

108TH CONGRESS
1ST SESSION

H. R. 3088

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

SEPTEMBER 16, 2003

Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. PETRI, Mr. LIPINSKI, Mr. BAKER, Mr. RAHALL, Mr. COBLE, Mr. DEFazio, Mr. PLATTS, Mr. COSTELLO, Mr. GRAVES, Ms. NORTON, Mr. QUINN, Mr. NADLER, Mr. BEREUTER, Mr. MENENDEZ, Mr. EHLERS, Ms. CORRINE BROWN of Florida, Mr. MORAN of Kansas, Mr. FILNER, Mr. LOBIONDO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LATOURETTE, Mr. TAYLOR of Mississippi, Mr. GARY G. MILLER of California, Ms. MILLENDER-MCDONALD, Mr. GILCHREST, Mr. CUMMINGS, Mr. MICA, Mr. BLUMENAUER, Mr. BURNS, Mr. PASCRELL, Mr. PORTER, Mr. BOSWELL, Mr. BURGESS, Mr. HOLDEN, Mr. HAYES, Mr. LAMPSON, Mr. CHOCOLA, Mr. BAIRD, Mr. SIMMONS, Ms. BERKLEY, Mr. SHUSTER, Mr. CARSON of Oklahoma, Mr. BROWN of South Carolina, Mr. MATHESON, Mr. DUNCAN, Mr. HONDA, Mr. JOHNSON of Illinois, Mr. LARSEN of Washington, Mr. BOOZMAN, Mr. CAPUANO, Mr. DEMINT, Mr. WEINER, Mr. PEARCE, Ms. CARSON of Indiana, Mrs. KELLY, Mr. HOEFFEL, Mr. ISAKSON, Mr. THOMPSON of California, Mr. BACHUS, Mr. BISHOP of New York, Mr. SULLIVAN, Mr. MICHAUD, Mr. MARIO DIAZ-BALART of Florida, Mr. DAVIS of Tennessee, Mr. NEY, Mr. REHBERG, Mr. BOEHLERT, Mr. BEAUPREZ, Mr. GERLACH, Mrs. CAPITO, Mr. HOEKSTRA, Mr. KENNEDY of Minnesota, Mr. MCCREERY, and Mr. BARTLETT of Maryland) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Resources, the Budget, Ways and Means, 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 2003”.

6 **SEC. 2. ADVANCES.**

7 (a) IN GENERAL.—The Secretary of Transportation
8 shall apportion funds made available under section
9 1101(c) of the Transportation Equity Act for the 21st
10 Century (112 Stat. 116), as amended by this Act, to each
11 State in the ratio that—

12 (1) the State’s total fiscal year 2003 obligation
13 authority for funds apportioned for the Federal-aid
14 highway program, bears to

15 (2) all States’ total fiscal year 2003 obligation
16 authority for funds apportioned for the Federal-aid
17 highway program.

18 (b) PROGRAMMATIC DISTRIBUTIONS.—

19 (1) PROGRAMS.—Of the funds to be appor-
20 tioned to each State under subsection (a), the Sec-

1 retary shall ensure that the State is apportioned an
2 amount of the funds, determined under paragraph
3 (2), for the Interstate maintenance program, the
4 National Highway System program, the bridge pro-
5 gram, the surface transportation program, the con-
6 gestion mitigation and air quality improvement pro-
7 gram, the recreational trails program, the Appa-
8 lachian development highway system program, and
9 the minimum guarantee.

10 (2) IN GENERAL.—The amount that each State
11 shall be apportioned under this subsection for each
12 item referred to in paragraph (1) shall be deter-
13 mined by multiplying—

14 (A) the amount apportioned to the State
15 under subsection (a); by

16 (B) the ratio that—

17 (i) the amount of funds apportioned
18 for the item to the State for fiscal year
19 2003, bears to

20 (ii) the total of the amount of funds
21 apportioned for the items to the State for
22 fiscal year 2003.

23 (3) ADMINISTRATION OF FUNDS.—Funds au-
24 thorized by the amendment made under subsection
25 (d) shall be administered as if the funds had been

1 apporportioned, allocated, deducted, or set aside, as the
2 case may be, under title 23, United States Code; ex-
3 cept that the deductions and set-asides in the fol-
4 lowing sections of such title shall not apply to such
5 funds: sections 104(a)(1)(A), 104(a)(1)(B),
6 104(b)(1)(A), 104(d)(1), 104(d)(2), 104(f)(1),
7 104(h)(1), 118(c)(1), 140(b), 140(c), and 144(g)(1).

8 (4) SPECIAL RULES FOR MINIMUM GUAR-
9 ANTEE.—In carrying out the minimum guarantee
10 under section 105(c) of title 23, United States Code,
11 with funds apporportioned under this section for the
12 minimum guarantee, the \$2,800,000,000 set forth in
13 paragraph (1) of such section 105(c) shall be treated
14 as being \$1,400,000,000 and the aggregate of
15 amounts apporportioned to the States under this sec-
16 tion for the minimum guarantee shall be treated, for
17 purposes of such section 105(c), as amounts made
18 available under section 105 of such title.

19 (5) EXTENSION OF OFF-SYSTEM BRIDGE SET-
20 ASIDE.—Section 144(g)(3) of title 23, United States
21 Code, is amended by inserting after “2003” the fol-
22 lowing: “and in the period of October 1, 2003,
23 through March 31, 2004,”.

24 (c) REPAYMENT FROM FUTURE APPORTION-
25 MENTS.—

1 (1) IN GENERAL.—The Secretary shall reduce
2 the amount that would be apportioned, but for this
3 section, to a State for programs under chapter 1 of
4 title 23, United States Code, for fiscal year 2004,
5 under a law reauthorizing the Federal-aid highway
6 program enacted after the date of enactment of this
7 Act by the amount that is apportioned to each State
8 under subsection (a) and section 5(c) for each such
9 program.

10 (2) PROGRAM CATEGORY RECONCILIATION.—
11 The Secretary may establish procedures under which
12 funds apportioned under subsection (a) for a pro-
13 gram category for which funds are not authorized
14 under a law described in paragraph (1) may be re-
15 stored to the Federal-aid highway program.

16 (d) AUTHORIZATION OF CONTRACT AUTHORITY.—
17 Section 1101 of the Transportation Equity Act for the
18 21st Century (112 Stat. 111–115) is amended by adding
19 at the end the following:

20 “(c) ADVANCE AUTHORIZATION.—

21 “(1) IN GENERAL.—There shall be available
22 from the Highway Trust Fund (other than the Mass
23 Transit Account) to carry out section 2(a) of the
24 Surface Transportation Extension Act of 2003

1 \$16,180,150,000 for the period of October 1, 2003,
2 through March 31, 2004.

3 “(2) SPECIAL RULE.—Funds apportioned under
4 section 2(a) of the Surface Transportation Exten-
5 sion Act of 2003 shall be subject to a limitation on
6 obligations for Federal-aid highways and highway
7 safety construction programs.

8 “(3) CONTRACT AUTHORITY.—Funds made
9 available by this subsection shall be available for ob-
10 ligation in the same manner as if such funds were
11 apportioned under chapter 1 of title 23, United
12 States Code.”.

