



Rescissions FAQs

What are rescissions?

Periodically, Congress *rescinds*, or cancels, unspent transportation funds from State DOTs. Rescissions are essentially a bookkeeping measure, which allows the USDOT to take long unspent funds off the books. However, some state DOTs have turned them into an opportunity to gut neglected bicycle and pedestrian funding sources in order to preserve favored programs.

What is at stake for bicycle and pedestrian projects?

The USDOT tells states how much money they have to give back – but state DOTs decide which unspent funds they will send back first. Historically, some of the strongest programs for bicycle and pedestrian projects – Transportation Enhancements (TE), Congestion Mitigation & Air Quality (CMAQ) – suffer dramatically higher rescission rates than other programs.

*Bicycling-friendly programs, Transportation Enhancements and CMAQ, received **7.3 percent** of DOT apportionments, but were the sources of **44 percent** of the 2010 rescissions*

For example, TE and CMAQ made up just 7.3 percent of a state DOT's 2010 transportation apportionments, but they made up a much larger share of what a state sends back. In August 2010, out of the \$2.2 billion rescinded, \$968 million (44%) came from CMAQ and TE. Not all these funds would have gone to bicycling and walking, of course, but based on historic spending rates, some \$330 million would have.

What do we want?

We want state DOTs to minimize the impact of this round of rescissions on TE and CMAQ programs.

At the very least, rescissions should be fair and proportional.

All funding programs should receive equal consideration to others: they should be spent proportionally and rescinded proportionally. Programs favorable to bicycle and pedestrian projects should not be targeted more than others.



What you might hear from your DOT

"These cuts aren't real -- they don't touch 'real' money?"

Congress apportions more funds to states than they are allowed to spend each year. Rescissions are meant to take back the unspent portions.

DOTs do not prioritize all programs equally. Since DOTs know that rescissions mean that they'll lose their unspent funds, they can drag their feet on bicycling and walking programs, while aggressively using highway funds, leaving those with relatively few unspent dollars to return. They can say that no projects were lost because they never planned to spend the money anyway.

The Rails to Trails Conservancy uses this helpful analogy to explain:

"Imagine that you were asked to plan a meeting and were given a budget with line items for food, drink, meeting space and supplies. Now, your boss tells you to cut back 10 percent of the total budget. You eliminate all drinks from the meeting to cover that 10 percent, instead of trimming from each category. When the thirsty guests ask for drinks, you tell them that you didn't actually "give up" any money for drinks from the meeting, because in fact you'd never had the funds to begin with (technically true, since the full amount was budgeted but not authorized). And further, no drinks were lost because they were never even ordered in the first place!"

http://www.railstotrails.org/ourWork/advocacy/advocacyCorner/Advocacy_corner_Sept_2010_rescission_analogy.html

"These rescissions only affect earmarks"

Not true.

The April 2011 \$3.2 billion rescission was a result of the budget deal worked out in Congress. As part of the deal, \$700 million will be rescinded from old earmark programs. But that's only part of it. An additional \$2.5 billion is being rescinded from programs *at the State DOT's discretion*.

How can we avoid being unfairly impacted by future rescissions?

The best way to protect bicycling and walking programs from disproportionate rescissions in the long run is to ensure that state departments of transportation are making full use of programs that most often fund bicycle and pedestrian projects. Help programs compete for obligation authority by finding political and agency champions who will make sure these programs are expertly administered. See the Advocacy Advance document, *Understanding Rescissions – a Call for Proportionality*, and AdvocacyAdvance.org for suggestions and resources to increase spending on bicycle and pedestrian projects.