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2D SESSION

H. R. 3850

IN THE SENATE OF THE UNITED STATES

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Received

AN ACT

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”.

6 **SEC. 2. ADVANCES.**

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

12 (b) PROGRAMMATIC DISTRIBUTIONS.—

13 (1) ADMINISTRATION OF FUNDS.—Section
 14 2(b)(3) of such Act (117 Stat. 1110) is amended by
 15 striking “the amendment made under subsection
 16 (d)” and inserting “section 1101(c) of the Transpor-
 17 tation Equity Act for the 21st Century”.

18 (2) SPECIAL RULES FOR MINIMUM GUAR-
 19 ANTEE.—Section 2(b)(4) of such Act is amended by
 20 striking “\$1,166,666,667” and inserting
 21 “\$1,633,333,333”.

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

1 (c) AUTHORIZATION OF CONTRACT AUTHORITY.—

2 Section 1101(c)(1) of the Transportation Equity Act for
3 the 21st Century (117 Stat. 1111) is amended by striking
4 “\$13,483,458,333 for the period of October 1, 2003,
5 through February 29, 2004” and inserting
6 “\$18,876,841,666 for the period of October 1, 2003,
7 through April 30, 2004”.

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

11 “(e) LIMITATION ON OBLIGATIONS.—

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

1 110(a)(5), and 110(g) of such Act shall equal the
2 greater of—

3 “(A) the funding authorized for such pro-
4 gram, project, or activity in this Act and the
5 Surface Transportation Extension Act of 2004
6 (including any amendments made by this Act
7 and such Act); or

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

13 “(2) LIMITATION ON TOTAL AMOUNT OF AU-
14 THORITY DISTRIBUTED.—The total amount of obli-
15 gation limitation distributed under paragraph (1) for
16 the period of October 1, 2003, through April 30,
17 2004, shall not exceed \$19,741,750,000; except that
18 this limitation shall not apply to \$372,750,000 in
19 obligations for minimum guarantee for such period.

20 “(3) TIME PERIOD FOR OBLIGATIONS OF
21 FUNDS.—After April 30, 2004, no funds shall be ob-
22 ligated for any Federal-aid highway program project
23 until the date of enactment of a law reauthorizing
24 the Federal-aid highway program.

1 “(4) TREATMENT OF OBLIGATIONS.—Any obli-
 2 gation of obligation authority distributed under this
 3 subsection shall be considered to be an obligation for
 4 Federal-aid highways and highway safety construc-
 5 tion programs for fiscal year 2004 for the purposes
 6 of the matter under the heading ‘FEDERAL-AID
 7 HIGHWAYS’ in the Transportation, Treasury, and
 8 Independent Agencies Appropriations Act, 2004.”.

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

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

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

17 “(1) from amounts apportioned to the State for
 18 the congestion mitigation and air quality improve-
 19 ment program; and

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

1 **SEC. 4. ADMINISTRATIVE EXPENSES.**

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

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

6 (a) AUTHORIZATION OF APPROPRIATIONS UNDER
7 TITLE I OF TEA-21.—

8 (1) FEDERAL LANDS HIGHWAYS.—

9 (A) INDIAN RESERVATION ROADS.—Sec-
10 tion 1101(a)(8)(A) of the Transportation Eq-
11 uity Act for the 21st Century (112 Stat. 112;
12 117 Stat. 1113) is amended—

13 (i) in the first sentence by striking
14 “\$114,583,333 for the period of October 1,
15 2003, through February 29, 2004” and in-
16 serting “\$160,416,667 for the period of
17 October 1, 2003, through April 30, 2004”;
18 and

19 (ii) in the second sentence by striking
20 “\$5,416,667” and inserting “\$7,583,333”.

21 (B) PUBLIC LANDS HIGHWAYS.—Section
22 1101(a)(8)(B) of such Act (112 Stat. 112; 117
23 Stat. 1113) is amended by striking
24 “\$102,500,000 for the period of October 1,
25 2003, through February 29, 2004” and insert-

1 ing “\$143,500,000 for the period of October 1,
2 2003, through April 30, 2004”.

3 (C) PARK ROADS AND PARKWAYS.—Sec-
4 tion 1101(a)(8)(C) of such Act (112 Stat. 112;
5 117 Stat. 1113) is amended by striking
6 “\$68,750,000 for the period of October 1,
7 2003, through February 29, 2004” and insert-
8 ing “\$96,250,000 for the period of October 1,
9 2003, through April 30, 2004” .

10 (D) REFUGE ROADS.—Section
11 1101(a)(8)(D) of such Act (112 Stat. 112; 117
12 Stat. 1113) is amended by striking
13 “\$8,333,333 for the period of October 1, 2003,
14 through February 29, 2004” and inserting
15 “\$11,666,667 for the period of October 1,
16 2003, through April 30, 2004”.