13 (e) LIMITATION ON OBLIGATIONS.—

14 (1) IN GENERAL.—Subject to paragraph (2),
15 for the period of October 1, 2003, through March
16 31, 2004, the Secretary shall allocate to each State
17 for programs funded under this section and section
18 5(c) an amount of obligation authority made avail-
19 able under an Act making appropriations for the De-
20 partment of Transportation for fiscal year 2004 that
21 is—

22 (A) equal to the greater of—

23 (i) the State’s unobligated balance, as
24 of October 1, 2003, of Federal-aid highway
25 apportionments subject to any limitation

1 on obligations; except that unobligated bal-
2 ances of contract authority from minimum
3 guarantee and Appalachian development
4 highway system apportionments for which
5 obligation authority was made available
6 until used shall not be included for pur-
7 poses of calculating a State's unobligated
8 balance of apportionments for this clause;
9 or

10 (ii) 50 percent of the State's total fis-
11 cal year 2003 obligation authority for
12 funds apportioned for the Federal-aid
13 highway program; but

14 (B) not greater than 75 percent of the
15 State's total fiscal year 2003 obligation author-
16 ity for funds apportioned for the Federal-aid
17 highway program.

18 (2) LIMITATION ON AMOUNT.—The total of all
19 allocations under paragraph (1) and allocations, for
20 programs funded under sections 4, 5 (other than
21 subsection (c)), and 6(a) of this Act, of obligation
22 authority made available under an Act making ap-
23 propriations for the Department of Transportation
24 for fiscal year 2004 shall not exceed
25 \$16,921,500,000; except that this limitation shall

1 not apply to \$319,500,000 in obligations for min-
2 imum guarantee for the period of October 1, 2003,
3 through March 31, 2004.

4 (3) TIME PERIOD FOR OBLIGATIONS OF
5 FUNDS.—

6 (A) IN GENERAL.—Except as provided in
7 subparagraph (B), a State shall not obligate
8 any funds for any Federal-aid highway program
9 project after March 31, 2004, until the earlier
10 of the date of enactment of a multiyear law re-
11 authorizing the Federal-aid highway program or
12 June 30, 2004.

13 (B) REOBLIGATION.—Subparagraph (A)
14 shall not preclude the reobligation of previously
15 obligated funds.

16 (C) DISTRIBUTION OF REMAINING OBLIGA-
17 TION AUTHORITY.—On the earlier of the date
18 of enactment of a law described in subpara-
19 graph (A) or June 1, 2004, the Secretary shall
20 distribute to each State any remaining amounts
21 of obligation authority for Federal-aid highways
22 and highway safety construction programs by
23 allocation as provided in an Act making appro-
24 priations for the Department of Transportation
25 for fiscal year 2004.

1 (D) CONTRACT AUTHORITY.—No contract
2 authority made available to the States prior to
3 June 30, 2004, shall be obligated after that
4 date until such time as a multiyear law reau-
5 thorizing the Federal-aid highway program has
6 been enacted.

7 (4) TREATMENT OF OBLIGATIONS.—Any obliga-
8 tion of an allocation of obligation authority made
9 under this subsection shall be considered to be an
10 obligation for Federal-aid highways and highway
11 safety construction programs for fiscal year 2004 for
12 the purposes of the matter under the heading
13 “(LIMITATION ON OBLIGATIONS)” under the
14 heading “FEDERAL-AID HIGHWAYS” in an Act
15 making appropriations for the Department of Trans-
16 portation for fiscal year 2004.

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

18 (a) IN GENERAL.—In addition to any other authority
19 of a State to transfer funds, for fiscal year 2004, a State
20 may transfer any funds apportioned to the State for any
21 program under section 104(b) (including amounts appor-
22 tioned under section 104(b)(3) or set aside, made avail-
23 able, or suballocated under section 133(d)) or section 144
24 of title 23, United States Code, before, on, or after the
25 date of enactment of this Act, that are subject to any limi-

1 tation on obligations, and that are not obligated, to any
2 other of those programs.

3 (b) TREATMENT OF TRANSFERRED FUNDS.—Any
4 funds transferred to another program under subsection (a)
5 shall be subject to the provisions of the program to which
6 the funds are transferred, except that funds transferred
7 to a program under section 133 (other than subsections
8 (d)(1) and (d)(2)) of title 23, United States Code, shall
9 not be subject to section 133(d) of that title.

10 (c) RESTORATION OF APPORTIONMENTS.—

11 (1) IN GENERAL.—As soon as practicable after
12 the date of enactment of a law reauthorizing the
13 Federal-aid highway program enacted after the date
14 of enactment of this Act, the Secretary of Transpor-
15 tation shall restore any funds that a State trans-
16 ferred under subsection (a) for any project not eligi-
17 ble for the funds but for this section to the program
18 category from which the funds were transferred.

19 (2) PROGRAM CATEGORY RECONCILIATION.—
20 The Secretary may establish procedures under which
21 funds transferred under subsection (a) from a pro-
22 gram category for which funds are not authorized
23 may be restored to the Federal-aid highway pro-
24 gram.

1 (3) LIMITATION ON STATUTORY CONSTRUC-
2 TION.—No provision of law, except a statute enacted
3 after the date of enactment of this Act that ex-
4 pressly limits the application of this subsection, shall
5 impair the authority of the Secretary to restore
6 funds pursuant to this subsection.

7 (d) GUIDANCE.—The Secretary may issue guidance
8 for use in carrying out this section.

9 **SEC. 4. ADMINISTRATIVE EXPENSES.**

10 (a) AUTHORIZATION OF CONTRACT AUTHORITY.—
11 There shall be available from the Highway Trust Fund
12 (other than the Mass Transit Account) for administrative
13 expenses of the Federal-aid highway program
14 \$225,000,000 for fiscal year 2004 .

15 (b) CONTRACT AUTHORITY.—Funds made available
16 by this section shall be available for obligation in the same
17 manner as if such funds were apportioned under chapter
18 1 of title 23, United States Code, and shall be subject
19 to a limitation on obligations for Federal-aid highways and
20 highway safety construction programs; except that such
21 funds shall remain available until expended.

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

23 (a) AUTHORIZATION OF APPROPRIATIONS UNDER
24 TITLE I OF TEA21.—

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 is amended—

5 (i) by inserting before the period at
6 the end the following: “and \$137,500,000
7 for the period of October 1, 2003, through
8 March 31, 2004”; and

9 (ii) by adding at the end the fol-
10 lowing: “The minimum amount made
11 available for such period that the Sec-
12 retary, in cooperation with the Secretary of
13 the Interior, shall reserve for Indian res-
14 ervation road bridges under section
15 202(d)(4) of title 23, United States Code,
16 shall be \$6,500,000 instead of
17 \$13,000,000.”.

18 (B) PUBLIC LANDS HIGHWAYS.—Section
19 1101(a)(8)(B) of such Act (112 Stat. 112) is
20 amended by inserting before the period at the
21 end the following: “and \$123,000,000 for the
22 period of October 1, 2003, through March 31,
23 2004”.

24 (C) PARK ROADS AND PARKWAYS.—Sec-
25 tion 1101(a)(8)(C) of such Act (112 Stat. 112)

1 is amended by inserting before the period at the
2 end the following: “and \$82,500,000 for the pe-
3 riod of October 1, 2003, through March 31,
4 2004”.

5 (D) REFUGE ROADS.—Section
6 1101(a)(8)(D) of such Act (112 Stat. 112) is
7 amended by inserting before the period at the
8 end the following: “and \$10,000,000 for the pe-
9 riod of October 1, 2003, through March 31,
10 2004”.

11 (2) NATIONAL CORRIDOR PLANNING AND DE-
12 VELOPMENT AND COORDINATED BORDER INFRA-
13 STRUCTURE PROGRAMS.—Section 1101(a)(9) of such
14 Act (112 Stat. 112) is amended by inserting before
15 the period at the end the following: “and
16 \$70,000,000 for the period of October 1, 2003,
17 through March 31, 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) is amended by insert-
22 ing before the period at the end the following:
23 “and \$19,000,000 for the period of October 1,
24 2003, through March 31, 2004”.

