

112TH CONGRESS
1ST SESSION

S. 199

To require the obligation of certain highway funding within a 3-year period.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2011

Mr. CASEY introduced the following bill; which was read twice and referred
to the Committee on Environment and Public Works

A BILL

To require the obligation of certain highway funding within
a 3-year period.

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 “Use It or Lose It Act
5 of 2011”.

6 **SEC. 2. OBLIGATION OF CERTAIN HIGHWAY FUNDING.**

7 (a) DEFINITION OF EARMARK.—In this section, the
8 term “earmark” means—

9 (1) a congressionally directed spending item, as
10 defined in clause 5(a) of rule XLIV of the rules of
11 the Senate for the 112th Congress; or

1 (2) a congressional earmark, as defined in
2 clause 9(d) of rule XXI of the rules of the House
3 of Representatives for the 112th Congress.

4 (b) OBLIGATION OF FUNDING.—

5 (1) IN GENERAL.—Notwithstanding any other
6 provision of law, funds made available from the
7 Highway Trust Fund through an earmark to carry
8 out a highway project under title 23, United States
9 Code, shall be obligated for the earmarked project
10 by not later than 3 years after the date on which the
11 earmarked funds are first made available.

12 (2) RETURN AND REDISTRIBUTION.—Funds de-
13 scribed in paragraph (1) that are not obligated by
14 the deadline specified in that paragraph shall be—

15 (A) released to the State transportation
16 department of the State with jurisdiction over
17 the original recipient of the earmark; and

18 (B) redistributed by the State for expedi-
19 tious use for other federally approved transpor-
20 tation projects in the State.

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