17 (2) NATIONAL CORRIDOR PLANNING AND DE-
18 VELOPMENT AND COORDINATED BORDER INFRA-
19 STRUCTURE PROGRAMS.—Section 1101(a)(9) of such
20 Act (112 Stat. 112; 117 Stat. 1114) is amended by
21 striking “\$58,333,333 for the period of October 1,
22 2003, through February 29, 2004” and inserting
23 “\$81,666,667 for the period of October 1, 2003,
24 through April 30, 2004”.

1 (3) CONSTRUCTION OF FERRY BOATS AND
2 FERRY TERMINAL FACILITIES.—

3 (A) IN GENERAL.—Section 1101(a)(10) of
4 such Act (112 Stat. 113; 117 Stat. 1114) is
5 amended by striking “\$15,833,333 for the pe-
6 riod of October 1, 2003, through February 29,
7 2004” and inserting “\$22,166,667 for the pe-
8 riod of October 1, 2003, through April 30,
9 2004”.

10 (B) SET ASIDE FOR ALASKA, NEW JERSEY,
11 AND WASHINGTON.—Section 5(a)(3)(B) of the
12 Surface Transportation Extension Act of 2003
13 (117 Stat. 1114) is amended—

14 (i) in clause (i) by striking
15 “\$4,166,667” and inserting “\$5,833,333”;

16 (ii) in clause (ii) by striking
17 “\$2,083,333” and inserting “\$2,916,667”;

18 and

19 (iii) in clause (iii) by striking
20 “\$2,083,333” and inserting “\$2,916,667”.

21 (4) NATIONAL SCENIC BYWAYS PROGRAM.—
22 Section 1101(a)(11) of the Transportation Equity
23 Act for the 21st Century (112 Stat. 113; 117 Stat.
24 1114) is amended by striking “\$11,458,333 for the
25 period of October 1, 2003, through February 29,

1 2004” and inserting “\$16,041,666 for the period of
2 October 1, 2003, through April 30, 2004” .

3 (5) VALUE PRICING PILOT PROGRAM.—Section
4 1101(a)(12) of such Act (112 Stat. 113; 117 Stat.
5 1114) is amended by striking “\$4,583,333 for the
6 period of October 1, 2003, through February 29,
7 2004” and inserting “\$6,416,667 for the period of
8 October 1, 2003, through April 30, 2004”.

9 (6) HIGHWAY USE TAX EVASION PROJECTS.—
10 Section 1101(a)(14) of such Act (112 Stat. 113;
11 117 Stat. 1114) is amended by striking “\$2,083,333
12 for the period of October 1, 2003, through February
13 29, 2004” and inserting “\$2,916,667 for the period
14 of October 1, 2003, through April 30, 2004”.

15 (7) COMMONWEALTH OF PUERTO RICO HIGH-
16 WAY PROGRAM.—Section 1101(a)(15) of such Act
17 (112 Stat. 113; 117 Stat. 1114) is amended by
18 striking “\$45,833,333 for the period of October 1,
19 2003, through February 29, 2004” and inserting
20 “\$64,166,667 for the period of October 1, 2003,
21 through April 30, 2004”.

22 (8) SAFETY GRANTS.—Section 1212(i)(1)(D) of
23 such Act (23 U.S.C. 402 note; 112 Stat. 196; 112
24 Stat. 840; 117 Stat. 1114) is amended by striking
25 “\$208,333 for the period of October 1, 2003,

1 through February 29, 2004” and inserting
2 “\$291,667 for the period of October 1, 2003,
3 through April 30, 2004”.

4 (9) TRANSPORTATION AND COMMUNITY AND
5 SYSTEM PRESERVATION PILOT PROGRAM.—Section
6 1221(e)(1) of such Act (23 U.S.C. 101 note; 112
7 Stat. 223; 117 Stat. 1114) is amended by striking
8 “\$10,416,667 for the period of October 1, 2003,
9 through February 29, 2004” and inserting
10 “\$14,583,333 for the period of October 1, 2003,
11 through April 30, 2004”.

12 (10) TRANSPORTATION INFRASTRUCTURE FI-
13 NANCE AND INNOVATION.—Section 188 of title 23,
14 United States Code, is amended—

15 (A) by striking subsection (a)(1)(F) and
16 inserting the following:

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

19 (B) in subsection (a)(2) by striking
20 “\$833,333 for the period of October 1, 2003,
21 through February 29, 2004” and inserting
22 “\$1,166,667 for the period of October 1, 2003,
23 through April 30, 2004”; and

24 (C) in the item relating to fiscal year 2004
25 in table contained in subsection (c) by striking

1 “\$1,083,333,333” and inserting
2 “\$1,516,666,667”.

