

110TH CONGRESS
2^D SESSION

H. R. 6534

To rescind certain earmark projects under SAFETEA-LU for the purpose of eliminating the shortfall in the Highway Trust Fund, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2008

Mr. FLAKE introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To rescind certain earmark projects under SAFETEA-LU for the purpose of eliminating the shortfall in the Highway Trust Fund, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Resist Offsetting with
5 Additional Debt Act” or the “ROAD Act”.

6 **SEC. 2. RESCISSIONS.**

7 (a) SAFETEA-LU RESCISSIONS.—Subject to sub-
8 section (b), the unobligated balances of funds made avail-
9 able for the following provisions of SAFETEA-LU (Public

1 Law 109–59), or made available by amendments made by
2 the following provisions of SAFETEA–LU, are hereby re-
3 scinded:

4 (1) Section 1114 (highway bridge program).

5 (2) Section 1301 (projects of national and re-
6 gional significance).

7 (3) Section 1302 (national corridor infrastruc-
8 ture improvement program).

9 (4) Section 1306 (freight intermodal distribu-
10 tion pilot grant program).

11 (5) Section 1702 (high priority projects).

12 (6) Section 1801 (construction of ferry boats
13 and ferry terminal facilities).

14 (7) Section 1807 (nonmotorized transportation
15 pilot program).

16 (8) Section 1934 (transportation improve-
17 ments).

18 (9) Section 1937 (roads in closed basins).

19 (10) Section 1940 (Going-to-the-Sun Road,
20 Glacier National Park, Montana).

21 (11) Section 1943 (Great Lakes ITS implemen-
22 tation).

23 (12) Section 1944 (transportation construction
24 and remediation, Ottawa County, Oklahoma).

1 (13) Section 1945 (infrastructure awareness
2 program).

3 (14) Section 1957 (traffic circle construction,
4 Clarendon, Vermont).

5 (15) Section 1960 (Denali access system pro-
6 gram).

7 (16) Section 1961 (I-95/Contee Road inter-
8 change study).

9 (17) Section 1962 (multimodal facility improve-
10 ments).

11 (18) Section 3011 (capital investment grants).

12 (19) Section 3044 (bus and bus facilities).

13 (20) Section 5203 (technology deployment).

14 (21) Section 5309 (centers for surface trans-
15 portation excellence).

16 (22) Section 5505 (transportation scholarship
17 opportunities program).

18 (23) Section 5513 (research grants).

19 (b) APPLICABILITY.—Subsection (a) applies to the
20 unobligated balances that are—

21 (1) available on the date of enactment of this
22 Act; and

23 (2) the result of a congressional earmark.

24 (c) LIMITATION ON RECALCULATION OF EQUITY
25 BONUS PROGRAM.—

1 (1) NO RECALCULATION.—Notwithstanding any
2 other provision of law, the amounts determined, and
3 the amounts allocated, under section 105 of title 23,
4 United States Code, for a fiscal year shall not be re-
5 calculated to take into account a rescission made by
6 this section.

7 (2) OBLIGATION LIMITATION.—Any unobligated
8 balances of obligation limitation made available for
9 the projects rescinded by section 2 of this Act in the
10 Consolidated Appropriations Act, 2005, the Trans-
11 portation, Treasury, Housing and Urban Develop-
12 ment, the District of Columbia, and other Inde-
13 pendent Agencies Appropriations Act, 2006, the De-
14 partment of Defense Appropriations Act, 2007, the
15 Consolidated Appropriations Act, 2008, and any
16 other appropriations acts, are hereby rescinded.

17 (d) DEFINITION.—The term “congressional ear-
18 mark” has the meaning given such term in clause 9(d)
19 of Rule XXI of the Rules of the House of Representatives,
20 as in effect on the date of enactment of this Act.

21 **SEC. 3. NO TRANSFER OF FUNDS.**

22 Except as provided by section 9503(b) of the Internal
23 Revenue Code of 1986, amounts in the General Fund of
24 the Treasury shall not be made available for the purpose
25 of alleviating a deficit in the Highway Trust Fund.

1 SEC. 4. SENSE OF CONGRESS.

2 It is the sense of Congress that State departments
3 of transportation should consider implementing those
4 projects described in section 144(g)(1)(A) of title 23,
5 United States Code, and in the tables contained in sec-
6 tions 1301, 1302, 1702, 1934, and 3044 of the
7 SAFETEA-LU (Public Law 109–59) if such projects in-
8 volve improving transportation safety.

○