

TW UPDATE

HOUSE PREPARES TO CONSIDER STIMULUS AMENDMENTS

TUESDAY, JANUARY 27, 2009 - 11:15 P.M.

Tomorrow, the House of Representatives will consider amendments to H.R. 1, the economic stimulus bill, after holding 3.5 hours of general debate earlier today.

The House Rules Committee has approved a special rule (H. Res. 92) making in order only certain amendments to H.R. 1.

First, there is a "self-executing" amendment that will be automatically agreed to without a separate vote if the rule itself is agreed to. The self-executing amendment includes a Clyburn (D-SC) provision designed to deal with the fact that the Governor of South Carolina has stated that he will turn down stimulus money. The self-executing amendment also strikes funding for the National Mall that was arguably an earmark, strikes funding for birth control, adds \$15 million for historically black colleges, and waives the local match requirement for the COPS program.

Then, the House will consider up to eleven individual amendments - ten smaller amendments debatable for ten minutes each, followed by a Republican amendment in the nature of a substitute debatable for sixty minutes.

Of the ten smaller amendments, four are transportation related:

****Amendment #1**, by Rep. James Oberstar (D-MN), which would speed up the "use it or lose it" for half of the bill's highway and transit funding from 180 days after apportionment to 90 days after apportionment. But the Oberstar amendment would not restore his earlier "obligated based on awarded contracts" language that would have made it harder for states to meet those deadlines.

****Amendment #3**, by Rep. Bill Shuster (R-PA), which would provide that if a state Governor fails to certify that the state will maintain its previously scheduled efforts on transportation spending, the state would lose its funding under the bill. (But the Shuster amendment, like the underlying bill, takes each Governor at their word and provides no penalty if the state actually cuts its own transportation spending despite the Governor's prior certification.)

****Amendment #4**, by Reps. Nadler (D-NY), DeFazio (D-OR), Lipinski (D-IL), McMahon (D-NY), and Ellison (D-MN), which would add another \$3 billion in transit spending, half for the transit capital formula grants and half for new starts.

**Amendment #6, by Rep. Jeff Flake (R-AZ), which would strike the \$850 million in Amtrak funding from the bill.

The Republican substitute would strike all of the appropriated spending from the bill.

The text of the rule and of all amendments made in order can be found here:

http://www.rules.house.gov/SpecialRules_details.aspx?NewsID=4134

Under House rules, at the conclusion of the amendment process, the Republicans can offer one final amendment in the form of a motion to recommit the bill with instructions, but this amendment must be germane to the bill and cannot violate the Budget Act or PAYGO rules. The content of the motion to recommit does not have to be revealed until the motion is made on the House floor.

Also, earlier today, the Senate Appropriations Committee approved the appropriated portions of the Senate stimulus bill (to eventually be numbered S. 1) by a 21 to 9 vote. No amendments were agreed to during the committee markup.