

Comparison of "MegaProject" Programs in the House and Senate Bills

The Senate bill actually has two megaproject programs - the AMP program in sec. 44002, explained below, and a competitive program for freight projects in sec. 44003. But the freight project program is not funded - it only got a general fund authorization for appropriations that may never materialize, so it is not really comparable to the House program or to AMP.

	House Bill Nationally Significant Freight and Highway Projects (STRR Act sec. 1111)	Senate Bill Assistance for Major Projects (DRIVE Act sec. 44002)
Located where?	23 U.S.C. §117	23 U.S.C. §171
Funding?	HTF Highway Account contract authority - \$725 million in FY 2016, \$735 million in FY 2017, and \$750 million per year thereafter through FY 2021. \$4.46 billion over six years.	HiTF Highway Account contract authority - \$250 million in FY 2016, rising by \$50 million per year until capped at \$400 million per year in FY 2019-2021. \$2.10 billion over six years.
Funding Set-Asides?	Not more than \$500 million of the 2016-2021 aggregate total can be used for intermodal or rail freight projects on the NMFN. 20 percent annual set aside for rural projects, which is concurrent with a 10 percent annual set-aside for projects too small to make the minimum size threshold.	20 percent maximum of each year's total can be used for freight or transit projects. 20 percent annual set-aside for rural projects.
Max. Federal Share?	NSFHP money cannot exceed 50 percent of project cost. NHFSP plus state highway formula apportionments cannot exceed 80 percent of project cost.	Not specified in the AMP section so, presumably, the general title 23 or 49 shares apply.
Carried out by who? Eligible Applicants?	Secretary of Transportation States, groups of states, MPOs over 200k population, local governments, special purpose districts/authorities including port authorities, Fed land management agencies applying jointly with states.	Federal Highway Administrator States, groups of states, local government, groups of local governments, tribal governments, transit agencies, special purpose districts, port authorities, political subdivisions of states and local governments, Fed land management agencies when applying jointly with states, or multi-state or multi-jurisdictional entities.
Eligible Project Types?	Freight projects on the NHFN, highway/bridge projects on the NHS; intermodal projects on the NMFN; or rail-highway grade crossing/separation projects.	Any capital project eligible for federal funding under title 23 or title 49, U.S.C.
Minimum Project Size?	Total project costs equal to or exceeding the lesser of \$100 million, or 30 percent of a state's total annual federal highway apportionment for a project located in a single state; or, for multi-state projects, 50 percent of the annual federal highway apportionment of the largest participating state.	Total project costs equal to or exceeding the lesser of \$350 million, or 25 percent of a state's total annual federal highway apportionment for a project located in a single state; or 10 percent of a rural state's (80 ppsqm) total annual federal highway apportionment; or, for multi-state projects, 75 percent of the annual federal highway apportionment of the largest participating state.
Minimum Grant Size?	No statutory minimum for regular grants; \$5 million minimum for rural/small grants.	\$50 million (except for rural projects which have no minimum size).
TIFIA?	NSFHP money can be used to pay for TIFIA subsidy and administrative costs.	AMP money can be used to pay for TIFIA subsidy and administrative costs.
Congressional Notification?	SecDOT must submit grant notifications to Congress and the grant cannot be made until after Congress has 60 days to enact a joint resolution disapproving the project.	The original EPW version of DRIVE required the FHWA Administrator to submit a list of proposed projects to Congress and then Congress would have to pass a resolution approving the list - but this provision was dropped from the final version of the bill.