

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 2868
OFFERED BY MR. FLAKE OF ARIZONA**

Page 31, after line 25, insert the following:

1 “(E) PRESUMPTION OF CONGRESS RELAT-
2 ING TO COMPETITIVE PROCEDURES.—

3 “(i) PRESUMPTION.—It is the pre-
4 sumption of Congress that grants awarded
5 under this paragraph will be awarded
6 using competitive procedures based on
7 merit.

8 “(ii) REPORT TO CONGRESS.—If
9 grants are awarded under this paragraph
10 using procedures other than competitive
11 procedures, the Secretary shall submit to
12 Congress a report explaining why competi-
13 tive procedures were not used.

14 “(F) PROHIBITION ON EARMARKS.—None
15 of the funds appropriated to carry out this
16 paragraph may be used for a congressional ear-
17 mark as defined in clause 9d, of Rule XXI of

1 the rules of the House of Representatives of the
2 111th Congress.”.

