

108TH CONGRESS
2D SESSION

H. R. 3850

To provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2004

Mr. YOUNG of Alaska (for himself and Mr. OBERSTAR) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Resources, and Science, 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 provide an extension of highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

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 “Surface Transpor-
5 tation Extension Act of 2004”.

1 **SEC. 2. ADVANCES.**

2 (a) IN GENERAL.—Section 2(a) of the Surface
3 Transportation Extension Act of 2003 (23 U.S.C. 104
4 note; 117 Stat. 1110) is amended by inserting “and the
5 Surface Transportation Extension Act of 2004” after “as
6 amended by this Act”.

7 (b) PROGRAMMATIC DISTRIBUTIONS.—

8 (1) ADMINISTRATION OF FUNDS.—Section
9 2(b)(3) of such Act (117 Stat. 1110) is amended by
10 striking “the amendment made under subsection
11 (d)” and inserting “section 1101(c) of the Transpor-
12 tation Equity Act for the 21st Century”.

13 (2) SPECIAL RULES FOR MINIMUM GUAR-
14 ANTEE.—Section 2(b)(4) of such Act is amended by
15 striking “\$1,166,666,667” and inserting
16 “\$1,633,333,333”.

17 (3) EXTENSION OF OFF-SYSTEM BRIDGE SET-
18 ASIDE.—Section 144(g)(3) of title 23, United States
19 Code, is amended by striking “February 29” insert-
20 ing “April 30”.

21 (c) AUTHORIZATION OF CONTRACT AUTHORITY.—
22 Section 1101(c)(1) of the Transportation Equity Act for
23 the 21st Century (117 Stat. 1111) is amended by striking
24 “\$13,483,458,333 for the period of October 1, 2003,
25 through February 29, 2004” and inserting

1 “\$18,876,841,666 for the period of October 1, 2003,
2 through April 30, 2004”.

3 (d) LIMITATION ON OBLIGATIONS.—Section 2(e) of
4 the Surface Transportation Extension Act of 2003 (117
5 Stat. 1111) is amended to read as follows:

6 “(e) LIMITATION ON OBLIGATIONS.—

7 “(1) DISTRIBUTION OF OBLIGATION AUTHOR-
8 ITY.—Subject to paragraph (2), for the period of
9 October 1, 2003, through April 30, 2004, the Sec-
10 retary shall distribute the obligation limitation made
11 available for Federal-aid highways and highway safe-
12 ty construction programs under the heading ‘FED-
13 ERAL-AID HIGHWAYS’ in the Transportation, Treas-
14 ury, and Independent Agencies Appropriations Act,
15 2004 (division F of Public Law 108–199) in accord-
16 ance with section 110 of such Act; except that the
17 amount of obligation limitation to be distributed for
18 such period for each program, project, and activity
19 specified in sections 110(a)(1), 110(a)(2), 110(a)(4),
20 110(a)(5), and 110(g) of such Act shall equal the
21 greater of—

22 “(A) the funding authorized for such pro-
23 gram, project, or activity in this Act and the
24 Surface Transportation Extension Act of 2004

1 (including any amendments made by this Act
2 and such Act); or

3 “(B) $\frac{7}{12}$ of the funding provided for or
4 limitation set on such program, project, or ac-
5 tivity in the Transportation, Treasury, and
6 Independent Agencies Appropriations Act, 2004
7 (Public Law 108–199).

8 “(2) LIMITATION ON TOTAL AMOUNT OF AU-
9 THORITY DISTRIBUTED.—The total amount of obli-
10 gation limitation distributed under paragraph (1) for
11 the period of October 1, 2003, through April 30,
12 2004, shall not exceed \$19,741,750,000; except that
13 this limitation shall not apply to \$372,750,000 in
14 obligations for minimum guarantee for such period.

15 “(3) TIME PERIOD FOR OBLIGATIONS OF
16 FUNDS.—After April 30, 2004, no funds shall be ob-
17 ligated for any Federal-aid highway program project
18 until the date of enactment of a law reauthorizing
19 the Federal-aid highway program.

20 “(4) TREATMENT OF OBLIGATIONS.—Any obli-
21 gation of obligation authority distributed under this
22 subsection shall be considered to be an obligation for
23 Federal-aid highways and highway safety construc-
24 tion programs for fiscal year 2004 for the purposes
25 of the matter under the heading ‘FEDERAL-AID

1 HIGHWAYS’ in the Transportation, Treasury, and
2 Independent Agencies Appropriations Act, 2004.”.

3 **SEC. 3. TRANSFERS OF UNOBLIGATED APPORTIONMENTS.**

4 Section 3 of the Surface Transportation Extension
5 Act of 2003 (117 Stat. 1112–1113) is amended by adding
6 at the end the following:

7 “(e) PROHIBITION OF TRANSFERS.—Notwith-
8 standing any other provision of this section, no funds may
9 be transferred after February 29, 2004, by a State under
10 subsection (a)—

11 “(1) from amounts apportioned to the State for
12 the congestion mitigation and air quality improve-
13 ment program; and

14 “(2) from amounts apportioned to the State for
15 the surface transportation program and that are
16 subject to any of paragraphs (1), (2), and (3)(A)(i)
17 of section 133(d) of title 23, United States Code.”.

18 **SEC. 4. ADMINISTRATIVE EXPENSES.**

19 Section 4(a) of the Surface Transportation Extension
20 Act of 2003 (117 Stat. 1113) is amended by striking
21 “\$187,500,000” and inserting “\$262,500,000”.

22 **SEC. 5. OTHER FEDERAL-AID HIGHWAY PROGRAMS.**

23 (a) AUTHORIZATION OF APPROPRIATIONS UNDER
24 TITLE I OF TEA–21.—

25 (1) FEDERAL LANDS HIGHWAYS.—

1 (A) INDIAN RESERVATION ROADS.—Sec-
2 tion 1101(a)(8)(A) of the Transportation Eq-
3 uity Act for the 21st Century (112 Stat. 112;
4 117 Stat. 1113) is amended—

5 (i) in the first sentence by striking
6 “\$114,583,333 for the period of October 1,
7 2003, through February 29, 2004” and in-
8 serting “\$160,416,667 for the period of
9 October 1, 2003, through April 30, 2004”;
10 and

11 (ii) in the second sentence by striking
12 “\$5,416,667” and inserting “\$7,583,333”.

