

## GENERAL GOVERNING PROVISIONS - H.R. 1 - THE AMERICAN RECOVERY AND REINVESTMENT ACT

- (1) Unless otherwise specified, all funds appropriated under H.R. 1 remain available for obligation until **September 30, 2010**. (Title XVI, Section 1603)
- (2) Regarding infrastructure investment, 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. (Title XVI, Section 1602)
- (3) No funds made available to any state or local government may be used for casinos, gambling establishments, aquariums, zoos, golf courses or swimming pools. (Title XVI, Section 1604)
- (4) Infrastructure projects involving construction, alteration, maintenance or repair of public buildings or public works must be accomplished using iron, steel and manufactured goods produced in the United States (**Buy America**; Title XVI, Section 1605). 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
  - iii. Likely to increase the cost of the overall project by 25% or more.
- (5) Laborers and mechanics employed by contractors and subcontractors on projects funded in whole or in part by funds made available through H.R. 1 must be paid the **prevailing wage**. (Title XVI, Section 1606)
- (6) Governors must certify within 45 days of enactment their intention to request and use funds provided in H.R. 1. **The State Legislature may certify the state's intention to use any funds (in any funding stream in H.R. 1) not accepted for use by the Governor**. (Title XVI, Section 1607)
- (7) Funds must be devoted to ensuring that applicable environmental reviews required by **NEPA** (National Environmental Policy Act) are completed expeditiously and that the shortest applicable process is utilized. (Title XVI, Section 1609)
- (8) It is unlawful to hire non-immigrants unless the recipient is in compliance with the requirements for an **H-1B dependent employer**. (Title XVI, Section 1611)