1 (B) SET ASIDE FOR ALASKA, NEW JERSEY,
2 AND WASHINGTON.—To carry out section 1064
3 of the Intermodal Surface Transportation Effi-
4 ciency Act of 1991 (23 U.S.C. 129 note; 105
5 Stat. 2005; 112 Stat. 185), of funds made
6 available by the amendment made by subpara-
7 graph (A)—

8 (i) \$5,000,000 shall be available for
9 section 1064(d)(2);

10 (ii) \$2,500,000 shall be available for
11 section 1064(d)(3); and

12 (iii) \$2,500,000 shall be available for
13 section 1064(d)(4).

14 (4) NATIONAL SCENIC BYWAYS PROGRAM.—
15 Section 1101(a)(11) of the Transportation Equity
16 Act for the 21st Century (112 Stat. 113) is amend-
17 ed—

18 (A) by striking “and” the last place it ap-
19 pears; and

20 (B) by inserting before the period at the
21 end the following: “, and \$13,750,000 for the
22 period of October 1, 2003, through March 31,
23 2004”.

1 (5) VALUE PRICING PILOT PROGRAM.—Section
2 1101(a)(12) of such Act (112 Stat. 113) is amend-
3 ed—

4 (A) by striking “and”; and

5 (B) by inserting before the period at the
6 end the following: “, and \$5,500,000 for the pe-
7 riod of October 1, 2003, through March 31,
8 2004”.

9 (6) HIGHWAY USE TAX EVASION PROJECTS.—
10 Section 1101(a)(14) of such Act (112 Stat. 113) is
11 amended by inserting before the period at the end
12 the following: “and \$2,500,000 for the period of Oc-
13 tober 1, 2003, through March 31, 2004”.

14 (7) COMMONWEALTH OF PUERTO RICO HIGH-
15 WAY PROGRAM.—

16 (A) IN GENERAL.—Section 1101(a)(15) of
17 such Act (112 Stat. 113) is amended by insert-
18 ing before the period at the end the following:
19 “and \$55,000,000 for the period of October 1,
20 2003, through March 31, 2004”.

21 (B) CONFORMING AMENDMENT.—Section
22 1214(r) of such Act (112 Stat. 209) is amended
23 by striking “2003” and inserting “2004”.

24 (8) SAFETY GRANTS.—Section 1212(i)(1)(D) of
25 such Act (23 U.S.C. 402 note; 112 Stat. 196; 112

1 Stat. 840) is amended by inserting before the period
2 at the end the following: “and \$250,000 for the pe-
3 riod of October 1, 2003, through March 31, 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) is amended by inserting before the period
8 at the end the following: “and \$12,500,000 for the
9 period of October 1, 2003, through March 31,
10 2004”.

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

14 (A) in subsection (a)(1)—

15 (i) by striking “and” at the end of
16 subparagraph (D);

17 (ii) by striking the period at the end
18 of subparagraph (E) and inserting “;
19 and”; and

20 (iii) by adding at the end the fol-
21 lowing:

22 “(F) \$70,000,000 for the period of Octo-
23 ber 1, 2003, through March 31, 2004.”;

24 (B) in subsection (a)(2) by inserting after
25 “2003” the following: “and \$1,000,000 for the

1 period of October 1, 2003, through March 31,
2 2004”; and

3 (C) in subsection (c)—

4 (i) by striking “2003” and inserting
5 “2004”; and

6 (ii) by striking the period at the end
7 of the table and inserting the following:

“2004\$1,300,000,000 .”.

8 (b) AUTHORIZATION OF APPROPRIATIONS UNDER
9 TITLE V OF TEA21.—

10 (1) SURFACE TRANSPORTATION RESEARCH.—

11 Section 5001(a)(1) of the Transportation Equity Act
12 for the 21st Century (112 Stat. 419) is amended—

13 (A) by striking “2002, and” and inserting
14 “2002,”; and

15 (B) by inserting after “2003” the fol-
16 lowing: “, and \$52,500,000 for the period of
17 October 1, 2003, through March 31, 2004”.

18 (2) TECHNOLOGY DEPLOYMENT PROGRAM.—
19 Section 5001(a)(2) of such Act (112 Stat. 419) is
20 amended—

21 (A) by striking “2002, and” and inserting
22 “2002,”; and

23 (B) by inserting after “2003” the fol-
24 lowing: “, and \$27,500,000 for the period of
25 October 1, 2003, through March 31, 2004”.

1 (3) TRAINING AND EDUCATION.—Section
2 5001(a)(3) of such Act (112 Stat. 420) is amend-
3 ed—

4 (A) by striking “2002, and” and inserting
5 “2002,”; and

6 (B) by inserting after “2003” the fol-
7 lowing: “, and \$10,500,000 for the period of
8 October 1, 2003, through March 31, 2004”.

9 (4) BUREAU OF TRANSPORTATION STATIS-
10 TICS.—Section 5001(a)(4) of such Act (112 Stat.
11 420) is amended by inserting before the period at
12 the end the following: “, and \$15,500,000 for the
13 period of October 1, 2003, through March 31,
14 2004”.

15 (5) ITS STANDARDS, RESEARCH, OPERATIONAL
16 TESTS, AND DEVELOPMENT.—Section 5001(a)(5) of
17 such Act (112 Stat. 420) is amended—

18 (A) by striking “2002, and” and inserting
19 “2002,”; and

20 (B) by inserting after “2003” the fol-
21 lowing: “, and \$57,500,000 for the period of
22 October 1, 2003, through March 31, 2004”.

23 (6) ITS DEPLOYMENT.—Section 5001(a)(6) of
24 such Act (112 Stat. 420) is amended—

1 (A) by striking “2002, and” and inserting
2 “2002,”; and

3 (B) by inserting after “2003” the fol-
4 lowing: “, and \$62,000,000 for the period of
5 October 1, 2003, through March 31, 2004”.

6 (7) UNIVERSITY TRANSPORTATION RE-
7 SEARCH.—Section 5001(a)(7) of such Act (112 Stat.
8 420) is amended—

9 (A) by striking “2002, and” and inserting
10 “2002,”; and

11 (B) by inserting after “2003” the fol-
12 lowing: “, and \$13,500,000 for the period of
13 October 1, 2003, through March 31, 2004”.

14 (c) METROPOLITAN PLANNING.—

15 (1) AUTHORIZATION OF CONTRACT AUTHOR-
16 ITY.—There shall be available from the Highway
17 Trust Fund (other than the Mass Transit Account)
18 to carry out section 134 of title 23, United States
19 Code, \$120,000,000 for the period of October 1,
20 2003, through March 31, 2004.

21 (2) DISTRIBUTION OF FUNDS.—The Secretary
22 shall distribute funds made available by this sub-
23 section to the States in accordance with section
24 104(f)(2) of title 23, United States Code.

1 (3) CONTRACT AUTHORITY.—Funds made
2 available by this subsection shall be available for ob-
3 ligation in the same manner as if such funds were
4 apportioned under chapter 1 of title 23, United
5 States Code, and shall be subject to a limitation on
6 obligations for Federal-aid highways and highway
7 safety construction programs.