13 (B) PUBLIC LANDS HIGHWAYS.—Section
14 1101(a)(8)(B) of such Act (112 Stat. 112; 117
15 Stat. 1113) is amended by striking
16 “\$102,500,000 for the period of October 1,
17 2003, through February 29, 2004” and insert-
18 ing “\$143,500,000 for the period of October 1,
19 2003, through April 30, 2004”.

20 (C) PARK ROADS AND PARKWAYS.—Sec-
21 tion 1101(a)(8)(C) of such Act (112 Stat. 112;
22 117 Stat. 1113) is amended by striking
23 “\$68,750,000 for the period of October 1,
24 2003, through February 29, 2004” and insert-

1 ing “\$96,250,000 for the period of October 1,
2 2003, through April 30, 2004” .

3 (D) REFUGE ROADS.—Section
4 1101(a)(8)(D) of such Act (112 Stat. 112; 117
5 Stat. 1113) is amended by striking
6 “\$8,333,333 for the period of October 1, 2003,
7 through February 29, 2004” and inserting
8 “\$11,666,667 for the period of October 1,
9 2003, through April 30, 2004”.

10 (2) NATIONAL CORRIDOR PLANNING AND DE-
11 VELOPMENT AND COORDINATED BORDER INFRA-
12 STRUCTURE PROGRAMS.—Section 1101(a)(9) of such
13 Act (112 Stat. 112; 117 Stat. 1114) is amended by
14 striking “\$58,333,333 for the period of October 1,
15 2003, through February 29, 2004” and inserting
16 “\$81,666,667 for the period of October 1, 2003,
17 through April 30, 2004”.

18 (3) CONSTRUCTION OF FERRY BOATS AND
19 FERRY TERMINAL FACILITIES.—

20 (A) IN GENERAL.—Section 1101(a)(10) of
21 such Act (112 Stat. 113; 117 Stat. 1114) is
22 amended by striking “\$15,833,333 for the pe-
23 riod of October 1, 2003, through February 29,
24 2004” and inserting “\$22,166,667 for the pe-

riod of October 1, 2003, through April 30, 2004”.

(B) SET ASIDE FOR ALASKA, NEW JERSEY, AND WASHINGTON.—Section 5(a)(3)(B) of the Surface Transportation Extension Act of 2003 (117 Stat. 1114) is amended—

(i) in clause (i) by striking “\$4,166,667” and inserting “\$5,833,333”;

(ii) in clause (ii) by striking “\$2,083,333” and inserting “\$2,916,667”;

and

(iii) in clause (iii) by striking “\$2,083,333” and inserting “\$2,916,667”.

(4) NATIONAL SCENIC BYWAYS PROGRAM.—Section 1101(a)(11) of the Transportation Equity Act for the 21st Century (112 Stat. 113; 117 Stat. 1114) is amended by striking “\$11,458,333 for the period of October 1, 2003, through February 29, 2004” and inserting “\$16,041,666 for the period of October 1, 2003, through April 30, 2004” .

(5) VALUE PRICING PILOT PROGRAM.—Section 1101(a)(12) of such Act (112 Stat. 113; 117 Stat. 1114) is amended by striking “\$4,583,333 for the period of October 1, 2003, through February 29,

1 2004” and inserting “\$6,416,667 for the period of
2 October 1, 2003, through April 30, 2004”.

3 (6) HIGHWAY USE TAX EVASION PROJECTS.—
4 Section 1101(a)(14) of such Act (112 Stat. 113;
5 117 Stat. 1114) is amended by striking “\$2,083,333
6 for the period of October 1, 2003, through February
7 29, 2004” and inserting “\$2,916,667 for the period
8 of October 1, 2003, through April 30, 2004”.

9 (7) COMMONWEALTH OF PUERTO RICO HIGH-
10 WAY PROGRAM.—Section 1101(a)(15) of such Act
11 (112 Stat. 113; 117 Stat. 1114) is amended by
12 striking “\$45,833,333 for the period of October 1,
13 2003, through February 29, 2004” and inserting
14 “\$64,166,667 for the period of October 1, 2003,
15 through April 30, 2004”.

16 (8) SAFETY GRANTS.—Section 1212(i)(1)(D) of
17 such Act (23 U.S.C. 402 note; 112 Stat. 196; 112
18 Stat. 840; 117 Stat. 1114) is amended by striking
19 “\$208,333 for the period of October 1, 2003,
20 through February 29, 2004” and inserting
21 “\$291,667 for the period of October 1, 2003,
22 through April 30, 2004”.

23 (9) TRANSPORTATION AND COMMUNITY AND
24 SYSTEM PRESERVATION PILOT PROGRAM.—Section
25 1221(e)(1) of such Act (23 U.S.C. 101 note; 112

1 Stat. 223; 117 Stat. 1114) is amended by striking
2 “\$10,416,667 for the period of October 1, 2003,
3 through February 29, 2004” and inserting
4 “\$14,583,333 for the period of October 1, 2003,
5 through April 30, 2004”.

6 (10) TRANSPORTATION INFRASTRUCTURE FI-
7 NANCE AND INNOVATION.—Section 188 of title 23,
8 United States Code, is amended—

9 (A) by striking subsection (a)(1)(F) and
10 inserting the following:

11 “(F) \$81,666,666 for the period of Octo-
12 ber 1, 2003, through April 30, 2004.”;

13 (B) in subsection (a)(2) by striking
14 “\$833,333 for the period of October 1, 2003,
15 through February 29, 2004” and inserting
16 “\$1,166,667 for the period of October 1, 2003,
17 through April 30, 2004”; and

18 (C) in the item relating to fiscal year 2004
19 in table contained in subsection (c) by striking
20 “\$1,083,333,333” and inserting
21 “\$1,516,666,667”.

22 (b) AUTHORIZATION OF APPROPRIATIONS UNDER
23 TITLE V OF TEA-21.—

24 (1) SURFACE TRANSPORTATION RESEARCH.—
25 Section 5001(a)(1) of the Transportation Equity Act

1 for the 21st Century (112 Stat. 419; 117 Stat.
2 1115) is amended by striking “\$43,750,000 for the
3 period of October 1, 2003, through February 29,
4 2004” and inserting “\$61,250,000 for the period of
5 October 1, 2003, through April 30, 2004”.

