

105TH CONGRESS
1ST SESSION

H. R. 918

To direct the Secretary of Transportation to make grants to States for the construction and maintenance of highways, to direct the Federal Communications Commission to conduct spectrum auctions to provide funding for the grants, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 1997

Mr. KNOLLENBERG introduced the following bill; which was referred to the Committee on Commerce, and in addition to the Committees on Transportation and Infrastructure and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Transportation to make grants to States for the construction and maintenance of highways, to direct the Federal Communications Commission to conduct spectrum auctions to provide funding for the grants, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Infrastructure Im-
5 provement Act of 1997”.

1 **SEC. 2. SPECTRUM AUCTIONS.**

2 (a) **REQUIRED AUCTIONS.**—To the extent that por-
3 tions of the public electromagnetic spectrum allocated for
4 commercial use become available for licenses and construc-
5 tion during the period consisting of fiscal years 1998
6 through 2002, the Federal Communications Commission
7 shall, during such period, conduct competitive bidding in
8 accordance with section 309(j) of the Communications Act
9 of 1934 for licenses and construction permits involving
10 such portions which result in an amount of proceeds equal
11 to the sum of (1) \$26,000,000,000, and (2) the amount
12 of any offsetting collections referred to in the first sen-
13 tence of section 309(j)(8)(B) of such Act. To the extent
14 possible, the competitive bidding shall be conducted so
15 that proceeds required under this subsection are obtained
16 in equal amounts during each fiscal year during such pe-
17 riod.

18 (b) **TREATMENT OF PROCEEDS.**—Notwithstanding
19 section 309(j)(8)(A) of the Communications Act of 1934,
20 the proceeds from competitive bidding conducted pursuant
21 to subsection (a) (less any proceeds retained pursuant to
22 the first sentence of section 309(j)(8)(B) of such section)
23 shall be deposited in the Infrastructure Improvement
24 Trust Fund established by section 9512 of the Internal
25 Revenue Code of 1986, as added by section 3 of this Act.

1 This subsection may not be construed to apply to any pro-
2 ceeds from competitive bidding conducted pursuant to
3 subsection (a) in excess of the sum described in subsection
4 (a).

5 **SEC. 3. INFRASTRUCTURE IMPROVEMENT TRUST FUND.**

6 (a) IN GENERAL.—Subchapter A of chapter 98 of the
7 Internal Revenue Code of 1986 (relating to Trust Fund
8 Code) is amended by adding at the end the following new
9 section:

10 **“SEC. 9512. INFRASTRUCTURE IMPROVEMENT TRUST**
11 **FUND.**

12 “(a) CREATION OF TRUST FUND.—There is estab-
13 lished in the Treasury of the United States a trust fund
14 to be known as the ‘Infrastructure Improvement Trust
15 Fund’, consisting of such amounts as may be appropriated
16 or credited to such trust fund as provided in this section
17 or section 9602(b).

18 “(b) TRANSFERS TO TRUST FUND.—There are here-
19 by appropriated to the Infrastructure Improvement Trust
20 Fund amounts equivalent to the revenues received in the
21 Treasury from the proceeds of competitive bidding con-
22 ducted by the Federal Communications Commission pur-
23 suant to section 2(a) of the Infrastructure Improvement
24 Act of 1997.

1 “(c) EXPENDITURES FROM TRUST FUND.—Amounts
2 in the Infrastructure Improvement Trust Fund shall be
3 available, as provided in the Infrastructure Improvement
4 Act of 1997, only for purposes of making expenditures in
5 accordance with section 5 of such Act.”

6 (b) CLERICAL AMENDMENT.—The table of sections
7 for such subchapter A is amended by adding at the end
8 the following new item:

“Sec. 9512. Infrastructure Improvement Trust Fund.”

9 **SEC. 4. AVAILABILITY OF AMOUNTS.**

10 There shall be available to the Secretary of Transpor-
11 tation, out of the Infrastructure Improvement Trust
12 Fund, for each of fiscal years 1998 through 2002, the
13 amount transferred to the Trust Fund for such fiscal year
14 pursuant to section 9512 of the Internal Revenue Code
15 of 1986 (plus any amount credited to the account during
16 the preceding fiscal year pursuant to section 9602(b) of
17 such Code) for carrying out section 5. Such sums shall
18 remain available until expended.

19 **SEC. 5. INFRASTRUCTURE IMPROVEMENT GRANTS.**

20 (a) IN GENERAL.—On October 1 of each of fiscal
21 years 1998 through 2002 (or as soon as possible there-
22 after), the Secretary of Transportation, after making the
23 deduction under subsection (b), shall apportion funds
24 made available by section 4 for such fiscal year among
25 the States so that the percentage apportioned to each

1 State is equal to the percentage of estimated tax payments
2 attributable to highway users in the State paid into the
3 Highway Trust Fund established by section 9503 of the
4 Internal Revenue Code of 1986 in the latest fiscal year
5 for which data are available. Payments of funds appor-
6 tioned to a State under this subsection shall be made in
7 quarterly installments in the form of grants.

8 (b) DEDUCTION.—Whenever an apportionment of
9 funds is made under subsection (a) or (d), the Secretary
10 may make a deduction in an amount not to exceed 2 per-
11 cent of such funds for administering the provisions of this
12 section.

13 (c) USE OF GRANTS.—Funds apportioned to a State
14 under subsection (a) shall be available only for the con-
15 struction and maintenance of highways in the State.

16 (d) SUBMISSION OF PLAN.—A State shall be eligible
17 to receive an apportionment of funds under subsection (a)
18 in a fiscal year only if the State submits to the Secretary,
19 on or before September 1 of the preceding fiscal year, a
20 plan describing how the funds will be used. Amounts which
21 would have been apportioned to a State but for the re-
22 quirement of this subsection shall be reapportioned among
23 the States in the manner specified for apportionments
24 under subsection (a).

1 (e) APPLICABILITY OF REQUIREMENTS.—A project
2 carried out on a Federal-aid highway using funds appor-
3 tioned under subsection (a) shall be subject to the same
4 requirements as would have applied to the project if the
5 project had been carried out under title 23, United States
6 Code, except to the extent that the Secretary determines
7 that any requirement of such title is not consistent with
8 the objectives of this section.

9 (f) FEDERAL SHARE.—The Federal share payable on
10 account of any project or activity carried out using funds
11 apportioned under subsection (a) shall be 80 percent of
12 the cost of the project or activity.

13 (g) DEFINITIONS.—As used in this section, the terms
14 “construction”, “Federal-aid highway”, and “highway”
15 have the meanings given such terms by section 101(a) of
16 title 23, United States Code.

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