8 (d) TERRITORIES.—Section 1101 of the Transpor-
9 tation Equity Act for the 21st Century (112 Stat. 111–
10 115) is further amended by adding at the end the fol-
11 lowing:

12 “(d) TERRITORIES.—

13 “(1) IN GENERAL.—In lieu of the amounts de-
14 ducted under section 104(b)(1) of title 23, United
15 States Code, there shall be available from the High-
16 way Trust Fund (other than the Mass Transit Ac-
17 count) for the Virgin Islands, Guam, American
18 Samoa, and the Commonwealth of the Northern
19 Mariana Islands \$18,200,000 for the period of Octo-
20 ber 1, 2003, through March 31, 2004.

21 “(2) CONTRACT AUTHORITY.—Funds made
22 available by this subsection shall be available for ob-
23 ligation in the same manner as if the funds were ap-
24 portioned under chapter 1 of title 23, United States
25 Code, and shall be subject to a limitation on obliga-

1 tions for Federal-aid highways and highway safety
2 construction programs.”.

3 (e) ALASKA HIGHWAY.—Section 1101 of such Act is
4 further amended by adding at the end the following:

5 “(e) ALASKA HIGHWAY.—

6 “(1) IN GENERAL.—In lieu of the amounts de-
7 ducted under section 104(b)(1) of title 23, United
8 States Code, there shall be available from the High-
9 way Trust Fund (other than the Mass Transit Ac-
10 count) for the Alaska Highway program under sec-
11 tion 218 of such title \$9,400,000 for the period of
12 October 1, 2003, through March 31, 2004.

13 “(2) CONTRACT AUTHORITY.—Funds made
14 available by this subsection shall be available for ob-
15 ligation in the same manner as if the funds were ap-
16 portioned under chapter 1 of title 23, United States
17 Code, and shall be subject to a limitation on obliga-
18 tions for Federal-aid highways and highway safety
19 construction programs.”.

20 (f) OPERATION LIFESAVER.—Section 1101 of such
21 Act is further amended by adding at the end the following:

22 “(f) OPERATION LIFESAVER.—

23 “(1) IN GENERAL.—In lieu of the amount set
24 aside under section 104(d)(1) of title 23, United
25 States Code, there shall be available from the High-

1 way Trust Fund (other than the Mass Transit Ac-
2 count) to carry out the operation lifesaver program
3 under such section \$250,000 for the period of Octo-
4 ber 1, 2003, through March 31, 2004.

5 “(2) CONTRACT AUTHORITY.—Funds made
6 available by this subsection shall be available for ob-
7 ligation in the same manner as if the funds were ap-
8 portioned under chapter 1 of title 23, United States
9 Code, and shall be subject to a limitation on obliga-
10 tions for Federal-aid highways and highway safety
11 construction programs.”.

12 (g) BRIDGE DISCRETIONARY.—Section 1101 of such
13 Act is further amended by adding at the end the following:

14 “(g) BRIDGE DISCRETIONARY.—

15 “(1) IN GENERAL.—There shall be available
16 from the Highway Trust Fund (other than the Mass
17 Transit Account) \$50,000,000 to the Secretary at
18 the discretion of the Secretary to carry out section
19 144(g) of title 23, United States Code, for the pe-
20 riod of October 1, 2003, through March 31, 2004.

21 “(2) CONTRACT AUTHORITY.—Funds made
22 available by this subsection shall be available for ob-
23 ligation in the same manner as if the funds were ap-
24 portioned under chapter 1 of title 23, United States
25 Code, and shall be subject to a limitation on obliga-

1 tions for Federal-aid highways and highway safety
2 construction programs.”.

3 (h) INTERSTATE MAINTENANCE.—Section 1101 of
4 such Act is further amended by adding at the end the fol-
5 lowing:

6 “(h) INTERSTATE MAINTENANCE.—

7 “(1) IN GENERAL.—There shall be available
8 from the Highway Trust Fund (other than the Mass
9 Transit Account) \$50,000,000 to the Secretary to
10 carry out projects described in section 118(c)(1) of
11 title 23, United States Code, for the period of Octo-
12 ber 1, 2003, through March 31, 2004.

13 “(2) PROJECT SELECTION CRITERIA.—The
14 project selection criteria in section 118(c)(2) of such
15 title shall apply to amounts made available by this
16 subsection.

17 “(3) CONTRACT AUTHORITY.—Funds made
18 available by this subsection shall be available for ob-
19 ligation in the same manner as if the funds were ap-
20 portioned under chapter 1 of title 23, United States
21 Code, and shall be subject to a limitation on obliga-
22 tions for Federal-aid highways and highway safety
23 construction programs; except that such funds shall
24 remain available until expended.”.

1 (i) RECREATIONAL TRAILS ADMINISTRATIVE
2 COSTS.—Section 1101 of such Act is further amended by
3 adding at the end the following:

4 “(i) RECREATIONAL TRAILS ADMINISTRATIVE
5 COSTS.—

6 “(1) IN GENERAL.—In lieu of the amount to be
7 deducted under section 104(h)(1) of title 23, United
8 States Code, there shall be available from the High-
9 way Trust Fund (other than the Mass Transit Ac-
10 count) to the Secretary to cover costs of the Sec-
11 retary described in such section \$375,000 for the pe-
12 riod of October 1, 2003, through March 31, 2004.

13 “(2) CONTRACT AUTHORITY.—Funds made
14 available by this subsection shall be available for ob-
15 ligation in the same manner as if the funds were ap-
16 portioned under chapter 1 of title 23, United States
17 Code, and shall be subject to a limitation on obliga-
18 tions for Federal-aid highways and highway safety
19 construction programs.”.

20 (j) RAILWAY-HIGHWAY CROSSING HAZARD ELIMI-
21 NATION IN HIGH SPEED RAIL CORRIDORS.—Section 1101
22 of such Act is further amended by adding at the end the
23 following:

24 “(j) RAILWAY-HIGHWAY CROSSING HAZARD ELIMI-
25 NATION IN HIGH SPEED RAIL CORRIDORS.—

1 “(1) IN GENERAL.—In lieu of the amount to be
2 deducted under section 104(d)(2) of title 23, United
3 States Code, there shall be available from the High-
4 way Trust Fund (other than the Mass Transit Ac-
5 count) to the Secretary for elimination of hazards
6 of railway-highway crossings in accordance with such
7 section \$2,625,000 for the period of October 1,
8 2003, through March 31, 2004; except that not less
9 than \$125,000 instead of \$250,000 shall be avail-
10 able for the period of October 1, 2003, through
11 March 31, 2004, for eligible improvements described
12 in subparagraph (E) of such section.

13 “(2) CONTRACT AUTHORITY.—Funds made
14 available by this subsection shall be available for ob-
15 ligation in the same manner as if the funds were ap-
16 portioned under chapter 1 of title 23, United States
17 Code, and shall be subject to a limitation on obliga-
18 tions for Federal-aid highways and highway safety
19 construction programs.”.

20 (k) NONDISCRIMINATION.—Section 1101 of such Act
21 is further amended by adding at the end the following:

22 “(k) NONDISCRIMINATION.—

23 “(1) SKILLS TRAINING.—In lieu of the amount
24 to be deducted under section 140(b) of title 23,
25 United States Code, there shall be available from the

1 Highway Trust Fund (other than the Mass Transit
2 Account) to the Secretary for the administration of
3 such section \$5,000,000 for the period of October 1,
4 2003, through March 31, 2004.

5 “(2) ON-THE-JOB TRAINING.—In lieu of the
6 amount to be deducted under section 140(c) of title
7 23, United States Code, there shall be available from
8 the Highway Trust Fund (other than the Mass
9 Transit Account) to the Secretary for the adminis-
10 tration of such section \$5,000,000 for the period of
11 October 1, 2003, through March 31, 2004.