6 (2) TECHNOLOGY DEPLOYMENT PROGRAM.—
7 Section 5001(a)(2) of such Act (112 Stat. 419; 117
8 Stat. 1115) is amended by striking “\$22,916,667
9 for the period of October 1, 2003, through February
10 29, 2004” and inserting “\$32,083,334 for the pe-
11 riod of October 1, 2003, through April 30, 2004”.

12 (3) TRAINING AND EDUCATION.—Section
13 5001(a)(3) of such Act (112 Stat. 420; 117 Stat.
14 1115) is amended by striking “\$8,750,000 for the
15 period of October 1, 2003, through February 29,
16 2004” and inserting “\$12,250,000 for the period of
17 October 1, 2003, through April 30, 2004”.

18 (4) BUREAU OF TRANSPORTATION STATIS-
19 TICS.—Section 5001(a)(4) of such Act (112 Stat.
20 420; 117 Stat. 1115) is amended by striking
21 “\$12,916,667 for the period of October 1, 2003,
22 through February 29, 2004” and inserting
23 “\$18,083,333 for the period of October 1, 2003,
24 through April 30, 2004”.

1 (5) ITS STANDARDS, RESEARCH, OPERATIONAL
2 TESTS, AND DEVELOPMENT.—Section 5001(a)(5) of
3 such Act (112 Stat. 420; 117 Stat. 1115) is amend-
4 ed by striking “\$47,916,667 for the period of Octo-
5 ber 1, 2003, through February 29, 2004” and in-
6 serting “\$67,083,334 for the period of October 1,
7 2003, through April 30, 2004”.

8 (6) ITS DEPLOYMENT.—Section 5001(a)(6) of
9 such Act (112 Stat. 420; 117 Stat. 1116) is amend-
10 ed by striking “\$51,666,667 for the period of Octo-
11 ber 1, 2003, through February 29, 2004” and in-
12 serting “\$72,333,334 for the period of October 1,
13 2003, through April 30, 2004”.

14 (7) UNIVERSITY TRANSPORTATION RE-
15 SEARCH.—Section 5001(a)(7) of such Act (112 Stat.
16 420; 117 Stat. 1116) is amended by striking
17 “\$11,250,000 for the period of October 1, 2003,
18 through February 29, 2004” and inserting
19 “\$15,750,000 for the period of October 1, 2003,
20 through April 30, 2004”.

21 (c) METROPOLITAN PLANNING.—Section 5(c)(1) of
22 the Surface Transportation Extension Act of 2003 (117
23 Stat. 1116) is amended by striking “\$100,000,000 for the
24 period of October 1, 2003, through February 29, 2004”

1 and inserting “\$140,000,000 for the period of October 1,
2 2003, through April 30, 2004”.

3 (d) TERRITORIES.—Section 1101(d)(1) of the Trans-
4 portation Equity Act for the 21st Century (117 Stat.
5 1116) is amended by striking “\$15,166,667 for the period
6 of October 1, 2003, through February 29, 2004” and in-
7 serting “\$21,233,333 for the period of October 1, 2003,
8 through April 30, 2004”.

9 (e) ALASKA HIGHWAY.—Section 1101(e)(1) of such
10 Act (117 Stat. 1116) is amended by striking “\$7,833,333
11 for the period of October 1, 2003, through February 29,
12 2004” and inserting “\$10,966,666 for the period of Octo-
13 ber 1, 2003, through April 30, 2004”.

14 (f) OPERATION LIFESAVER.—Section 1101(f)(1) of
15 such Act (117 Stat. 1117) is amended by striking
16 “\$208,333 for the period of October 1, 2003, through
17 February 29, 2004” and inserting “\$291,667 for the pe-
18 riod of October 1, 2003, through April 30, 2004”.

19 (g) BRIDGE DISCRETIONARY.—Section 1101(g)(1) of
20 such Act (117 Stat. 1117) is amended—

21 (1) by striking “\$41,666,667” and inserting
22 “\$58,333,333”; and

23 (2) by striking “February 29” and inserting
24 “April 30”.

1 (h) INTERSTATE MAINTENANCE.—Section
2 1101(h)(1) of such Act (117 Stat. 1117) is amended—

3 (1) by striking “\$41,666,667” and inserting
4 “\$58,333,333”; and

5 (2) by striking “February 29” and inserting
6 “April 30”.

7 (i) RECREATIONAL TRAILS ADMINISTRATIVE
8 COSTS.—Section 1101(i)(1) of such Act (117 Stat. 1117)
9 is amended by striking “\$312,500 for the period of Octo-
10 ber 1, 2003, through February 29, 2004” and inserting
11 “\$437,500 for the period of October 1, 2003, through
12 April 30, 2004”.

13 (j) RAILWAY-HIGHWAY CROSSING HAZARD ELIMI-
14 NATION IN HIGH SPEED RAIL CORRIDORS.—Section
15 1101(j)(1) of such Act (117 Stat. 1118) is amended—

16 (1) by striking “\$2,187,500” and inserting
17 “\$3,062,500”;

18 (2) by striking “\$104,167” and inserting
19 “\$145,833”; and

20 (3) by striking “February 29” each place it ap-
21 pears and inserting “April 30”.

22 (k) NONDISCRIMINATION.—Section 1101(k) of such
23 Act (117 Stat. 1118) is amended—

24 (1) in paragraph (1) by striking “\$4,166,667
25 for the period of October 1, 2003, through February

1 29, 2004” and inserting “\$5,833,333 for the period
2 of October 1, 2003, through April 30, 2004”; and

3 (2) in paragraph (2) by striking “\$4,166,667
4 for the period of October 1, 2003, through February
5 29, 2004” and inserting “\$5,833,333 for the period
6 of October 1, 2003, through April 30, 2004”.