3 (b) AUTHORIZATION OF APPROPRIATIONS UNDER
4 TITLE V OF TEA-21.—

5 (1) SURFACE TRANSPORTATION RESEARCH.—

6 Section 5001(a)(1) of the Transportation Equity Act
7 for the 21st Century (112 Stat. 419; 117 Stat.
8 1115) is amended by striking “\$43,750,000 for the
9 period of October 1, 2003, through February 29,
10 2004” and inserting “\$61,250,000 for the period of
11 October 1, 2003, through April 30, 2004”.

12 (2) TECHNOLOGY DEPLOYMENT PROGRAM.—

13 Section 5001(a)(2) of such Act (112 Stat. 419; 117
14 Stat. 1115) is amended by striking “\$22,916,667
15 for the period of October 1, 2003, through February
16 29, 2004” and inserting “\$32,083,334 for the pe-
17 riod of October 1, 2003, through April 30, 2004”.

18 (3) TRAINING AND EDUCATION.—Section

19 5001(a)(3) of such Act (112 Stat. 420; 117 Stat.
20 1115) is amended by striking “\$8,750,000 for the
21 period of October 1, 2003, through February 29,
22 2004” and inserting “\$12,250,000 for the period of
23 October 1, 2003, through April 30, 2004”.

24 (4) BUREAU OF TRANSPORTATION STATIS-

25 TICS.—Section 5001(a)(4) of such Act (112 Stat.

1 420; 117 Stat. 1115) is amended by striking
2 “\$12,916,667 for the period of October 1, 2003,
3 through February 29, 2004” and inserting
4 “\$18,083,333 for the period of October 1, 2003,
5 through April 30, 2004”.

6 (5) ITS STANDARDS, RESEARCH, OPERATIONAL
7 TESTS, AND DEVELOPMENT.—Section 5001(a)(5) of
8 such Act (112 Stat. 420; 117 Stat. 1115) is amend-
9 ed by striking “\$47,916,667 for the period of Octo-
10 ber 1, 2003, through February 29, 2004” and in-
11 serting “\$67,083,334 for the period of October 1,
12 2003, through April 30, 2004”.

13 (6) ITS DEPLOYMENT.—Section 5001(a)(6) of
14 such Act (112 Stat. 420; 117 Stat. 1116) is amend-
15 ed by striking “\$51,666,667 for the period of Octo-
16 ber 1, 2003, through February 29, 2004” and in-
17 serting “\$72,333,334 for the period of October 1,
18 2003, through April 30, 2004”.

19 (7) UNIVERSITY TRANSPORTATION RE-
20 SEARCH.—Section 5001(a)(7) of such Act (112 Stat.
21 420; 117 Stat. 1116) is amended by striking
22 “\$11,250,000 for the period of October 1, 2003,
23 through February 29, 2004” and inserting
24 “\$15,750,000 for the period of October 1, 2003,
25 through April 30, 2004”.

1 (c) METROPOLITAN PLANNING.—Section 5(c)(1) of
2 the Surface Transportation Extension Act of 2003 (117
3 Stat. 1116) is amended by striking “\$100,000,000 for the
4 period of October 1, 2003, through February 29, 2004”
5 and inserting “\$140,000,000 for the period of October 1,
6 2003, through April 30, 2004”.

7 (d) TERRITORIES.—Section 1101(d)(1) of the Trans-
8 portation Equity Act for the 21st Century (117 Stat.
9 1116) is amended by striking “\$15,166,667 for the period
10 of October 1, 2003, through February 29, 2004” and in-
11 serting “\$21,233,333 for the period of October 1, 2003,
12 through April 30, 2004”.

13 (e) ALASKA HIGHWAY.—Section 1101(e)(1) of such
14 Act (117 Stat. 1116) is amended by striking “\$7,833,333
15 for the period of October 1, 2003, through February 29,
16 2004” and inserting “\$10,966,666 for the period of Octo-
17 ber 1, 2003, through April 30, 2004”.

18 (f) OPERATION LIFESAVER.—Section 1101(f)(1) of
19 such Act (117 Stat. 1117) is amended by striking
20 “\$208,333 for the period of October 1, 2003, through
21 February 29, 2004” and inserting “\$291,667 for the pe-
22 riod of October 1, 2003, through April 30, 2004”.

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

1 (1) by striking “\$41,666,667” and inserting
2 “\$58,333,333”; and

3 (2) by striking “February 29” and inserting
4 “April 30”.

