

## **GENERAL PROVISIONS - TITLE XVI**

### **Preference to Quick-Start Activities**

Sec. 1602. Regarding infrastructure investments, preference must be given to projects that can be started and completed expeditiously. The law sets a goal of having 50% or more of the funds for projects started not later than 120 days after enactment.

### **Period of Availability:**

Sec. 1603. Unless specified, all funds appropriated remain obligated until **September 30, 2010**.

### **Limits on Funds**

Sec. 1604. No funds made available to any state or local government may be used for casinos, gambling establishments, aquariums, zoos, golf courses or swimming pools.

### **Buy American**

Sec. 1605. Infrastructure projects involving construction, alteration, maintenance or repair of public buildings or public works must be accomplished using iron, steel and manufactured good produced in the United States. Exceptions can be made by the heads of federal departments or agencies when use of domestic products is:

- i. inconsistent with the public interest;
- ii. compromised because there are insufficient or reasonably unavailable quantities of domestic products or their quality is unsatisfactory or iron, steel, and the relevant manufactured goods are not produced in the United States if sufficient and reasonably available quantities and of a satisfactory quality; or
- iii. likely to increase the cost of the overall project by more than 25 percent.

### **Wage Rate Requirements**

Sec. 1606. All laborers and mechanics employed by contractors and subcontractors shall be paid wages at rates not less than those prevailing on projects of character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

**Economic Stabilization Contracting**

Sec. 1608. Reform of Contracting Procedures Under EESA. Section 107(b) of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5217(b)) is amended by inserting “and individuals with disabilities and businesses owned by individuals with disabilities (for purposes of this subsection the term ‘individual with disability’ has the same meaning as the term ‘handicapped individual’ as that term is defined in section 3(f) of the Small Business Act (15 U.S.C. 632(f)),” after “(12 U.S.C. 1441a(r)(4)),”.

Sec.1609. Adequate resources within the Act must be devoted to ensuring that applicable environmental reviews under the National Environmental Policy Act are completed on an expeditious basis and that the shortest existing applicable process under the National Environmental Policy Act shall be utilized.

Sec. 1610(b). All projects to be conducted under the authority of the Indian Self-Determination and Education Act, the Tribally-Controlled Schools Act, the Sanitation and Facilities Act, the Native American Housing and Self-Determination Assistance Act and the Buy-Indian Act shall be identified by the appropriate Secretary and the appropriate Secretary shall incorporate provisions to ensure that the agreement conforms with the provisions of this Act regarding the timing for use of funds and transparency, oversight, reporting, and accountability.

**Hiring American Workers in Companies Receiving TARP Funding**

Sec. 1611. It is unlawful to hire non-immigrants unless the recipient is in compliance with the requirements for an H-1B dependent employer.

**Transfer of Appropriations**

Sec. 1612. During the current fiscal year not to exceed 1 percent of any appropriations made available by this Act may be transferred by an agency head between such appropriations funded in this Act of that department or agency: Provided, that such appropriations shall be merged with and available for the same purposes, and for the same time period, as the appropriations to which transferred.