7 (l) ADMINISTRATION OF FUNDS.—Section 5(l) of the
8 Surface Transportation Extension Act of 2003 (117 Stat.
9 1118) is amended—

10 (1) by inserting “and section 5 of the Surface
11 Transportation Extension Act of 2004” after “this
12 section” the first place it appears; and

13 (2) by inserting “or the amendment made by
14 section 4(a)(1) of such Act” before the period at the
15 end.

16 (m) REDUCTION OF ALLOCATED PROGRAMS.—Sec-
17 tion 5(m) of such Act (117 Stat. 1119) is amended—

18 (1) by inserting “and section 5 of the Surface
19 Transportation Extension Act of 2004” after “but
20 for this section”;

21 (2) by striking “both”;

22 (3) by striking “and by this section” and insert-
23 ing “, by this section, and by section 5 of such Act”;
24 and

1 (4) by inserting “and by section 5 of such Act”
2 before the period at the end.

3 (n) PROGRAM CATEGORY RECONCILIATION.—Section
4 5(n) of such Act (117 Stat. 1119) is amended by inserting
5 “and section 5 of the Surface Transportation Extension
6 Act of 2004” after “this section”.

7 **SEC. 6. EXTENSION OF HIGHWAY SAFETY PROGRAMS.**

8 (a) SEAT BELT SAFETY INCENTIVE GRANTS.—Sec-
9 tion 157(g)(1) of title 23, United States Code, is amended
10 by striking “\$46,666,667 for the period of October 1,
11 2003, through February 29, 2004” and inserting
12 “\$65,333,333 for the period of October 1, 2003, through
13 April 30, 2004”.

14 (b) PREVENTION OF INTOXICATED DRIVER INCEN-
15 TIVE GRANTS.—Section 163(e)(1) of such title is amended
16 by striking “\$50,000,000 for the period of October 1,
17 2003, through February 29, 2004” and inserting
18 “\$70,000,000 for the period of October 1, 2003, through
19 April 30, 2004”.

20 **SEC. 7. SPORT FISHING AND BOATING SAFETY.**

21 (a) FUNDING FOR NATIONAL OUTREACH AND COM-
22 MUNICATIONS PROGRAM.—Section 4(c)(6) of the Dingell-
23 Johnson Sport Fish Restoration Act (16 U.S.C.
24 777c(c)(6)) is amended to read as follows:

1 “(6) \$5,833,333 for the period of October 1,
2 2003, through April 30, 2004;”.

3 (b) CLEAN VESSEL ACT FUNDING.—Section 4(b)(4)
4 of such Act (16 U.S.C. 777c(b)(4)) is amended to read
5 as follows:

6 “(4) FIRST 7 MONTHS OF FISCAL YEAR
7 2004.—For the period of October 1, 2003, through
8 April 30, 2004, of the balance of each annual appro-
9 priation remaining after making the distribution
10 under subsection (a), an amount equal to
11 \$47,833,333, reduced by 82 percent of the amount
12 appropriated for that fiscal year from the Boat Safe-
13 ty Account of the Aquatic Resources Trust Fund es-
14 tablished by section 9504 of the Internal Revenue
15 Code of 1986 to carry out the purposes of section
16 13106(a) of title 46, United States Code, shall be
17 used as follows:

18 “(A) \$5,833,333 shall be available to the
19 Secretary of the Interior for 3 fiscal years for
20 obligation for qualified projects under section
21 5604(c) of the Clean Vessel Act of 1992 (33
22 U.S.C. 1322 note).

23 “(B) \$4,666,667 shall be available to the
24 Secretary of the Interior for 3 fiscal years for
25 obligation for qualified projects under section

1 7404(d) of the Sportfishing and Boating Safety
2 Act of 1998 (16 U.S.C. 777g–1(d)).

3 “(C) The balance remaining after the ap-
4 plication of subparagraphs (A) and (B) shall be
5 transferred to the Secretary of Transportation
6 and shall be expended for State recreational
7 boating safety programs under section 13106 of
8 title 46, United States Code.”.

9 (c) BOAT SAFETY FUNDS.—Section 13106(c) of title
10 46, United States Code, is amended—

11 (1) by striking “\$2,083,333” and inserting
12 “\$2,916,667”; and

13 (2) by striking “\$833,333” and inserting
14 “\$1,166,667”.

15 **SEC. 8. TECHNICAL AMENDMENTS.**

16 (a) HIGHWAY SAFETY GRANTS.—

17 (1) IN GENERAL.—Title I of the Transpor-
18 tation, Treasury, and Independent Agencies Appro-
19 priations Act, 2004 (division F of Public Law 108–
20 199) is amended by inserting before the period at
21 the end of the matter under the heading “NATIONAL
22 HIGHWAY TRAFFIC SAFETY ADMINISTRATION,
23 HIGHWAY TRAFFIC SAFETY GRANTS” the following:
24 “: *Provided further*, That not to exceed \$2,600,000
25 of the funds subject to allocation under section 157

1 of title 23, United States Code, and not to exceed
2 \$2,600,000 of the funds subject to apportionment
3 under section 163 of that title, shall be available to
4 the National Highway Traffic Safety Administration
5 for administering highway safety grants under those
6 sections”.

7 (2) EFFECTIVE DATE.—The amendment made
8 by paragraph (1) shall take effect on January 24,
9 2004.

10 (b) FEDERAL HIGHWAY ADMINISTRATION.—Section
11 110(g) of the Transportation, Treasury, and Independent
12 Agencies Appropriations Act, 2004 (division F of Public
13 Law 108–199) is amended by adding at the end the fol-
14 lowing: “Obligation authority shall be available until used
15 and in addition to the amount of any limitation imposed
16 on obligations for Federal-aid highway and highway safety
17 construction programs for future fiscal years.”.