12 “(3) CONTRACT AUTHORITY.—Funds made
13 available by this subsection shall be available for ob-
14 ligation in the same manner as if the funds were ap-
15 portioned under chapter 1 of title 23, United States
16 Code, and shall be subject to a limitation on obliga-
17 tions for Federal-aid highways and highway safety
18 construction programs; except that funds made
19 available by paragraph (1) shall remain available
20 until expended.”.

21 (l) ADMINISTRATION OF FUNDS.—Funds authorized
22 by the amendments made by this section shall be adminis-
23 tered as if the funds had been apportioned, allocated, de-
24 ducted, or set aside, as the case may be, under title 23,
25 United States Code, except that the deductions under sec-

1 tions 104(a)(1)(A) and 104(a)(1)(B) of such title shall not
2 apply to funds made available by the amendment made
3 by subsection (a)(1) of this section.

4 (m) REDUCTION OF ALLOCATED PROGRAMS.—The
5 Secretary of Transportation shall reduce the amount that
6 would be made available, but for this section, for fiscal
7 year 2004 for allocation under a program, that is contin-
8 ued both by a law reauthorizing such program enacted
9 after the date of enactment of this Act and by this section,
10 by the amount made available for such program by this
11 section.

12 (n) PROGRAM CATEGORY RECONCILIATION.—The
13 Secretary may establish procedures under which funds al-
14 located under this section for fiscal year 2004 for a pro-
15 gram category for which funds are not authorized for fis-
16 cal year 2004 under a multiyear law reauthorizing the
17 Federal-aid highway program enacted after the date of en-
18 actment of this Act may be restored to the Federal-aid
19 highway program.

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

21 (a) CHAPTER 1 HIGHWAY SAFETY PROGRAMS.—

22 (1) SEAT BELT SAFETY INCENTIVE GRANTS.—

23 Section 157 of title 23, United States Code, is
24 amended—

1 (A) in subsection (a)(3) by striking
2 “2001” and inserting “2002”;

3 (B) in subsection (a)(8)(B) by striking
4 “2001” and inserting “2002”;

5 (C) in subsection (b) by striking “2002”
6 and inserting “2003”;

7 (D) in subsection (c)(1) by striking
8 “2002” and inserting “2003”;

9 (E) in subsection (c)(2) by striking
10 “2002” and inserting “2003”;

11 (F) in subsection (f)(4) by striking “2002”
12 and inserting “2003”;

13 (G) in subsection (g)(1)—

14 (i) by striking “and”; and

15 (ii) by inserting before the period at
16 the end the following: “, and \$56,000,000
17 for the period of October 1, 2003, through
18 March 31, 2004”;

19 (H) in the heading to subsection (g)(3)(B)
20 by striking “2003” and inserting “2004”; and

21 (I) in subsection (g)(3)(B) by striking
22 “2003” and inserting “2004”.

23 (2) PREVENTION OF INTOXICATED DRIVER IN-
24 CENTIVE GRANTS.—Section 163(e)(1) of such title is
25 amended—

1 (A) by striking “and”; and

2 (B) by inserting before the period at the
3 end the following: “, and \$60,000,000 for the
4 period of October 1, 2003, through March 31,
5 2004”.

6 (b) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Sec-
7 tion 2009(a)(1) of the Transportation Equity Act for the
8 21st Century (112 Stat. 337) is amended—

9 (1) by striking “and”; and

10 (2) by inserting before the period at the end the
11 following: “, and \$82,500,000 for the period of Oc-
12 tober 1, 2003, through March 31, 2004”.

13 (c) HIGHWAY SAFETY RESEARCH AND DEVELOP-
14 MENT.—Section 2009(a)(2) of such Act (112 Stat. 337)
15 is amended by inserting after “2003” the following: “, and
16 \$36,000,000 for the period of October 1, 2003, through
17 March 31, 2004”.

18 (d) OCCUPANT PROTECTION INCENTIVE GRANTS.—
19 Section 2009(a)(3) of such Act (112 Stat. 337) is amend-
20 ed—

21 (1) by striking “and”; and

22 (2) by inserting before the period at the end the
23 following: “, and \$10,000,000 for the period of Oc-
24 tober 1, 2003, through March 31, 2004”.

1 (e) ALCOHOL-IMPAIRED DRIVING COUNTER-
2 MEASURES INCENTIVE GRANTS.—

3 (1) EXTENSION OF PROGRAM.—Section 410 of
4 title 23, United States Code, is amended—

5 (A) in subsection (a)(3) by striking “6”
6 and inserting “7”; and

7 (B) in subsection (a)(4)(C) by striking
8 “and sixth” and inserting “, sixth, and sev-
9 enth”; and

10 (2) AUTHORIZATION OF APPROPRIATIONS.—
11 Section 2009(a)(4) of such Act (112 Stat. 337) is
12 amended—

13 (A) by striking “and” the last place it ap-
14 pears; and

15 (B) by inserting before the period at the
16 end the following: “, and \$20,000,000 for the
17 period of October 1, 2003, through March 31,
18 2004”.

19 (f) NATIONAL DRIVER REGISTER.—Section
20 2009(a)(6) of such Act (112 Stat. 338) is amended by
21 inserting after “2003” the following: “, and \$1,000,000
22 for the period of October 1, 2003, through March 31,
23 2004”.

24 (g) ALLOCATIONS.—Section 2009(b) of such Act
25 (112 Stat. 338) is amended—

1 (1) in paragraph (1) by striking “2003” and in-
2 serting “2004”; and

3 (2) in paragraph (2) by striking “2003” and in-
4 serting “2004”.

5 (h) APPLICABILITY OF TITLE 23.—Section 2009(c)
6 of such Act (112 Stat. 338) is amended by striking
7 “2003” and inserting “2004”.

8 **SEC. 7. EXTENSION OF MOTOR CARRIER SAFETY PROGRAM.**

9 (a) ADMINISTRATIVE EXPENSES.—

10 (1) IN GENERAL.—There shall be available
11 from the Highway Trust Fund (other than the Mass
12 Transit Account) for the Secretary of Transpor-
13 tation to pay administrative expenses of the Federal
14 Motor Carrier Safety Administration \$85,785,000
15 for the period of October 1, 2003, through March
16 31, 2004.

17 (2) USE OF FUNDS.—Funds authorized by this
18 subsection may be used for personnel costs; adminis-
19 trative infrastructure; rent; information technology;
20 and programs for research and technology, regu-
21 latory development, and other operating expenses
22 and similar matters.

23 (b) MOTOR CARRIER SAFETY ASSISTANCE PRO-
24 GRAM.—Section 31104(a) of title 49, United States Code,
25 is amended by adding at the end the following:

1 “(7) Not more than \$82,500,000 for the period
2 of October 1, 2003, through March 31, 2004.”.

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

5 (1) AUTHORIZATION OF APPROPRIATION.—Sec-
6 tion 31107(a) of such title is amended—

7 (A) by striking “and” at the end of para-
8 graph (2);

9 (B) by striking the period at the end of
10 paragraph (3) and inserting a semicolon;

11 (C) by striking the period at the end of
12 paragraph (4) and inserting “; and”; and

13 (D) by adding at the end the following:

14 “(5) \$10,000,000 for the period of October 1,
15 2003 through March 31, 2004.”.

16 (2) EMERGENCY CDL GRANTS.—From amounts
17 made available by section 31107(a) of title 49,
18 United States Code, for the period of October 1,
19 2003 through March 31, 2004, the Secretary of
20 Transportation may make grants of up to \$500,000
21 to a State whose commercial driver’s license pro-
22 gram may fail to meet the compliance requirements
23 of section 31311(a) of such title.