5 (h) INTERSTATE MAINTENANCE.—Section
6 1101(h)(1) of such Act (117 Stat. 1117) is amended—

7 (1) by striking “\$41,666,667” and inserting
8 “\$58,333,333”; and

9 (2) by striking “February 29” and inserting
10 “April 30”.

11 (i) RECREATIONAL TRAILS ADMINISTRATIVE
12 COSTS.—Section 1101(i)(1) of such Act (117 Stat. 1117)
13 is amended by striking “\$312,500 for the period of Octo-
14 ber 1, 2003, through February 29, 2004” and inserting
15 “\$437,500 for the period of October 1, 2003, through
16 April 30, 2004”.

17 (j) RAILWAY-HIGHWAY CROSSING HAZARD ELIMI-
18 NATION IN HIGH SPEED RAIL CORRIDORS.—Section
19 1101(j)(1) of such Act (117 Stat. 1118) is amended—

20 (1) by striking “\$2,187,500” and inserting
21 “\$3,062,500”;

22 (2) by striking “\$104,167” and inserting
23 “\$145,833”; and

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

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

3 (1) in paragraph (1) 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”; and

7 (2) in paragraph (2) by striking “\$4,166,667
8 for the period of October 1, 2003, through February
9 29, 2004” and inserting “\$5,833,333 for the period
10 of October 1, 2003, through April 30, 2004”.

11 (l) ADMINISTRATION OF FUNDS.—Section 5(l) of the
12 Surface Transportation Extension Act of 2003 (117 Stat.
13 1118) is amended—

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

17 (2) by inserting “or the amendment made by
18 section 4(a)(1) of such Act” before the period at the
19 end.

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

22 (1) by inserting “and section 5 of the Surface
23 Transportation Extension Act of 2004” after “but
24 for this section”;

25 (2) by striking “both”;

1 (3) by striking “and by this section” and insert-
2 ing “, by this section, and by section 5 of such Act”;
3 and

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

6 (n) PROGRAM CATEGORY RECONCILIATION.—Section
7 5(n) of such Act (117 Stat. 1119) is amended by inserting
8 “and section 5 of the Surface Transportation Extension
9 Act of 2004” after “this section”.

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

11 (a) SEAT BELT SAFETY INCENTIVE GRANTS.—Sec-
12 tion 157(g)(1) of title 23, United States Code, is amended
13 by striking “\$46,666,667 for the period of October 1,
14 2003, through February 29, 2004” and inserting
15 “\$65,333,333 for the period of October 1, 2003, through
16 April 30, 2004”.

17 (b) PREVENTION OF INTOXICATED DRIVER INCEN-
18 TIVE GRANTS.—Section 163(e)(1) of such title is amended
19 by striking “\$50,000,000 for the period of October 1,
20 2003, through February 29, 2004” and inserting
21 “\$70,000,000 for the period of October 1, 2003, through
22 April 30, 2004”.

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

24 (a) FUNDING FOR NATIONAL OUTREACH AND COM-
25 MUNICATIONS PROGRAM.—Section 4(c)(6) of the Dingell-

1 Johnson Sport Fish Restoration Act (16 U.S.C.
2 777c(c)(6)) is amended to read as follows:

3 “(6) \$5,833,333 for the period of October 1,
4 2003, through April 30, 2004;”.

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

8 “(4) FIRST 7 MONTHS OF FISCAL YEAR
9 2004.—For the period of October 1, 2003, through
10 April 30, 2004, of the balance of each annual appro-
11 priation remaining after making the distribution
12 under subsection (a), an amount equal to
13 \$47,833,333, reduced by 82 percent of the amount
14 appropriated for that fiscal year from the Boat Safe-
15 ty Account of the Aquatic Resources Trust Fund es-
16 tablished by section 9504 of the Internal Revenue
17 Code of 1986 to carry out the purposes of section
18 13106(a) of title 46, United States Code, shall be
19 used as follows:

20 “(A) \$5,833,333 shall be available to the
21 Secretary of the Interior for 3 fiscal years for
22 obligation for qualified projects under section
23 5604(c) of the Clean Vessel Act of 1992 (33
24 U.S.C. 1322 note).

1 “(B) \$4,666,667 shall be available to the
 2 Secretary of the Interior for 3 fiscal years for
 3 obligation for qualified projects under section
 4 7404(d) of the Sportfishing and Boating Safety
 5 Act of 1998 (16 U.S.C. 777g–1(d)).

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

12 (c) BOAT SAFETY FUNDS.—Section 13106(c) of title
 13 46, United States Code, is amended—

14 (1) by striking “\$2,083,333” and inserting
 15 “\$2,916,667”; and

16 (2) by striking “\$833,333” and inserting
 17 “\$1,166,667”.