18 **SEC. 9. EXTENSION OF FEDERAL TRANSIT PROGRAMS.**

19 (a) ALLOCATING AMOUNTS.—Section 5309(m) of
20 title 49, United States Code, is amended—

21 (1) in paragraph (1)—

22 (A) by striking “February 29, 2004” and
23 inserting “April 30, 2004”;

24 (B) in subparagraph (A), by inserting “,
25 except for the period beginning on October 1,

2003, and ending on April 30, 2004, during which \$699,642,775 will be available” after “modernization”;

(C) in subparagraph (B), by inserting “, except for the period beginning on October 1, 2003, and ending on April 30, 2004, during which \$767,657,109 will be available” before the semicolon; and

(D) in subparagraph (C), by inserting “, except for the period beginning on October 1, 2003 and ending on April 30, 2004, during which \$352,110,220 will be available” after “facilities”;

(2) by amending paragraph (2)(B)(iii) to read as follows:

“(iii) OCTOBER 1, 2003 THROUGH APRIL 30, 2004.—Of the amounts made available under paragraph (1)(B), \$6,066,667 shall be available for the period beginning on October 1, 2003, and ending on April 30, 2004, for capital projects described in clause (i).”;

(3) in paragraph (3)(B)—

(A) by striking “\$1,250,000” and inserting “\$1,750,000”; and

1 (B) by striking “February 29, 2004” and
2 inserting “April 30, 2004”; and
3 (4) in paragraph (3)(C)—

4 (A) by striking “\$20,833,334 shall be
5 available” and inserting “\$28,994,583 shall be
6 transferred to and administered under section
7 5309 for buses and bus facilities”; and

8 (B) by striking “February 29, 2004” and
9 inserting “April 30, 2004”.

10 (b) APPORTIONMENT OF APPROPRIATIONS FOR
11 FIXED GUIDEWAY MODERNIZATION.—Section 8(b)(1) of
12 the Surface Transportation Extension Act of 2003 (49
13 U.S.C. 5337 note) is amended by striking “February 29,
14 2004” and inserting “April 30, 2004”.

15 (c) FORMULA GRANTS AUTHORIZATIONS.—Section
16 5338(a) of title 49, United States Code, is amended—

17 (1) in the heading to paragraph (2) by striking
18 “FEBRUARY 29, 2004” and inserting “APRIL 30,
19 2004”;

20 (2) in paragraph (2)(A)(vi)—

21 (A) by striking “\$1,292,948,344” and in-
22 serting “\$1,780,963,287”; and

23 (B) by striking “February 29, 2004” and
24 inserting “April 30, 2004”;

25 (3) in paragraph (2)(B)(vi)—

1 (A) by striking “\$323,459,169” and in-
2 serting “\$445,240,822”; and

3 (B) by striking “February 29, 2004” and
4 inserting “April 30, 2004”; and

5 (4) in paragraph (2)(C) by striking “February
6 29, 2004” and inserting “April 30, 2004”.

7 (d) FORMULA GRANT FUNDS.—Section 8(d) of the
8 Surface Transportation Extension Act of 2003 (117 Stat.
9 1122) is amended to read as follows:

10 “(d) ALLOCATION OF FORMULA GRANT FUNDS FOR
11 OCTOBER 1, 2003, THROUGH APRIL 30, 2004.—Of the
12 aggregate of amounts made available by or appropriated
13 under section 5338(a)(2) of title 49, United States Code,
14 for the period of October 1, 2003, through April 30,
15 2004—

16 “(1) \$ 2,812,446 shall be available to the Alas-
17 ka Railroad for improvements to its passenger oper-
18 ations under section 5307 of such title;

19 “(2) \$28,994,583 shall be available for bus and
20 bus facilities grants under section 5309 of such title;

21 “(3) \$52,568,804 shall be available to provide
22 transportation services to elderly individuals and in-
23 dividuals with disabilities under section 5310 of such
24 title;

1 “(4) \$139,526,367 shall be available to provide
2 financial assistance for other than urbanized areas
3 under section 5311 of such title;

4 “(5) \$4,030,247 shall be available to provide fi-
5 nancial assistance in accordance with section
6 3038(g) of the Transportation Equity Act for the
7 21st Century; and

8 “(6) \$1,998,271,661 shall be available to pro-
9 vide financial assistance for urbanized areas under
10 section 5307 of such title.”.

11 (e) CAPITAL PROGRAM AUTHORIZATIONS.—Section
12 5338(b)(2) of title 49, United States Code, is amended—

13 (1) in the heading by striking “FEBRUARY 29,
14 2004” and inserting “APRIL 30, 2004”;

15 (2) in subparagraph (A)(vi)—

16 (A) by striking “\$1,022,503,342” and in-
17 serting “\$1,819,410,104”; and

18 (B) by striking “February 29, 2004” and
19 inserting “April 30, 2004”; and

20 (3) in subparagraph (B)(vi)—

21 (A) by striking “\$255,801,669” and in-
22 serting “\$363,882,021”; and

23 (B) by striking “February 29, 2004” and
24 inserting “April 30, 2004”.

1 (f) PLANNING AUTHORIZATIONS AND ALLOCA-
2 TIONS.—Section 5338(c)(2) of title 49, United States
3 Code, is amended—

4 (1) in the heading by striking “FEBRUARY 29,
5 2004” and inserting “APRIL 30, 2004”;

6 (2) in subparagraph (A)(vi)—

7 (A) by striking “\$24,636,667” and insert-
8 ing “\$33,981,652”; and

9 (B) by striking “February 29, 2004” and
10 inserting “April 30, 2004”; and

11 (3) in subparagraph (B)(vi)—

12 (A) by striking “\$6,100,000” and inserting
13 “\$8,350,440”; and

14 (B) by striking “February 29, 2004” and
15 inserting “April 30, 2004”.

16 (g) RESEARCH AUTHORIZATIONS.—Section
17 5338(d)(2) of title 49, United States Code, is amended—

18 (1) in the heading by striking “FEBRUARY 29,
19 2004” and inserting “APRIL 30, 2004”;

20 (2) in subparagraph (A)(vi)—

21 (A) by striking “\$16,536,667” and insert-
22 ing “\$24,471,428”; and

23 (B) by striking “February 29, 2004” and
24 inserting “April 30, 2004”;

25 (3) in subparagraph (B)(vi)—

1 (A) by striking “\$4,095,000” and inserting
2 “\$6,262,830”; and

3 (B) by striking “February 29, 2004” and
4 inserting “April 30, 2004”; and

5 (4) in subparagraph (C) by striking “February
6 29, 2004” and inserting “April 30, 2004”.