24 (d) CRASH CAUSATION STUDY.—There shall be avail-
25 able from the Highway Trust Fund (other than the Mass

1 Transit Account) for the Federal Motor Carrier Safety
2 Administration to continue the crash causation study re-
3 quired by section 224 of the Motor Carrier Safety Im-
4 provement Act of 1999 (49 U.S.C. 31100 note; 113 Stat.
5 1770–1771), \$500,000 for the period of October 1, 2003
6 through March 31, 2004.

7 (e) CONTRACT AUTHORITY.—Funds made available
8 by this section shall be available for obligation in the same
9 manner as if such funds were apportioned under chapter
10 1 of title 23, United States Code.

11 **SEC. 8. EXTENSION OF FEDERAL TRANSIT PROGRAMS.**

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

14 (1) in paragraph (1) by inserting “and for the
15 period of October 1, 2003, through March 31,
16 2004” after “2003”;

17 (2) in paragraph (2)(B) by inserting after
18 clause (ii) the following:

19 “(iii) OCTOBER 1, 2003 THROUGH
20 MARCH 31, 2004.—Of the amounts made
21 available under paragraph (1)(B),
22 \$5,200,000 shall be available for the period
23 of October 1, 2003, through March 31,
24 2004, for capital projects described in
25 clause (i).”;

1 (3) in paragraph (3)(B) by inserting after
2 “2003” the following: “(and \$1,500,000 shall be
3 available for the period October 1, 2003, through
4 March 31, 2004)”; and

5 (4) in paragraph (3)(C) by inserting after
6 “2003” the following: “(and \$25,000,000 shall be
7 available for the period October 1, 2003, through
8 March 31, 2004)”.

9 (b) APPORTIONMENT OF APPROPRIATIONS FOR
10 FIXED GUIDEWAY MODERNIZATION.—

11 (1) SPECIAL RULE FOR OCTOBER 1, 2003
12 THROUGH MARCH 31, 2004.—The Secretary of Trans-
13 portation shall determine the amount that each ur-
14 banized area is to be apportioned for fixed guideway
15 modernization under section 5337 of title 49, United
16 States Code, on a prorata basis to reflect the partial
17 fiscal year 2004 funding made available by sections
18 5338(b)(2)(A)(vi) and 5338(b)(2)(B)(vi) of such
19 title.

20 (2) TECHNICAL AMENDMENT.—Section 5337 of
21 such title is amended by striking the first subsection
22 (e), relating to special rule.

23 (c) FORMULA GRANTS AUTHORIZATIONS.—Section
24 5338(a) of such title is amended—

1 (1) in the heading to paragraph (2) by inserting
2 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
3 THROUGH MARCH 31, 2004” after “2003”;

4 (2) by striking “and” at the end of paragraphs
5 (2)(A)(iv) and (2)(B)(iv);

6 (3) by striking the period at the end of para-
7 graphs (2)(A)(v) and (2)(B)(v) and inserting “;
8 and”;

9 (4) by adding at the end of paragraph (2)(A)
10 the following:

11 “(vi) \$1,551,538,000 for the period of
12 October 1, 2003, through March 31,
13 2004.”;

14 (5) by adding at the end in paragraph (2)(B)
15 the following:

16 “(vi) \$388,151,000 for the period of
17 October 1, 2003, through March 31,
18 2004.”; and

19 (6) in paragraph (2)(C) by inserting after “a
20 fiscal year” the following: “(other than for the pe-
21 riod of October 1, 2003, through March 31, 2004)”.

22 (d) ALLOCATION OF FORMULA GRANT FUNDS FOR
23 OCTOBER 1, 2003, THROUGH MARCH 31, 2004.—Of the
24 aggregate of amounts made available by and appropriated
25 under section 5338(a)(2) of title 49, United States Code,

1 for the period of October 1, 2003, through March 31,
2 2004—

3 (1) \$2,424,975 shall be available to the Alaska
4 Railroad for improvements to its passenger oper-
5 ations under section 5307 of such title;

6 (2) \$25,000,000 shall be available to carry out
7 section 5308 of such title; and

8 (3) of the remaining amount—

9 (A) 2.4 percent shall be available to pro-
10 vide transportation services to elderly individ-
11 uals and individuals with disabilities under sec-
12 tion 5310 of such title;

13 (B) 6.37 percent shall be available to pro-
14 vide financial assistance for other than urban-
15 ized areas under section 5311 of such title; and

16 (C) 91.23 percent shall be available to pro-
17 vide financial assistance for urbanized areas
18 under section 5307 of such title.

19 (e) CAPITAL PROGRAM AUTHORIZATIONS.—Section
20 5338(b) of such title is amended—

21 (1) in the heading to paragraph (2) by inserting
22 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
23 THROUGH MARCH 31, 2004” after “2003”;

24 (2) by striking “and” at the end of paragraphs
25 (2)(A)(iv) and (2)(B)(iv);

1 (3) by striking the period at the end of para-
2 graphs (2)(A)(v) and (2)(B)(v) and inserting “;
3 and”;

4 (4) by adding at the end of paragraph (2)(A)
5 the following:

6 “(vi) \$1,227,004,000 for the period of
7 October 1, 2003, through March 31,
8 2004.”; and

9 (5) by adding at the end of paragraph (2)(B)
10 the following:

11 “(vi) \$306,962,000 for the period of
12 October 1, 2003, through March 31,
13 2004.”.

14 (f) PLANNING AUTHORIZATIONS AND ALLOCA-
15 TIONS.—Section 5338(c) is amended—

16 (1) in the heading to paragraph (2) by inserting
17 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
18 THROUGH MARCH 31, 2004” after “2003”;

19 (2) by striking “and” at the end of paragraphs
20 (2)(A)(iv) and (2)(B)(iv);

21 (3) by striking the period at the end of para-
22 graphs (2)(A)(v) and (2)(B)(v) and inserting “;
23 and”;

24 (4) by adding at the end of paragraph (2)(A)
25 the following:

1 “(vi) \$29,564,000 for the period of
2 October 1, 2003, through March 31,
3 2004.”;

4 (5) by adding at the end of paragraph (2)(B)
5 the following:

6 “(vi) \$7,320,000 for the period of Oc-
7 tober 1, 2003, through March 31, 2004.”;
8 and

9 (6) in paragraph (2)(C) by inserting “or any
10 portion of a fiscal year” after “fiscal year”.

11 (g) RESEARCH AUTHORIZATIONS.—Section 5338(d)
12 of such title is amended—

13 (1) in the heading to paragraph (2) by inserting
14 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
15 THROUGH MARCH 31, 2004” after “2003”;

16 (2) by striking “and” at the end of paragraphs
17 (2)(A)(iv) and (2)(B)(iv);

18 (3) by striking the period at the end of para-
19 graphs (2)(A)(v) and (2)(B)(v) and inserting “;
20 and”;

21 (4) by adding at the end of paragraph (2)(A)
22 the following:

23 “(vi) \$19,844,000 for the period of
24 October 1, 2003, through March 31,
25 2004.”;

1 (5) by adding at the end of paragraph (2)(B)
2 the following:

3 “(vi) \$4,914,000 for the period of Oc-
4 tober 1, 2003, through March 31, 2004.”;
5 and

6 (6) in paragraph (2)(C) by inserting after “a
7 fiscal year” the following: “(other than for the pe-
8 riod of October 1, 2003, through March 31, 2004)”.