18 **SEC. 8. TECHNICAL AMENDMENTS.**

19 (a) HIGHWAY SAFETY GRANTS.—

20 (1) IN GENERAL.—Title I of the Transpor-
 21 tation, Treasury, and Independent Agencies Appro-
 22 priations Act, 2004 (division F of Public Law 108–
 23 199) is amended by inserting before the period at
 24 the end of the matter under the heading “NATIONAL
 25 HIGHWAY TRAFFIC SAFETY ADMINISTRATION,

1 HIGHWAY TRAFFIC SAFETY GRANTS” the following:
2 “: *Provided further*, That not to exceed \$2,600,000
3 of the funds subject to allocation under section 157
4 of title 23, United States Code, and not to exceed
5 \$2,600,000 of the funds subject to apportionment
6 under section 163 of that title, shall be available to
7 the National Highway Traffic Safety Administration
8 for administering highway safety grants under those
9 sections”.

10 (2) EFFECTIVE DATE.—The amendment made
11 by paragraph (1) shall take effect on January 24,
12 2004.

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

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

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

24 (1) in paragraph (1)—

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

3 (B) in subparagraph (A), by inserting “,
4 except for the period beginning on October 1,
5 2003, and ending on April 30, 2004, during
6 which \$699,642,775 will be available” after
7 “modernization”;

8 (C) in subparagraph (B), by inserting “,
9 except for the period beginning on October 1,
10 2003, and ending on April 30, 2004, during
11 which \$767,657,109 will be available” before
12 the semicolon; and

13 (D) in subparagraph (C), by inserting “,
14 except for the period beginning on October 1,
15 2003 and ending on April 30, 2004, during
16 which \$352,110,220 will be available” after
17 “facilities”;

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

20 “(iii) OCTOBER 1, 2003 THROUGH
21 APRIL 30, 2004.—Of the amounts made
22 available under paragraph (1)(B),
23 \$6,066,667 shall be available for the period
24 beginning on October 1, 2003, and ending

1 on April 30, 2004, for capital projects de-
2 scribed in clause (i).”;

3 (3) in paragraph (3)(B)—

4 (A) by striking “\$1,250,000” and inserting
5 “\$1,750,000”; and

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

8 (4) in paragraph (3)(C)—

9 (A) by striking “\$20,833,334 shall be
10 available” and inserting “\$28,994,583 shall be
11 transferred to and administered under section
12 5309 for buses and bus facilities”; and

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

15 (b) APPORTIONMENT OF APPROPRIATIONS FOR
16 FIXED GUIDEWAY MODERNIZATION.—Section 8(b)(1) of
17 the Surface Transportation Extension Act of 2003 (49
18 U.S.C. 5337 note) is amended by striking “February 29,
19 2004” and inserting “April 30, 2004”.

20 (c) FORMULA GRANTS AUTHORIZATIONS.—Section
21 5338(a) of title 49, United States Code, is amended—

22 (1) in the heading to paragraph (2) by striking
23 “FEBRUARY 29, 2004” and inserting “APRIL 30,
24 2004”;

25 (2) in paragraph (2)(A)(vi)—

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

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

5 (3) in paragraph (2)(B)(vi)—

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

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

10 (4) in paragraph (2)(C) by striking “February
11 29, 2004” and inserting “April 30, 2004”.

12 (d) FORMULA GRANT FUNDS.—Section 8(d) of the
13 Surface Transportation Extension Act of 2003 (117 Stat.
14 1122) is amended to read as follows:

15 “(d) ALLOCATION OF FORMULA GRANT FUNDS FOR
16 OCTOBER 1, 2003, THROUGH APRIL 30, 2004.—Of the
17 aggregate of amounts made available by or appropriated
18 under section 5338(a)(2) of title 49, United States Code,
19 for the period of October 1, 2003, through April 30,
20 2004—

21 “(1) \$ 2,812,446 shall be available to the Alas-
22 ka Railroad for improvements to its passenger oper-
23 ations under section 5307 of such title;

24 “(2) \$28,994,583 shall be available for bus and
25 bus facilities grants under section 5309 of such title;

1 “(3) \$52,568,804 shall be available to provide
2 transportation services to elderly individuals and in-
3 dividuals with disabilities under section 5310 of such
4 title;

5 “(4) \$139,526,367 shall be available to provide
6 financial assistance for other than urbanized areas
7 under section 5311 of such title;

8 “(5) \$4,030,247 shall be available to provide fi-
9 nancial assistance in accordance with section
10 3038(g) of the Transportation Equity Act for the
11 21st Century; and

12 “(6) \$1,998,271,661 shall be available to pro-
13 vide financial assistance for urbanized areas under
14 section 5307 of such title.”.