7 (h) RESEARCH FUNDS.—Section 8(h) of the Surface
8 Transportation Extension Act of 2003 is amended to read
9 as follows:

10 “(h) ALLOCATION OF RESEARCH FUNDS FOR OCTO-
11 BER 1, 2003, THROUGH APRIL 30, 2004.—Of the funds
12 made available by or appropriated under section
13 5338(d)(2) of title 49, United States Code, for the period
14 of October 1, 2003, through April 30, 2004—

15 “(1) not less than \$3,044,431 shall be available
16 for providing rural transportation assistance under
17 section 5311(b)(2) of such title;

18 “(2) not less than \$4,784,106 shall be available
19 for carrying out transit cooperative research pro-
20 grams under section 5313(a) of such title;

21 “(3) not less than \$4,784,106 shall be available
22 to carry out programs under the National Transit
23 Institute under section 5315 of such title, including
24 not more than \$579,892 to carry out section
25 5315(a)(16) of such title; and

1 “(4) any amounts not made available under
2 paragraphs (1) through (3) shall be available for
3 carrying out national planning and research pro-
4 grams under sections 5311(b)(2), 5312, 5313(a),
5 5314, and 5322 of such title.”.

6 (i) UNIVERSITY TRANSPORTATION RESEARCH AU-
7 THORIZATIONS.—Section 5338(e)(2) of title 49, United
8 States Code, is amended—

9 (1) in the heading by striking “FEBRUARY 29,
10 2004” and inserting “APRIL 30, 2004”;

11 (2) in subparagraph (A)—

12 (A) by striking “\$2,020,833” and inserting
13 “\$2,783,480”; and

14 (B) by striking “February 29, 2004” and
15 inserting “April 30, 2004”;

16 (3) in subparagraph (B)—

17 (A) by striking “\$505,833” and inserting
18 “\$695,870”; and

19 (B) by striking “February 29, 2004” and
20 inserting “April 30, 2004”; and

21 (4) in subparagraph (C) by striking “February
22 29, 2004” each place it appears and inserting “April
23 30, 2004”.

24 (j) UNIVERSITY TRANSPORTATION RESEARCH
25 FUNDS.—

1 (1) IN GENERAL.—Section 8(j) of the Surface
2 Transportation Extension Act of 2003 is amended to
3 read as follows:

4 “(j) ALLOCATION OF UNIVERSITY TRANSPORTATION
5 RESEARCH FUNDS.—

6 “(1) IN GENERAL.—Of the amounts made
7 available under section 5338(e)(2)(A) of title 49,
8 United States Code, for the period October 1, 2003,
9 through April 30, 2004—

10 “(A) \$994,100 shall be available for the
11 center identified in section 5505(j)(4)(A) of
12 such title; and

13 “(B) \$994,100 shall be available for the
14 center identified in section 5505(j)(4)(F) of
15 such title.

16 “(2) TRAINING AND CURRICULUM DEVELOP-
17 MENT.—Notwithstanding section 5338(e)(2) of title
18 49, United States Code, any amounts made available
19 under such section for the period October 1, 2003,
20 through April 30, 2004, that remain after distribu-
21 tion under paragraph (1), shall be available for the
22 purposes specified in section 3015(d) of the Trans-
23 portation Equity Act for the 21st Century (112
24 Stat. 857).”.

1 (2) CONFORMING AMENDMENT.—Section
2 3015(d)(2) of the Transportation Equity Act for the
3 21st Century (112 Stat. 857) is amended by striking
4 “February 29, 2004” and inserting “April 30,
5 2004”.

6 (k) ADMINISTRATION AUTHORIZATIONS.—Section
7 5338(f)(2) of title 49, United States Code, is amended—

8 (1) in the heading by striking “FEBRUARY 29,
9 2004” and inserting “APRIL 30, 2004”;

10 (2) in subparagraph (A)(vi)—

11 (A) by striking “\$24,585,834” and insert-
12 ing “\$35,025,457”; and

13 (B) by striking “February 29, 2004” and
14 inserting “April 30, 2004”; and

15 (3) in subparagraph (B)(vi)—

16 (A) by striking “\$6,150,833” and inserting
17 “\$8,756,364”; and

18 (B) by striking “February 29, 2004” and
19 inserting “April 30, 2004”.

20 (l) JOB ACCESS AND REVERSE COMMUTE PRO-
21 GRAM.—Section 3037(l) of the Federal Transit Act of
22 1998 (49 U.S.C. 5309 note) is amended—

23 (1) in paragraph (1)(A)(vi)—

24 (A) by striking “\$50,519,167” and insert-
25 ing “\$57,989,167”; and

1 (B) by striking “February 29, 2004” and
2 inserting “April 30, 2004”;

3 (2) in paragraph (1)(B)(vi)—

4 (A) by striking “\$12,638,833” and insert-
5 ing “\$14,497,292”; and

6 (B) by striking “February 29, 2004” and
7 inserting “April 30, 2004”;

8 (3) in paragraph (2) by striking “February 29,
9 2004, \$4,166,667” and inserting “April 30, 2004,
10 \$5,798,917”; and

11 (4) by adding at the end the following:

12 “(4) TRANSFER IN FISCAL YEAR 2004.—Of the
13 funds made available or appropriated under para-
14 graph (1) for fiscal year 2004, prior to the allocation
15 under paragraph (3), \$11,597,833 shall be adminis-
16 tered under the provisions of section 5309 of title
17 49, United States Code.”.

18 (m) RURAL TRANSPORTATION ACCESSIBILITY IN-
19 CENTIVE PROGRAM.—Section 3038(g) of the Federal
20 Transit Act of 1998 (49 U.S.C. 5310 note) is amended—

21 (1) in paragraph (1)(F)—

22 (A) by striking “\$2,187,500” and inserting
23 “\$3,044,431”; and

24 (B) by striking “February 29, 2004” and
25 inserting “April 30, 2004”; and

1 (2) in paragraph (2)—

2 (A) by striking “\$708,333” and inserting
3 “\$985,816”; and

4 (B) by striking “February 29, 2004” and
5 inserting “April 30, 2004”.

