal share that applied to the source of the funds that were transferred. [23 U.S.C. 104(f)]

## Toll Roads, Bridges, Tunnels and Ferries

Federal statutes authorizing the use of tolls on Federal-aid highways, including 23 U.S.C. 129 and the Value Pricing Pilot Program, limit the Federal share for most toll facility projects, including conversion of HOV lanes to toll facilities, to 80%. [23 U.S.C. 129(a)(5)] The Federal share limit supersedes other applicable provisions that may allow higher Federal share, such as sliding scale provisions. However, the Federal share limitation does not apply to certain programs, such as Emergency Relief or some earmarks.

*In projects that replace or retrofit a diesel fuel ferry vessel that provides substantial emissions reductions, the Federal share may be up to 85%, as determined by the State. This provision terminates on September 30, 2025 [BIL, § 11117(b)].*

**Federal Share Table <sup>[1]</sup>**

		Federal share (%) <sup>[2]</sup>	Plus eligible for...					
			Sliding scale <sup>[3]</sup>	May amount to 100% for designated types of projects <sup>[4]</sup>	Up to 100% for innovative delivery methods <sup>[5]</sup>	100% for workforce development <sup>[6]</sup>	Up to 100% for ADHS projects <sup>[7]</sup>	100% within Indian reservations, national parks, and monuments <sup>[8]</sup>
Program								
Federal-aid Highway Apportioned Programs	National Highway Performance Program	80/90 <sup>[9], [10], [11]</sup>	✓	✓	✓	✓	✓	✓
	Surface Transportation Block Grant Program	80/90 <sup>9,11,[12]</sup>	✓	✓	✓	✓	✓	✓
	Highway Safety Improvement Program	90 <sup>9,11,[13],[14]</sup>	✓	✓		✓		✓
	Railway-Highway Crossings set-aside	100 <sup>[15]</sup>						
	Congestion Mitigation & Air Quality Improvement Program	80/90 <sup>9,11</sup>	✓	✓		✓		✓
	National Highway Freight Program	80/90 <sup>9,11</sup>	✓	✓			✓	✓
	Metropolitan Transportation Planning	80 <sup>9,11,[16]</sup>	✓		✓			
	Carbon Reduction Program <sup>[17]</sup>	80/90 <sup>9,11,</sup>	✓	✓				✓
	PROTECT Formula Program <sup>[18]</sup>	80 <sup>11,[19]</sup>						✓
	State Planning and Research	80 <sup>[20]</sup>						
	Transportation Alternatives	80/90 <sup>9,[21]</sup>	✓	✓				✓
	Recreational Trails Program	80 <sup>[22]</sup>	✓					

		Federal share (%) [2]	Plus eligible for...					
			Sliding scale [3]	May amount to 100% for designated types of projects [4]	Up to 100% for innovative delivery methods [5]	100% for workforce development [6]	Up to 100% for ADHS projects [7]	100% within Indian reservations, national parks, and monuments [8]
Program								
Federal Highway Formula Programs funded with Advance Appropriations	Appalachian Development Highway System (ADHS)	80 [23]					✓	
	Bridge Formula Program	80/90/100 [24]	✓	✓			✓	
	National Electric Vehicle Infrastructure Formula Program	80 [25]						
Federal Lands and Tribal Transportation	Federal Lands Access Program	Up to 100 [26]						
	Federal Lands Transportation Program	100 [27]						
	Nationally Significant Federal Lands and Tribal Projects Program	Up to 90/100 [28]						
	Tribal Transportation Program	100 [29]						