15 (e) CAPITAL PROGRAM AUTHORIZATIONS.—Section
16 5338(b)(2) of title 49, United States Code, is amended—

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

19 (2) in subparagraph (A)(vi)—

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

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

24 (3) in subparagraph (B)(vi)—

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

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

5 (f) PLANNING AUTHORIZATIONS AND ALLOCA-
6 TIONS.—Section 5338(c)(2) of title 49, United States
7 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 “\$24,636,667” and insert-
12 ing “\$33,981,652”; 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 “\$6,100,000” and inserting
17 “\$8,350,440”; and

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

20 (g) RESEARCH AUTHORIZATIONS.—Section
21 5338(d)(2) of title 49, United States Code, is amended—

22 (1) in the heading by striking “FEBRUARY 29,
23 2004” and inserting “APRIL 30, 2004”;

24 (2) in subparagraph (A)(vi)—

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

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

5 (3) in subparagraph (B)(vi)—

6 (A) by striking “\$4,095,000” and inserting
7 “\$6,262,830”; and

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

10 (4) in subparagraph (C) by striking “February
11 29, 2004” and inserting “April 30, 2004”.

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

15 “(h) ALLOCATION OF RESEARCH FUNDS FOR OCTO-
16 BER 1, 2003, THROUGH APRIL 30, 2004.—Of the funds
17 made available by or appropriated under section
18 5338(d)(2) of title 49, United States Code, for the period
19 of October 1, 2003, through April 30, 2004—

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

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

1 “(3) not less than \$4,784,106 shall be available
 2 to carry out programs under the National Transit
 3 Institute under section 5315 of such title, including
 4 not more than \$579,892 to carry out section
 5 5315(a)(16) of such title; and

6 “(4) any amounts not made available under
 7 paragraphs (1) through (3) shall be available for
 8 carrying out national planning and research pro-
 9 grams under sections 5311(b)(2), 5312, 5313(a),
 10 5314, and 5322 of such title.”.

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

14 (1) in the heading by striking “FEBRUARY 29,
 15 2004” and inserting “APRIL 30, 2004”;

16 (2) in subparagraph (A)—

17 (A) by striking “\$2,020,833” and inserting
 18 “\$2,783,480”; and

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

21 (3) in subparagraph (B)—

22 (A) by striking “\$505,833” and inserting
 23 “\$695,870”; and

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

1 (4) in subparagraph (C) by striking “February
2 29, 2004” each place it appears and inserting “April
3 30, 2004”.

4 (j) UNIVERSITY TRANSPORTATION RESEARCH
5 FUNDS.—

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

9 “(j) ALLOCATION OF UNIVERSITY TRANSPORTATION
10 RESEARCH FUNDS.—

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

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

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

21 “(2) TRAINING AND CURRICULUM DEVELOP-
22 MENT.—Notwithstanding section 5338(e)(2) of title
23 49, United States Code, any amounts made available
24 under such section for the period October 1, 2003,
25 through April 30, 2004, that remain after distribu-

1 tion under paragraph (1), shall be available for the
 2 purposes specified in section 3015(d) of the Trans-
 3 portation Equity Act for the 21st Century (112
 4 Stat. 857).”.

5 (2) CONFORMING AMENDMENT.—Section
 6 3015(d)(2) of the Transportation Equity Act for the
 7 21st Century (112 Stat. 857) is amended by striking
 8 “February 29, 2004” and inserting “April 30,
 9 2004”.

10 (k) ADMINISTRATION AUTHORIZATIONS.—Section
 11 5338(f)(2) of title 49, United States Code, is amended—

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

14 (2) in subparagraph (A)(vi)—

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

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

19 (3) in subparagraph (B)(vi)—

20 (A) by striking “\$6,150,833” and inserting
 21 “\$8,756,364”; and

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

1 (l) JOB ACCESS AND REVERSE COMMUTE PRO-
2 GRAM.—Section 3037(l) of the Federal Transit Act of
3 1998 (49 U.S.C. 5309 note) is amended—

4 (1) in paragraph (1)(A)(vi)—

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

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

9 (2) in paragraph (1)(B)(vi)—

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

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

14 (3) in paragraph (2) by striking “February 29,
15 2004, \$4,166,667” and inserting “April 30, 2004,
16 \$5,798,917”; and

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

18 “(4) TRANSFER IN FISCAL YEAR 2004.—Of the
19 funds made available or appropriated under para-
20 graph (1) for fiscal year 2004, prior to the allocation
21 under paragraph (3), \$11,597,833 shall be adminis-
22 tered under the provisions of section 5309 of title
23 49, United States Code.”.