6 (n) URBANIZED AREA FORMULA GRANTS.—Section
7 5307(b)(2) of title 49, United States Code, is amended—

8 (1) in the heading by striking “FEBRUARY 29,
9 2004” and inserting “APRIL 30, 2004”; and

10 (2) in subparagraph (A) by striking “February
11 29, 2004” and inserting “April 30, 2004”;

12 (o) OBLIGATION CEILING.—Section 3040(6) of the
13 Federal Transit Act of 1998 (112 Stat. 394) is amend-
14 ed—

15 (1) by striking “\$3,042,501,691” and inserting
16 “\$4,238,428,192”; and

17 (2) by striking “February 29, 2004” and in-
18 serting “April 30, 2004”.

19 (p) FUEL CELL BUS AND BUS FACILITIES PRO-
20 GRAM.—Section 3015(b) of the Federal Transit Act of
21 1998 (112 Stat. 361) is amended—

22 (1) by striking “February 29, 2004” and in-
23 serting “April 30, 2004”; and

24 (2) by striking “\$2,020,833” and inserting
25 “\$2,812,475”.

1 (q) ADVANCED TECHNOLOGY PILOT PROJECT.—Sec-
2 tion 3015(c)(2) of the Federal Transit Act of 1998 (49
3 U.S.C. 322 note) is amended—

4 (1) by striking “February 29, 2004,” and in-
5 serting “April 30, 2004”; and

6 (2) by striking “\$2,083,333” and inserting
7 “\$2,812,475”.

8 (r) PROJECTS FOR NEW FIXED GUIDEWAY SYSTEMS
9 AND EXTENSIONS TO EXISTING SYSTEMS.—Section 3030
10 of the Transportation Equity Act for the 21st Century
11 (112 Stat. 373) is amended by striking “February 29,
12 2004” each place it appears and inserting “April 30,
13 2004”.

14 (s) NEW JERSEY URBAN CORE PROJECT.—Section
15 3031(a)(3) of the Intermodal Surface Transportation Ef-
16 ficiency Act of 1991 (105 Stat. 2122; 112 Stat. 379) is
17 amended by striking “February 29, 2004” each place it
18 appears and inserting “April 30, 2004”.

19 (t) TREATMENT OF FUNDS.—Section 8(t) of the Sur-
20 face Transportation Extension Act of 2003 (23 U.S.C.
21 101 note) is amended—

22 (1) by striking “Amounts” and inserting the
23 following:

24 “(1) IN GENERAL.—Amounts”;

1 (2) by inserting “and by section 9 of the Sur-
 2 face Transportation Extension Act of 2004” after
 3 “this section”; and

4 (3) by adding at the end the following:

5 “(2) TRANSFERS.—Funds authorized by or
 6 made available under this section shall be trans-
 7 ferred in accordance with the Consolidated Appro-
 8 priations Act, 2004, except that only $\frac{7}{12}$ of the total
 9 amount to be transferred shall be available.”.

10 (u) LOCAL SHARE.—Section 3011(a) of the Federal
 11 Transit Act of 1998 (49 U.S.C. 5307 note) is amended
 12 by inserting “and for the period of October 1, 2003
 13 through April 30, 2004,” after “2003,”.

14 **SEC. 10. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINIS-**
 15 **TRATION PROGRAMS.**

16 (a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Sec-
 17 tion 2009(a)(1) of the Transportation Equity Act for the
 18 21st Century (112 Stat. 337; 117 Stat. 1119) is amended
 19 by striking “, and \$68,750,000 for the period of October
 20 1, 2003, through February 29, 2004” and inserting “, and
 21 \$96,250,000 for the period of October 1, 2003, through
 22 April 30, 2004”.

23 (b) HIGHWAY SAFETY RESEARCH AND DEVELOP-
 24 MENT.—Section 2009(a)(2) of such Act (112 Stat. 337;
 25 117 Stat. 1119) is amended by striking “\$30,000,000 for

1 the period of October 1, 2003, through February 29,
2 2004” and inserting “\$42,000,000 for the period of Octo-
3 ber 1, 2003, through April 30, 2004”.

4 (c) OCCUPANT PROTECTION INCENTIVE GRANTS.—
5 Section 2009(a)(3) of such Act (112 Stat. 337; 117 Stat.
6 1120) is amended by striking “\$8,333,333 for the period
7 of October 1, 2003, through February 29, 2004” and in-
8 serting “\$11,666,700 for the period of October 1, 2003,
9 through April 30, 2004”.

10 (d) ALCOHOL-IMPAIRED DRIVING COUNTER-
11 MEASURES INCENTIVE GRANTS.—Section 2009(a)(4) of
12 such Act (112 Stat. 337; 117 Stat. 1120) is amended by
13 striking “\$16,666,667 for the period of October 1, 2003,
14 through February 29, 2004” and inserting “\$23,333,300
15 for the period of October 1, 2003, through April 30,
16 2004”.

17 (e) NATIONAL DRIVER REGISTER.—Section
18 2009(a)(6) of such Act (112 Stat. 338; 117 Stat. 1120)
19 is amended by striking “\$833,333 for the period of Octo-
20 ber 1, 2003, through February 29, 2004” and inserting
21 “\$2,100,000 for the period of October 1, 2003, through
22 April 30, 2004”.

1 **SEC. 11. FEDERAL MOTOR CARRIER SAFETY ADMINISTRA-**
2 **TION PROGRAM.**

3 (a) ADMINISTRATIVE EXPENSES.—Section 7(a)(1) of
4 the Surface Transportation Extension Act of 2003 (117
5 Stat. 1120) is amended by striking “\$71,487,500 for the
6 period of October 1, 2003, through February 29, 2004”
7 and inserting “\$102,467,000 for the period October 1,
8 2003 through April 30, 2004”.

9 (b) MOTOR CARRIER SAFETY ASSISTANCE PRO-
10 GRAM.—Section 31104(a)(7) of title 49, United States
11 Code, is amended to read as follows:

12 “(7) Not more than \$98,352,000 for the period
13 of October 1, 2003, through April 30, 2004.”.

14 (c) INFORMATION SYSTEMS AND COMMERCIAL DRIV-
15 ER’S LICENSE GRANTS.—

16 (1) AUTHORIZATION OF APPROPRIATION.—Sec-
17 tion 31107(a)(5) of such title is amended to read as
18 follows:

19 “(5) \$11,639,000 for the period of October 1,
20 2003, through April 30, 2004.”.

