

(11^b)

HR 10660 Bill - 111

The Secretary of the Treasury shall from time to time, after consultation with the Secretary of Commerce, estimate the amounts which will be available in the Highway Trust Fund (excluding repayable advances) to defray the expenditures which will be required to be made from such fund. In any case in which the Secretary of the Treasury determines that such amounts will be insufficient to defray the expenditures which will be required as a result of the apportionment to the States of the amounts authorized to be appropriated for any fiscal year for the construction, reconstruction, or improvement of Federal-Aid highways and to defray other expenditures required to be made from such fund, he shall so advise the Secretary of Commerce and shall further advise the Secretary of Commerce as to the aggregate amount which will be available in such fund to defray the expenditures required as a result of apportionment to the States of Federal-Aid highway funds for such fiscal year. The Secretary of Commerce shall determine the percentage which such aggregate amount is of the aggregate of the amounts authorized to be appropriated for such fiscal year for the construction, reconstruction, or improvement of Federal-Aid highways and, notwithstanding any other provision of law, shall thereafter apportion to the States, in lieu of the amounts which but for the provisions of this subsection would be so apportioned, amounts obtained by multiplying the amounts authorized to be appropriated for such fiscal year by such percentage. Whenever the Secretary of the Treasury determines that there will be available in the Highway Trust Fund (excluding repayable advances) amounts which will be available to defray the expenditures required as a result of the apportionment of any Federal-Aid highway funds previously withheld from apportionment for any fiscal year, he shall so advise the Secretary of Commerce and the Secretary of Commerce shall apportion to the States such portion of the funds so withheld from apportionment as the Secretary of the Treasury has advised him may be so apportioned without causing expenditures from the Highway Trust Fund to exceed amounts available (excluding repayable advances) to defray such expenditures. Any funds apportioned pursuant to the provisions of the preceding sentence shall remain available for expenditure until the close of the third fiscal year following that in which apportioned.