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

4 (1) in paragraph (1)(F)—

5 (A) by striking “\$2,187,500” and inserting
6 “\$3,044,431”; and

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

9 (2) in paragraph (2)—

10 (A) by striking “\$708,333” and inserting
11 “\$985,816”; and

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

14 (n) URBANIZED AREA FORMULA GRANTS.—Section
15 5307(b)(2) of title 49, United States Code, is amended—

16 (1) in the heading by striking “FEBRUARY 29,
17 2004” and inserting “APRIL 30, 2004”; and

18 (2) in subparagraph (A) by striking “February
19 29, 2004” and inserting “April 30, 2004”;

20 (o) OBLIGATION CEILING.—Section 3040(6) of the
21 Federal Transit Act of 1998 (112 Stat. 394) is amend-
22 ed—

23 (1) by striking “\$3,042,501,691” and inserting
24 “\$4,238,428,192”; and

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

3 (p) FUEL CELL BUS AND BUS FACILITIES PRO-
4 GRAM.—Section 3015(b) of the Federal Transit Act of
5 1998 (112 Stat. 361) is amended—

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

8 (2) by striking “\$2,020,833” and inserting
9 “\$2,812,475”.

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

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

15 (2) by striking “\$2,083,333” and inserting
16 “\$2,812,475”.

17 (r) PROJECTS FOR NEW FIXED GUIDEWAY SYSTEMS
18 AND EXTENSIONS TO EXISTING SYSTEMS.—Section 3030
19 of the Transportation Equity Act for the 21st Century
20 (112 Stat. 373) is amended by striking “February 29,
21 2004” each place it appears and inserting “April 30,
22 2004”.

23 (s) NEW JERSEY URBAN CORE PROJECT.—Section
24 3031(a)(3) of the Intermodal Surface Transportation Ef-
25 ficiency Act of 1991 (105 Stat. 2122; 112 Stat. 379) is

1 amended by striking “February 29, 2004” each place it
 2 appears and inserting “April 30, 2004”.

3 (t) TREATMENT OF FUNDS.—Section 8(t) of the Sur-
 4 face Transportation Extension Act of 2003 (23 U.S.C.
 5 101 note) is amended—

6 (1) by striking “Amounts” and inserting the
 7 following:

8 “(1) IN GENERAL.—Amounts”;

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

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

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

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

22 **SEC. 10. NATIONAL HIGHWAY TRAFFIC SAFETY ADMINIS-**
 23 **TRATION PROGRAMS.**

24 (a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Sec-
 25 tion 2009(a)(1) of the Transportation Equity Act for the

1 21st Century (112 Stat. 337; 117 Stat. 1119) is amended
2 by striking “, and \$68,750,000 for the period of October
3 1, 2003, through February 29, 2004” and inserting “, and
4 \$96,250,000 for the period of October 1, 2003, through
5 April 30, 2004”.

6 (b) HIGHWAY SAFETY RESEARCH AND DEVELOP-
7 MENT.—Section 2009(a)(2) of such Act (112 Stat. 337;
8 117 Stat. 1119) is amended by striking “\$30,000,000 for
9 the period of October 1, 2003, through February 29,
10 2004” and inserting “\$42,000,000 for the period of Octo-
11 ber 1, 2003, through April 30, 2004”.

12 (c) OCCUPANT PROTECTION INCENTIVE GRANTS.—
13 Section 2009(a)(3) of such Act (112 Stat. 337; 117 Stat.
14 1120) is amended by striking “\$8,333,333 for the period
15 of October 1, 2003, through February 29, 2004” and in-
16 serting “\$11,666,700 for the period of October 1, 2003,
17 through April 30, 2004”.

18 (d) ALCOHOL-IMPAIRED DRIVING COUNTER-
19 MEASURES INCENTIVE GRANTS.—Section 2009(a)(4) of
20 such Act (112 Stat. 337; 117 Stat. 1120) is amended by
21 striking “\$16,666,667 for the period of October 1, 2003,
22 through February 29, 2004” and inserting “\$23,333,300
23 for the period of October 1, 2003, through April 30,
24 2004”.

1 (e) NATIONAL DRIVER REGISTER.—Section
 2 2009(a)(6) of such Act (112 Stat. 338; 117 Stat. 1120)
 3 is amended by striking “\$833,333 for the period of Octo-
 4 ber 1, 2003, through February 29, 2004” and inserting
 5 “\$2,100,000 for the period of October 1, 2003, through
 6 April 30, 2004”.