	Program	Federal share (%) [2]	Plus eligible for...					
			Sliding scale [3]	May amount to 100% for designated types of projects [4]	Up to 100% for innovative delivery methods [5]	100% for workforce development [6]	Up to 100% for ADHS projects [7]	100% within Indian reservations, national parks, and monuments [8]
Other Highway-related Programs	Bridge Investment Program	50/80 [30]						
	Charging and Fueling Infrastructure Grants	80 [31]						
	Congestion Relief Program	80 [32]						
	Construction of Ferry Boats & Ferry Terminal Facilities [33]	80 [34]						
	Emergency Relief Program	80-100 [35]	✓					
	Emergency Relief for Federally Owned Roads	100 [36]						
	INFRA Program (Nationally Significant Multimodal Freight and Highway Projects)	60/80 [37]						
	Mega Program (National Infrastructure Project Assistance)	60 [38]						
	National Culvert Removal, Replacement and Restoration Grants	80/100 [39]						
	National Scenic Byways Program	80 [40]						
	PROTECT Discretionary Program	80/100 [41]						
	Puerto Rico Highway Program	80/90 <sup>9</sup>	✓	✓				
	RAISE (Local and Regional Project Assistance)	80 [42]						
	Reconnecting Communities Pilot Program	50/80 [43]						
	Reduction of Truck Emissions at Port Facilities Program	80 [44]						
	Rural Surface Transportation Grant Program	80 [45]					✓	
	Safe Streets and Roads for All	80 [46]						
	Territorial Highway Program (or project in the specified territories)	100 [47]						
	Wildlife Crossings Pilot Program	80/90 <sup>9</sup> , [48]	✓	✓				

Program		Federal share (%) [2]	Plus eligible for...					100% within Indian reservations, national parks, and monuments [8]
			Sliding scale [3]	May amount to 100% for designated types of projects [4]	Up to 100% for innovative delivery methods [5]	100% for workforce development [6]	Up to 100% for ADHS projects [7]	
Transportation Research	Highway Safety Research and Development Program	80 [49]						
	Technology and Innovation Deployment Program	80 49						
	Training and Education	50/75/80/100 [50]						
	Intelligent Transportation Systems Program	80 [51]						
	ATTAIN Program (Advanced Transportation Technologies and Innovation Mobility Deployment)	80 [52]						
	Strategic Innovation for Revenue Collection	70/80 [53]						

[1] The footnotes below are specific to Federal share requirements. For information regarding the non-Federal match requirements and non-Federal match flexibilities, see: [https://www.fhwa.dot.gov/legisregs/directives/policy/memonfmr\\_tapered20190515.htm](https://www.fhwa.dot.gov/legisregs/directives/policy/memonfmr_tapered20190515.htm)

[2] The Federal share specified in this column may be subject (as specified) to one or more of the provisions referenced in the subsequent columns.

For footnotes 3-8 see section “Adjustment or Increase to Federal Share” for further information.

[3] 23 U.S.C. 120(a)-(b).

[4] 23 U.S.C. 120(c)(1), as amended by BIL, § 11107(1)(A). For more information see: <https://www.fhwa.dot.gov/federalaid/141125.cfm>.

[5] 23 U.S.C. 120(c)(3), as amended by BIL, § 11107(1)(B).

[6] 23 U.S.C. 504(e)(2), as amended by BIL, § 13007(a)(2).

[7] Section 1528 of MAP-21, Pub. L. No. 112-141 (July 6, 2012), as amended by section 1435 of the FAST Act, Pub. L. No. 114-94 (Dec. 4, 2015). For more information see [FAST Act ADHS Questions & Answers](#).

[8] 23 U.S.C. 120(f). For more information, see [Federal Shares Established by 23 U.S.C. and the ISTEA of 1991](#).

[9] 23 U.S.C. 120(a)-(b). See section above titled “Standard Federal Share.” For NHPP, STBG, HSIP, CMAQ, NHFP, CRP, and the PROTECT Formula Program, see section above titled “Federal Share Flexibility Pilot Program.”

[10] The NHPP Federal share for a State that has not developed and implemented an asset management plan in accordance with 23 U.S.C. 119(e) will be reduced to 65% until it develops and implements its plan. See 23 U.S.C. 119(e)(5) and [Implementation Guidance for the National Highway Performance Program \(NHPP\) as Revised by the Bipartisan Infrastructure Law](#) (Jun. 1, 2022), section F.

