

Revised #4

**AMENDMENT TO H.R. 2200, AS REPORTED
OFFERED BY MR. FLAKE OF ARIZONA**

In the proposed section 44947 of title 49, United States Code, as proposed to be inserted by section 210 of the bill, add at the end of subsection (a) the following new paragraph:

1 “(5) PRESUMPTION OF CONGRESS RELATING TO
2 COMPETITIVE PROCEDURES.—

3 “(A) PRESUMPTION.—It is the presump-
4 tion of Congress that grants awarded under
5 this section will be awarded using competitive
6 procedures based on risk.

7 “(B) REPORT TO CONGRESS.—If grants
8 are awarded under this section using proce-
9 dures other than competitive procedures, the
10 Assistant Secretary shall submit to Congress a
11 report explaining why competitive procedures
12 were not used.”.

In subsection (c) of such proposed section 44947, add at the end the following new sentence: “None of the funds appropriated pursuant to this subsection may be used for a congressional earmark as defined in clause 9d,

of Rule XXI of the rules of the House of Representatives
of the 111th Congress.”.