9 (h) ALLOCATION OF RESEARCH FUNDS FOR OCTO-
10 BER 1, 2003, THROUGH MARCH 31, 2004.—Of the funds
11 made available by or appropriated under section
12 5338(d)(2) of title 49, United States Code, for the period
13 of October 1, 2003, through March 31, 2004—

14 (1) not less than \$2,625,000 shall be available
15 for providing rural transportation assistance under
16 section 5311(b)(2) of such title;

17 (2) not less than \$4,125,000 shall be available
18 for carrying out transit cooperative research pro-
19 grams under section 5313(a) of such title;

20 (3) not less than \$2,000,000 shall be available
21 to carry out programs under the National Transit
22 Institute under section 5315 of such title, including
23 not more than \$500,000 shall be available to carry
24 out section 5315(a)(16) of such title; and

1 (4) the remainder shall be available for carrying
2 out national planning and research programs under
3 sections 5311(b)(2), 5312, 5313(a), 5314, and 5322
4 of such title.

5 (i) UNIVERSITY TRANSPORTATION RESEARCH AU-
6 THORIZATIONS.—Section 5338(e) of such title is amend-
7 ed—

8 (1) in the heading to paragraph (2) by inserting
9 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
10 THROUGH MARCH 31, 2004” after “2003”;

11 (2) in paragraph (2)(A) by inserting after
12 “2003” the following: “and \$2,425,000 for the pe-
13 riod of October 1, 2003, through March 31, 2004”;

14 (3) in paragraph (2)(B) by inserting after
15 “2003” the following: “and \$607,000 for the period
16 of October 1, 2003, through March 31, 2004”; and

17 (4) in clauses (i) and (iii) of paragraph (2)(C)
18 by inserting after “fiscal year” the following: “(other
19 than for the period of October 1, 2003, through
20 March 31, 2004)”.

21 (j) ALLOCATION OF UNIVERSITY TRANSPORTATION
22 RESEARCH FUNDS.—

23 (1) IN GENERAL.—Of the amounts made avail-
24 able under section 5338(e)(2)(A) of title 49, United

1 States Code, for the period October 1, 2003,
2 through March 31, 2004—

3 (A) \$1,000,000 shall be available for the
4 center identified in section 5505(j)(4)(A) of
5 such title; and

6 (B) \$1,000,000 shall be available for the
7 center identified in section 5505(j)(4)(F) of
8 such title.

9 (2) TRAINING AND CURRICULUM DEVELOP-
10 MENT.—Notwithstanding section 5338(e)(2) of such
11 title, any amounts made available under such section
12 for such period that remain after distribution under
13 paragraph (1), shall be available for the purposes
14 identified in section 3015(d) of the Transportation
15 Equity Act for the 21st Century (112 Stat. 857).

16 (3) CONFORMING AMENDMENT.—Section
17 3015(d)(2) of the Transportation Equity Act for the
18 21st Century (112 Stat. 857) is amended by insert-
19 ing “and in the period October 31, 2003, through
20 March 31, 2004” after “2003”.

21 (k) ADMINISTRATION AUTHORIZATIONS.—Section
22 5338(f) of such title is amended—

23 (1) in the heading to paragraph (2) by inserting
24 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
25 THROUGH MARCH 31, 2004” after “2003”;

1 (2) by striking “and” at the end of paragraphs
2 (2)(A)(iv) and (2)(B)(iv);

3 (3) by striking the period at the end of para-
4 graphs (2)(A)(v) and (2)(B)(v) and inserting “;
5 and”;

6 (4) by adding at the end of paragraph (2)(A)
7 the following:

8 “(vi) \$29,503,000 for the period of
9 October 1, 2003, through March 31,
10 2004.”; and

11 (5) by adding at the end of paragraph (2)(B)
12 the following:

13 “(vi) \$7,381,000 for the period of Oc-
14 tober 1, 2003, through March 31, 2004.”.

15 (1) JOB ACCESS AND REVERSE COMMUTE PRO-
16 GRAM.—Section 3037(l) of the Transportation Equity Act
17 for the 21st Century (49 U.S.C. 5309 note; 112 Stat.
18 391–392) is amended—

19 (1) by striking “and” at the end of paragraphs
20 (1)(A)(iv) and (1)(B)(iv);

21 (2) by striking the period at the end of para-
22 graphs (1)(A)(v) and (1)(B)(v) and inserting “;
23 and”;

24 (3) by adding at the end of paragraph (1)(A)
25 the following:

1 “(vi) \$60,623,000 for the period of
2 October 1, 2003, through March 31,
3 2004.”;

4 (4) by adding at the end of paragraph (1)(B)
5 the following:

6 “(vi) \$15,166,000 for the period of
7 October 1, 2003, through March 31,
8 2004.”; and

9 (5) by inserting before the period at the end of
10 paragraph (2) the following: “; except that in the pe-
11 riod of October 1, 2003, through March 31, 2004,
12 \$5,000,000 shall be used for such projects”.

13 (m) RURAL TRANSPORTATION ACCESSIBILITY IN-
14 CENTIVE PROGRAM.—Section 3038(g) of such Act (49
15 U.S.C. 5310 note; 112 Stat. 393) is amended—

16 (1) by adding at the end of paragraph (1) the
17 following:

18 “(F) \$2,625,000 for the period of October
19 1, 2003, through March 31, 2004.”; and

20 (2) in paragraph (2) by inserting after “2003”
21 the following: “(and \$850,000 shall be available for
22 the period of October 1, 2003, through March 31,
23 2004)”.

24 (n) URBANIZED AREA FORMULA GRANTS.—Section
25 5307(b) of title 49, United States Code, is amended—

1 (1) in the heading to paragraph (2) by inserting
2 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
3 THROUGH MARCH 31, 2004” after “2003”;

4 (2) in paragraph (2)(A)—

5 (A) by inserting “and for the period of Oc-
6 tober 1, 2003, through March 31, 2004” after
7 “2003,”;

8 (B) by striking “or” at the end of clause
9 (ii);

10 (C) by striking the period at the end of
11 clause (iii) and inserting “; and”; and

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

13 “(iv) a portion of the area was not
14 designated as an urbanized area as deter-
15 mined under the 1990 Federal decennial
16 census and received assistance under sec-
17 tion 5311 in fiscal year 2002.”;

18 (3) by adding at the end of paragraph (2)(B)
19 the following: “Each portion of an area not des-
20 ignated as an urbanized area under the 1990 Fed-
21 eral decennial census and eligible to receive funds
22 under subparagraph (A)(iv) shall receive an amount
23 of funds made available to carry out this section
24 that is no less than the amount the portion of the

1 area received under section 5311 in fiscal year
2 2002.”.

3 (o) OBLIGATION CEILING.—Section 3040 of the
4 Transportation Equity Act for the 21st Century (112
5 Stat. 394) is amended—

6 (1) by striking “and” at the end of paragraph
7 (4);

8 (2) by striking the period at the end of para-
9 graph (5) and inserting “; and”; and

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

11 “(6) \$3,651,000,000 for the period of October
12 1, 2003, through March 31, 2004.”.

13 (p) FUEL CELL BUS AND BUS FACILITIES PRO-
14 GRAM.—Section 3015(b) of such Act (112 Stat. 361) is
15 amended by inserting “(or, in the case of the period of
16 October 1, 2003, through March 31, 2004, \$2,425,000)”
17 after “\$4,850,000”.

18 (q) ADVANCED TECHNOLOGY PILOT PROJECT.—Sec-
19 tion 3015(c)(2) of such Act (49 U.S.C. 322 note; 112
20 Stat. 361) is amended—

21 (1) by inserting “and for the period of October
22 1, 2003, through March 31, 2004, after “2003,”;
23 and

24 (2) by inserting “and \$2,500,000 for such pe-
25 riod” after “\$5,000,000 per fiscal year”.