[11] 23 U.S.C. 206(j), as amended by BIL, § 11134. Funds apportioned to a State under section 104(b) that are obligated for a recreational trail or a related project shall be administered as if the funds were made available to carry out a project under the Recreational Trails Program (RTP). This includes provisions for Federal share and credit toward non-Federal share. See 23 U.S.C. 206(f).

[12] 23 U.S.C. 120(c)(4), as amended by BIL, § 11107(1)(C) permits the Secretary to waive the non-Federal share of the cost of a project or activity under 23 U.S.C. 502(b)(6) that is carried out with STBG funds, after considering appropriate factors.

[13] For HSIP, application of sliding scale continues to be based on the location of the project on or off the Interstate System.

[14] 23 U.S.C. 148(j).

[15] 23 U.S.C. 130(f)(3), as amended by BIL, § 11108(b). For any project financed with funds set aside to carry out 23 U.S.C. 130, the BIL increased the Federal share to 100% (from 90% under the FAST Act).

[16] For activities funded by the set-aside for Increasing Safe and Accessible Transportation Options, the Federal share of the cost of a project carried out using funds under that program shall be 80% unless the Secretary determines that the interests of the Federal-aid highway program



would be best served by decreasing or eliminating the non-Federal share. BIL, § 11206(d).

[17] Program established under BIL, § 11403; 23 U.S.C. 175(f).

[18] Promoting Resilient Operations for Transformative, Efficient and Cost Savings Program established under BIL, § 11405; 23 U.S.C. 176(c).

[19] The Federal share of the cost of a project carried out using funds apportioned to the State under this program shall not exceed 80% of the total project cost, except that the Federal share may be increased up to 10 percentage points under certain circumstances. [BIL, § 11405; 23 U.S.C. 176(c) and 176(e)] For applicability of 23 U.S.C. 120(l) to the PROTECT Formula Program, see section above titled "Federal Share Flexibility Pilot Program".

A State may use Federal funds other than Federal funds apportioned to the State under the PROTECT Formula Program to meet the non-Federal cost share requirement for a project under that program.

[BIL, § 11405; 23 U.S.C. 176(c)(3)(D)(ii)]

[20] 23 U.S.C. 505(d). The Federal share of the cost of a project carried out using funds under this program shall be 80% unless the Secretary determines that the interests of the Federal-aid highway program would be best served by decreasing or eliminating the non-Federal share. See also BIL, § 11206(d).

[21] 23 U.S.C. 133(h)(7), as amended by BIL, § 11109(b)(1)(H).

[22] 23 U.S.C. 206(f) (which cites to 23 U.S.C. 120(b), with some specified exceptions). See also note 11.

[23] BIL, division J, title VIII, Highway Infrastructure Programs heading, paragraph (9), second and sixth proviso. Federal share is determined in accordance with 40 U.S.C. 14501 and may be increased up to 100% at the option of the State.

[24] Program established under BIL, division J, title VIII, Highway Infrastructure Programs heading, paragraph (1). Federal share is established in the fifth, fourteenth and fifteenth provisos of paragraph (1) as follows: Federal share shall be 100% for off-system bridges owned by a county, town, city, municipality or other local agency, or a federally recognized Tribe.

Federal share for the 3 percent set aside to carry out 23 U.S.C. 202(d) shall be 100%.

Federal share for all other bridges is determined in accordance with 23 U.S.C. 120.

The application of the increased Federal share under 23 U.S.C. 120(c)(1) to funds from this apportionment is not subject to the cap on such uses that applies to funds apportioned under 23 U.S.C. 104. See 135 Stat. 1420-21 (2021).

[25] New program established under BIL, division J, title VIII, Highway Infrastructure Programs heading, paragraph (2), third proviso.

[26] 23 U.S.C. 201(b)(7)(B) as amended by BIL, § 11113(a)(1).

[27] 23 U.S.C. 201(b)(7)(A).

[28] Section 1123 of FAST Act, Pub. L. No. 114-94 (December 4, 2015), as amended by BIL, § 11127(2). The Federal share of the cost of a project shall be up to 90%, except in the case of a project on a tribal transportation facility (as defined in section 101(a) of title 23, U.S.C.), the Federal share of the cost of such a project shall be 100%.