21 (2) EMERGENCY CDL GRANTS.—Section 7(c) of
22 the Surface Transportation Extension Act of 2003
23 (117 Stat. 1121) is amended—

24 (A) by striking “February 29,” and insert-
25 ing “April 30,”; and

1 (B) by striking “\$416,667” and inserting
2 “\$582,000”.

3 (d) CRASH CAUSATION STUDY.—Section 7(d) of such
4 Act is amended—

5 (1) by striking “\$416,667” and inserting
6 “\$582,000”; and

7 (2) by striking “February 29” and inserting
8 “April 30”.

9 (e) TECHNICAL AMENDMENTS.—

10 (1) IN GENERAL.—Title I of the Transpor-
11 tation, Treasury, and Independent Agencies Appro-
12 priations Act, 2004 (division F of Public Law 108–
13 199) is amended—

14 (A) by striking “Fund and to” in the mat-
15 ter appearing under the heading “FEDERAL
16 MOTOR CARRIER SAFETY ADMINISTRATION,
17 MOTOR CARRIER SAFETY, LIMITATION ON AD-
18 MINISTRATIVE EXPENSES” and inserting
19 “Fund, together with advances and reimburse-
20 ments received by the Federal Motor Carrier
21 Safety Administration, the sum of which shall”;
22 and

23 (B) by inserting before the period at the
24 end of the matter appearing under the heading
25 “FEDERAL MOTOR CARRIER SAFETY ADMINIS-

1 TRATION, NATIONAL MOTOR CARRIER SAFETY
 2 PROGRAM” the following: “: *Provided further*,
 3 That for grants made to States for implementa-
 4 tion of section 210 of the Motor Carrier Safety
 5 Improvement Act of 1999 (113 Stat. 1764–
 6 1765), the Federal share payable under such
 7 grants shall be 100 percent”.

8 (2) EFFECTIVE DATE.—The amendments made
 9 by paragraph (1) shall take effect on January 24,
 10 2004.

11 **SEC. 12. EXTENSION OF AUTHORIZATION FOR USE OF**
 12 **TRUST FUNDS FOR OBLIGATIONS UNDER**
 13 **TEA-21.**

14 (a) HIGHWAY TRUST FUND.—

15 (1) IN GENERAL.—Paragraph (1) of section
 16 9503(c) of the Internal Revenue Code of 1986 is
 17 amended—

18 (A) in the matter before subparagraph (A),
 19 by striking “March 1, 2004” and inserting
 20 “May 1, 2004”,

21 (B) by striking “or” at the end of subpara-
 22 graph (E),

23 (C) by striking the period at the end of
 24 subparagraph (F) and inserting “, or”,

1 (D) by inserting after subparagraph (F),
 2 the following new subparagraph:

3 “(G) authorized to be paid out of the
 4 Highway Trust Fund under the Surface Trans-
 5 portation Extension Act of 2004.”, and

6 (E) in the matter after subparagraph (G),
 7 as added by this paragraph, by striking “Sur-
 8 face Transportation Extension Act of 2003”
 9 and inserting “Surface Transportation Exten-
 10 sion Act of 2004”.

11 (2) MASS TRANSIT ACCOUNT.—Paragraph (3)
 12 of section 9503(e) of such Code is amended—

13 (A) in the matter before subparagraph (A),
 14 by striking “March 1, 2004” and inserting
 15 “May 1, 2004”,

16 (B) in subparagraph (C), by striking “or”
 17 at the end of such subparagraph,

18 (C) in subparagraph (D), by inserting “or”
 19 at the end of such subparagraph,

20 (D) by inserting after subparagraph (D)
 21 the following new subparagraph:

22 “(E) the Surface Transportation Extension
 23 Act of 2004,”, and

24 (E) in the matter after subparagraph (E),
 25 as added by this paragraph, by striking “Sur-

1 face Transportation Extension Act of 2003”
 2 and inserting “Surface Transportation Exten-
 3 sion Act of 2004”.

4 (3) EXCEPTION TO LIMITATION ON TRANS-
 5 FERS.—Subparagraph (B) of section 9503(b)(5) of
 6 such Code is amended by striking “March 1, 2004”
 7 and inserting “May 1, 2004”.

8 (b) AQUATIC RESOURCES TRUST FUND.—

9 (1) SPORT FISH RESTORATION ACCOUNT.—
 10 Paragraph (2) of section 9504(b) of the Internal
 11 Revenue Code of 1986 is amended by striking “Sur-
 12 face Transportation Extension Act of 2003” each
 13 place it appears and inserting “Surface Transpor-
 14 tation Extension Act of 2004”.

15 (2) BOAT SAFETY ACCOUNT.—Subsection (c) of
 16 section 9504 of such Code is amended—

17 (A) by striking “March 1, 2004” and in-
 18 serting “May 1, 2004”, and

19 (B) by striking “Surface Transportation
 20 Extension Act of 2003” and inserting “Surface
 21 Transportation Extension Act of 2004”.

22 (3) EXCEPTION TO LIMITATION ON TRANS-
 23 FERS.—Paragraph (2) of section 9504(d) of such
 24 Code is amended by striking “March 1, 2004” and
 25 inserting “May 1, 2004”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on the date of the enactment
3 of this Act.

4 (d) TEMPORARY RULE REGARDING ADJUST-
5 MENTS.—During the period beginning on the date of the
6 enactment of the Surface Transportation Extension Act
7 of 2003 and ending on April 30, 2004, for purposes of
8 making any estimate under section 9503(d) of the Internal
9 Revenue Code of 1986 of receipts of the Highway Trust
10 Fund, the Secretary of the Treasury shall treat—

11 (1) each expiring provision of paragraphs (1)
12 through (4) of section 9503(b) of such Code which
13 is related to appropriations or transfers to such
14 Fund to have been extended through the end of the
15 24-month period referred to in section
16 9503(d)(1)(B) of such Code, and

17 (2) with respect to each tax imposed under the
18 sections referred to in section 9503(b)(1) of such
19 Code, the rate of such tax during the 24-month pe-
20 riod referred to in section 9503(d)(1)(B) of such
21 Code to be the same as the rate of such tax as in
22 effect on the date of the enactment of the Surface
23 Transportation Extension Act of 2003.

○