

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require unobligated amounts to be used for transportation and infrastructure purposes.

IN THE SENATE OF THE UNITED STATES—111th Cong., 1st Sess.

H. R. 1

Making supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for the fiscal year ending September 30, 2009, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by _____
(for _____) to the amendment (No. 98) proposed by Mr. INOUYE (for himself and Mr. BAUCUS)

Viz:

1 On page 237, between lines 2 and 3, insert the fol-
2 lowing:

3 PUBLIC WORKS SUPPLEMENT

4 Notwithstanding section 1602, on September 30,
5 2009, any discretionary funds up to \$50,000,000,000
6 under this Act that would otherwise expire on September

1 30, 2009, shall be reserved and remain available for obli-
2 gation for the purposes of the matter under this heading:
3 *Provided*, That if the amount reserved is less than
4 \$50,000,000,000, not later than 1 year after the date of
5 enactment of this Act, an amount of unobligated discre-
6 tionary funds provided under this Act equal to
7 \$50,000,000,000, less the amount reserved on September
8 30, 2009, shall be proportionally from all unobligated bal-
9 ances transferred to and merged with the funds reserved
10 on September 30, 2009, and be available for additional
11 amounts for capital investments in surface transportation
12 and capitalization grants under the Clean Water State Re-
13 volving Funds under title VI of the Federal Water Pollu-
14 tion Control Act (33 U.S.C. 1381 et seq.) and the Drink-
15 ing Water State Revolving Funds under section 1452 of
16 the Safe Drinking Water Act (42 U.S.C. 300j-12): *Pro-*
17 *vided further*, That not later than 10 months after the date
18 of enactment of this Act, each State (as defined in section
19 101(a) of title 23, United States Code) shall compile and
20 submit to the President a list of projects for which con-
21 tracts may be awarded during the 120-day period begin-
22 ning on the date of receipt of funds and that are eligible
23 for funding under title 23 or chapter 53 of title 49, United
24 States Code, the Clean Water State Revolving Funds
25 under title VI of the Federal Water Pollution Control Act

1 (33 U.S.C. 1381 et seq.), or the Drinking Water State
2 Revolving Funds under section 1452 of the Safe Drinking
3 Water Act (42 U.S.C. 300j-12): *Provided further*, That
4 in compiling surface transportation projects for inclusion
5 in the list submitted to the President, projects that will
6 bring the conditions of roads, bridges, and other transpor-
7 tation system elements up to standard, projects that will
8 result in high, immediate employment, projects that will
9 increase the energy independence of the United States,
10 and projects that will provide long-term economic benefits,
11 should be given special consideration: *Provided further*,
12 That the President shall distribute to each State an
13 amount equal to the proportion that the cost of the
14 projects listed by the State bears to the cost of all projects
15 listed by all States, multiplied by the amount provided
16 under this heading: *Provided further*, That the funds so
17 distributed to each State shall be divided among the pro-
18 grams provided for in this heading, in the proportions re-
19 flected in the list submitted by the State to the President
20 under this heading, except that a State, in coordination
21 with the President, may adjust the amounts provided
22 among project categories to ensure the ability to award
23 contracts on all of the funds provided to the State within
24 the 120-day period beginning on the date on which the
25 State receives a distribution of funds under this heading:

1 *Provided further*, That the list submitted by each State
2 shall certify that the projects included on the list reflect
3 a financially constrained State transportation improve-
4 ment program and transportation improvement program,
5 or the priority list of the State for projects, including
6 projects added after the date of enactment of this Act,
7 to be funded through the Clean Water State Revolving
8 Fund or Drinking Water State Revolving Fund as of the
9 date that is 10 months after the date of enactment of this
10 Act for which the State reasonably expects to award con-
11 tracts within the 120-day period beginning on the date
12 of distribution of funds to the State: *Provided further*,
13 That the requirements, including cost-sharing and ac-
14 counting requirements, applicable to the disbursement of
15 funds made available under this title for the Federal Tran-
16 sit Administration, and to the expenditure of funds made
17 available under title VII of this Act for the Clean Water
18 State Revolving Funds under title VI of the Federal Water
19 Pollution Control Act (33 U.S.C. 1381 et seq.) and the
20 Drinking Water State Revolving Funds under section
21 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-
22 12), shall apply to amounts made available under this
23 heading: *Provided further*, That each amount provided in
24 this amendment is designated as an emergency require-
25 ment and necessary to meet emergency needs pursuant to

1 section 204(a) of S. Con. Res. 21 (110th Congress) and
2 section 301(b)(2) of S. Con. Res. 70 (110th Congress),
3 the concurrent resolutions on the budget for fiscal years
4 2008 and 2009.