[29] 23 U.S.C. 201(b)(7)(A). There are various set-aside programs from TTP, including TTP Safety Funds Program, TTP High Priority Projects Program, and TTP Bridge Program. These set asides of TTP are also 100% federal share.

[30] New program established under BIL, § 11118(a); 23 U.S.C. 124(c).

- The Federal share shall not be more than 50% for a large project, and not more than 80% for other eligible projects, as these terms are defined in 23 U.S.C. 124(a).
- Federal funds, other than those made available under this program, may be used to satisfy the non-Federal share of the cost, as long as total Federal assistance for the project does not exceed the Federal share under 23 U.S.C. 120 and, for off-system bridges (as defined in 23 U.S.C. 133(f)(1)) the total Federal assistance for the project shall not exceed 90% of the total eligible project costs.

[31] Program established under BIL, § 11401(b); 23 U.S.C. 151(f)(10).

[32] Program established under BIL, § 11404(a); 23 U.S.C. 129(d)(5)(C).

[33] 23 U.S.C. 147(b).

[34] See Section "Toll Roads, Bridges, Tunnels and Ferries" for more information.

[35] 23 U.S.C. 120(e), as amended by BIL, § 11107(2). Emergency Relief (ER) funds are typically subject to the standard Federal share: 80%, with 90% on Interstates, in both cases subject to the sliding scale. However, this share may be adjusted as follows:

- May amount to 100% for eligible emergency repairs to minimize damage, protect facilities, or restore essential traffic accomplished within 270 days (vs. 180 days under the FAST Act) of the actual occurrence of the natural disaster or catastrophic failure. The Secretary shall extend this time period, taking into consideration any delay in the ability of the State to access damaged facilities to evaluate damage and the cost of repair. [BIL, § 11107(2)(A); 23 U.S.C. 120(e)(1) and (3)]

- *Up to 90% for eligible repairs* (vs. eligible “permanent” repairs under the FAST Act) to restore facilities to pre-disaster condition if the State’s ER-eligible expenses for the FY exceed the State’s combined apportionment for that FY pursuant to 23 U.S.C. 104(b). [23 U.S.C. 120(e)(4); BIL, § 11107(2)(B)]

[36] 23 U.S.C. 120(e)(2).

[37] 23 U.S.C. 117, as amended by BIL, § 11110.

- *The Federal share of projects designated as “Small Projects” described in 23 U.S.C. 117(e)(1) shall be 80%. In all other types of projects funded under this program the Federal share may not exceed 60%. [BIL, § 11110(a)(10); 23 U.S.C. 117(j)(1)]*
- *Federal funds from sources other than this program may be used to satisfy the non-Federal Share to 80% of the total project cost and in certain states based on population density, be up to the applicable share under 23 U.S.C. 120(b). [BIL, § 11110(a)(10); 23 U.S.C. 117(j)(2)]*
- *State Incentives Pilot Program: The Federal share of the cost of a project assisted with a grant under the pilot program may not exceed 50%. [BIL, § 11110(a)(15); 23 U.S.C. 117(q)(3)(A)]*

[38] Program established under BIL, § 21201; 49 U.S.C. 6701(i).

- *Federal assistance other than a grant awarded under the program may be provided for a project for which a grant is awarded under the program up to 80% of the total cost of the project.*

[39] Program established under BIL, § 21203; 49 U.S.C. 6703.

- *The Federal share of the cost of a project carried out with a grant to a State or unit of local government is up to 80%. The Federal share for Tribes is 100% [BIL, § 21203(a); 49 U.S.C. 6703(f)].*

[40] 23 U.S.C. 162(f). Federal share of the cost of carrying out a project under this section shall be 80%, except that, in the case of any scenic byway project along a public road that provides access to or within Federal or Indian land, Federal land management agencies may use funds authorized for use by the agency as the non-Federal share.

