

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 3999
OFFERED BY MR. MICA OF FLORIDA**

Page 10, strike line 18 and all that follows through
line 4 on page 11 and insert the following:

1 (e) FLEXIBLE FUNDING.—Section 144 of such title
2 is amended by adding at the end the following:

3 “(s) FLEXIBLE FUNDING.—Notwithstanding section
4 125 or any other provision of law, a State may transfer
5 funds apportioned to the State under this section for a
6 fiscal year to another apportionment of funds to the State
7 under this title only if—

8 “(1) the State demonstrates to the satisfaction
9 of the Secretary that there are not any bridges on
10 the National Highway System located in the State
11 that are eligible for replacement; or

12 “(2) the State demonstrates to the satisfaction
13 of the Secretary that—

14 “(A) the transfer of funds will not ad-
15 versely impact the implementation of the
16 State’s 5-year performance plan developed
17 under subsection (d)(5); and

1 “(B) the State will obligate in such fiscal
2 year a total amount of funds from all sources
3 on bridge replacement and rehabilitation
4 projects that exceeds the amount of funds ap-
5 portioned to the State under this section for
6 such fiscal year.”.