7 **SEC. 11. FEDERAL MOTOR CARRIER SAFETY ADMINISTRA-**
 8 **TION PROGRAM.**

9 (a) ADMINISTRATIVE EXPENSES.—Section 7(a)(1) of
 10 the Surface Transportation Extension Act of 2003 (117
 11 Stat. 1120) is amended by striking “\$71,487,500 for the
 12 period of October 1, 2003, through February 29, 2004”
 13 and inserting “\$102,467,000 for the period October 1,
 14 2003 through April 30, 2004”.

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

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

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

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

1 “(5) \$11,639,000 for the period of October 1,
2 2003, through April 30, 2004.”.

3 (2) EMERGENCY CDL GRANTS.—Section 7(c) of
4 the Surface Transportation Extension Act of 2003
5 (117 Stat. 1121) is amended—

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

8 (B) by striking “\$416,667” and inserting
9 “\$582,000”.

10 (d) CRASH CAUSATION STUDY.—Section 7(d) of such
11 Act is amended—

12 (1) by striking “\$416,667” and inserting
13 “\$582,000”; and

14 (2) by striking “February 29” and inserting
15 “April 30”.

16 (e) TECHNICAL AMENDMENTS.—

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—

21 (A) by striking “Fund and to” in the mat-
22 ter appearing under the heading “FEDERAL
23 MOTOR CARRIER SAFETY ADMINISTRATION,
24 MOTOR CARRIER SAFETY, LIMITATION ON AD-
25 MINISTRATIVE EXPENSES” and inserting

1 “Fund, together with advances and reimburse-
 2 ments received by the Federal Motor Carrier
 3 Safety Administration, the sum of which shall”;
 4 and

5 (B) by inserting before the period at the
 6 end of the matter appearing under the heading
 7 “FEDERAL MOTOR CARRIER SAFETY ADMINIS-
 8 TRATION, NATIONAL MOTOR CARRIER SAFETY
 9 PROGRAM” the following: “: *Provided further,*
 10 That for grants made to States for implementa-
 11 tion of section 210 of the Motor Carrier Safety
 12 Improvement Act of 1999 (113 Stat. 1764–
 13 1765), the Federal share payable under such
 14 grants shall be 100 percent”.

15 (2) EFFECTIVE DATE.—The amendments made
 16 by paragraph (1) shall take effect on January 24,
 17 2004.

18 **SEC. 12. EXTENSION OF AUTHORIZATION FOR USE OF**
 19 **TRUST FUNDS FOR OBLIGATIONS UNDER**
 20 **TEA-21.**

21 (a) HIGHWAY TRUST FUND.—

22 (1) IN GENERAL.—Paragraph (1) of section
 23 9503(c) of the Internal Revenue Code of 1986 is
 24 amended—

1 (A) in the matter before subparagraph (A),
2 by striking “March 1, 2004” and inserting
3 “May 1, 2004”,

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

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

8 (D) by inserting after subparagraph (F),
9 the following new subparagraph:

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

13 (E) in the matter after subparagraph (G),
14 as added by this paragraph, by striking “Sur-
15 face Transportation Extension Act of 2003”
16 and inserting “Surface Transportation Exten-
17 sion Act of 2004”.

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

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

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

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

3 (D) by inserting after subparagraph (D)
4 the following new subparagraph:

5 “(E) the Surface Transportation Extension
6 Act of 2004,” and

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

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

16 (b) AQUATIC RESOURCES TRUST FUND.—

17 (1) SPORT FISH RESTORATION ACCOUNT.—
18 Paragraph (2) of section 9504(b) of the Internal
19 Revenue Code of 1986 is amended by striking “Sur-
20 face Transportation Extension Act of 2003” each
21 place it appears and inserting “Surface Transpor-
22 tation Extension Act of 2004”.

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

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

3 (B) by striking “Surface Transportation
4 Extension Act of 2003” and inserting “Surface
5 Transportation Extension Act of 2004”.

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

10 (c) EFFECTIVE DATE.—The amendments made by
11 this section shall take effect on the date of the enactment
12 of this Act.

13 (d) TEMPORARY RULE REGARDING ADJUST-
14 MENTS.—During the period beginning on the date of the
15 enactment of the Surface Transportation Extension Act
16 of 2003 and ending on April 30, 2004, for purposes of
17 making any estimate under section 9503(d) of the Internal
18 Revenue Code of 1986 of receipts of the Highway Trust
19 Fund, the Secretary of the Treasury shall treat—

20 (1) each expiring provision of paragraphs (1)
21 through (4) of section 9503(b) of such Code which
22 is related to appropriations or transfers to such
23 Fund to have been extended through the end of the
24 24-month period referred to in section
25 9503(d)(1)(B) of such Code, and

Attest: **JEFF TRANDAH**,
Clerk.

HR 3850 RDS