[41] Program established under BIL, § 11405; 23 U.S.C. 176(d).

- *Federal Share for Planning Grants is 100%.*
- *Federal Share for the three types of Resilience Grants shall not exceed 80%.*
- *Federal Share for the three types of Resilience Grants carried out by an Indian tribe may be up to 100%.*
- *Federal share may be increased by up to 10% in certain circumstances.*

*The eligible entity may use Federal funds other than Federal funds provided under the PROTECT Discretionary Grant Program to meet the non-Federal cost share requirement for a project carried out with a grant under the PROTECT Discretionary Grant Program.*

[BIL, § 11405(a); 23 U.S.C. 176(d)(5)(E) and (e)(1)]

[42] 49 U.S.C. 6702, as amended by BIL, § 21202.

- *At the discretion of the Secretary, the Federal share can exceed 80% if the project is carried out in a rural area, a historically disadvantaged community, or an area of persistent poverty.*

*Amounts provided under any of the following programs shall be considered to be a part of the non-Federal share for purposes of the RAISE Program:*

- *The Tribal Transportation Program under 23 U.S.C. 202.*
- *The Federal Lands Transportation Program under 23 U.S.C. 203.*
- *The TIFIA Program (as defined in 23 U.S.C. 601(a)).*
- *The Railroad Rehabilitation and Improvement Financing Program under chapter 224 of title 49, U.S.C. [BIL, § 21202(a); 49 U.S.C. 6702(e)]*

[43] Program established under BIL, § 11509; 23 U.S.C. 101 note.

- *Federal share shall not exceed 80% for planning grants. [23 U.S.C. 101 note; BIL, § 11509(c)(6)]*
- *Federal share may not to exceed 50% of the total cost for a capital construction grant project [23 U.S.C. 101 note; BIL, § 11509(d)(6)(A)]*
- *Federal assistance other than a capital construction grant may be used to satisfy the non-Federal share of the cost of a project under this program, up to 80% of the total cost of the project.*

[44] Program established under BIL, § 11402; 23 U.S.C. 149 note. A grant awarded under this program shall not exceed 80% of the total cost of the project. [BIL, § 11402(b)(2)]

[45] Program added under § 11132; 23 U.S.C. 173.

- *The Federal share of the cost of a project carried out with a grant under the program may not exceed 80%. [23 U.S.C. 173(j)(1)]*
- *The Federal share of the cost of an eligible project that furthers the completion of a designated segment of the Appalachian Development Highway System under section 14501 of title 40, U.S.C., or addresses a surface transportation infrastructure need identified for the Denali access system program under section 309 of the Denali Commission Act of 1998 (42 U.S.C. 3121 note; Public Law 105–277) shall be up to 100%, as determined by the State. [23 U.S.C. 173(j)(2)]*
- *Federal assistance other than a grant under the Rural Surface Transportation Grant Program may be used to satisfy the non-Federal share of the cost of a project carried out with a grant under that program. [23 USC 173(j)(3)]*



[46] Program established under § 24112. The Federal share of the cost of a Safe Streets and Roads for All project shall not exceed 80% [BIL, § 24112(e)]

[47] 23 U.S.C. 120(g).

[48] Program established under BIL, §11123; 23 U.S.C. 171.

[49] BIL, § 11101 (c)(3)(A). The Federal share of the cost of a project or activity carried out using these funds shall be 80%, unless otherwise expressly provided or otherwise determined by the Secretary.

[50] 23 U.S.C. 504, as amended by BIL, § 13007. See section above titled “Workforce development, training, and education”.

[51] 23 U.S.C. 512-518, as amended by BIL, § 11101(c)(3)(A) unless otherwise expressly provided in division A of the BIL or as determined by the Secretary.

[52] 23 U.S.C. 503(c)(4)(J)

[53] 23 U.S.C. 503 note; BIL, § 13001(b)(7). Federal share may not exceed 80% if the entity has not previously received a grant under this program and may not exceed 70% for an entity that has received at least one grant under this program.

Page last modified on March 24, 2023