1 (r) PROJECTS FOR NEW FIXED GUIDEWAY SYSTEMS
2 AND EXTENSIONS TO EXISTING SYSTEMS.—Subsections
3 (a), (b), and (c)(1) of section 3030 of such Act (112 Stat.
4 373–381) are amended by inserting “and for the period
5 of October 1, 2003, through March 31, 2004,” after
6 “2003”.

7 (s) NEW JERSEY URBAN CORE PROJECT.—Subpara-
8 graphs (A), (B), and (C) of section 3031(a)(3) of the
9 Intermodal Surface Transportation Efficiency Act of 1991
10 (105 Stat. 2122; 112 Stat. 379) are amended by inserting
11 “and for the period of October 1, 2003, through March
12 31, 2004,” after “2003,”.

13 (t) TREATMENT OF FUNDS.—Amounts made avail-
14 able under the amendments made by this section shall be
15 treated for purposes of section 1101(b) of the Transpor-
16 tation Equity Act for the 21st Century (23 U.S.C. 101
17 note) as amounts made available for programs under title
18 III of such Act.

19 **SEC. 9. SPORT FISHING AND BOATING SAFETY.**

20 (a) FUNDING FOR NATIONAL OUTREACH AND COM-
21 MUNICATIONS PROGRAM.—Section 4(c) of the Dingell-
22 Johnson Sport Fish Restoration Act (16 U.S.C. 777c(e))
23 is amended—

24 (1) by striking “and” at the end of paragraph
25 (4);

1 (2) by inserting “and” after the semicolon at
2 the end of paragraph (5); and

3 (3) by inserting after paragraph (5) the fol-
4 lowing:

5 “(6) \$5,000,000 for the period of October 1,
6 2003, through March 31, 2004;”.

7 (b) CLEAN VESSEL ACT FUNDING.—Section 4(b) of
8 such Act (16 U.S.C. 777c(b)) is amended:

9 (1) by redesignating paragraph (4) as para-
10 graph (5);

11 (2) by inserting after paragraph (3) the fol-
12 lowing:

13 “(4) FIRST HALF OF FISCAL YEAR 2004.—For
14 the period of October 1, 2003, through March 31,
15 2004, of the balance of each annual appropriation
16 remaining after making the distribution under sub-
17 section (a), an amount equal to \$41,000,000, re-
18 duced by 82 percent of the amount appropriated for
19 that fiscal year from the Boat Safety Account of the
20 Aquatic Resources Trust Fund established by sec-
21 tion 9504 of the Internal Revenue Code of 1986 to
22 carry out the purposes of section 13106(a) of title
23 46, United States Code, shall be used as follows:

24 “(A) \$5,000,000 shall be available to the
25 Secretary of the Interior for 3 fiscal years for

1 obligation for qualified projects under section
2 5604(c) of the Clean Vessel Act of 1992 (33
3 U.S.C. 1322 note).

4 “(B) \$4,000,000 shall be available to the
5 Secretary of the Interior for 3 fiscal years for
6 obligation for qualified projects under section
7 7404(d) of the Sportfishing and Boating Safety
8 Act of 1998 (16 U.S.C. 777g–1(d)).

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

15 (c) BOAT SAFETY FUNDS.—Section 13106(c) of title
16 46, United States Code, is amended to read as follows:

17 “(c) Of the amount transferred to the Secretary of
18 Transportation under paragraph (4) of section 4(b) of the
19 Dingell-Johnson Sport Fish Restoration Act (16 U.S.C.
20 777c(b)), \$2,500,000 is available to the Secretary for pay-
21 ment of expenses of the Coast Guard for personnel and
22 activities directly related to coordinating and carrying out
23 the national recreational boating safety program under
24 this title, of which \$1,000,000 shall be available to the
25 Secretary only to ensure compliance with chapter 43 of

1 this title. No funds available to the Secretary under this
2 subsection may be used to replace funding traditionally
3 provided through general appropriations, nor for any pur-
4 poses except those purposes authorized by this section.
5 Amounts made available by this subsection shall remain
6 available until expended. The Secretary shall publish an-
7 nually in the Federal Register a detailed accounting of the
8 projects, programs, and activities funded under this sub-
9 section.”.

10 **SEC. 10. BUDGET LIMITATIONS.**

11 (a) **ADJUSTMENTS TO ANNUALIZED DISCRETIONARY**
12 **SPENDING LIMITS.**—In the matter that precedes subpara-
13 graph (A) of section 251(b)(2) of the Balanced Budget
14 and Emergency Deficit Control Act of 1985, strike
15 “through 2002”.

16 (b) **DISCRETIONARY SPENDING LIMITS.**—Section
17 251(c) of the Balanced Budget and Emergency Deficit
18 Control Act of 1985 is amended as follows:

19 (1) Strike paragraphs (1) through (7) and re-
20 designate paragraph (8) (which relates to fiscal year
21 2004) as paragraph (1) and in such redesignated
22 paragraph strike “(1) with respect to fiscal year
23 2004”, redesignate the remaining matter as sub-
24 paragraph (C), and before such redesignated matter
25 insert the following:

1 “(1) with respect to fiscal year 2004—

2 “(A) for the highway category:
3 \$31,834,000,000 in outlays;

4 “(B) for the mass transit category:
5 \$1,462,000,000 in new budget authority and
6 \$6,629,000,000 in outlays; and”.

7 (2) Redesignate paragraphs (9) through (16) as
8 paragraphs (2) through (9).

9 (c) CATEGORY DEFINED.—Section 250(c)(4) of the
10 Balanced Budget and Emergency Deficit Control Act of
11 1985 is amended—

12 (1) in subparagraph (B) by inserting after
13 “Century” the following: “and the Surface Trans-
14 portation Extension Act of 2003”; and

15 (2) in subparagraph (C)—

16 (A) by inserting after “Century” the first
17 place it appears the following: “and the Surface
18 Transportation Extension Act of 2003”; and

19 (B) by striking “that Act” and inserting
20 “those Acts”.

21 (d) CONFORMANCE WITH THE CONCURRENT RESO-
22 LUTION ON THE BUDGET FOR FISCAL YEAR 2004.—Not-
23 withstanding any other provision of law, all adjustments
24 made pursuant to section 110(a)(2) of title 23, United
25 States Code, to sums authorized to be appropriated from

1 the Highway Trust Fund (other than the Mass Transit
2 Account) to carry out each of the Federal-aid highway and
3 highway safety construction programs (other than emer-
4 gency relief) in fiscal year 2004 shall be deemed to be zero.

5 (e) SENSE OF CONGRESS ON ADJUSTMENT TO ALIGN
6 HIGHWAY SPENDING WITH REVENUES.—It is the sense
7 of Congress that, in any multiyear reauthorization of the
8 Federal-aid highway program, the alignment of highway
9 spending with revenues under section 251(b)(1)(B)(ii) of
10 the Balanced Budget and Emergency Deficit Control Act
11 of 1985 should be restructured to minimize year-to-year
12 fluctuations in highway spending levels and to ensure the
13 uniform enforcement of such levels.

14 **SEC. 11. LEVEL OF OBLIGATION LIMITATIONS.**

15 (a) HIGHWAY CATEGORY.—Section 8103(a) of the
16 Transportation Equity Act for the 21st Century (2 U.S.C.
17 901 note; 112 Stat. 492) is amended—

18 (1) by striking “and” at the end of paragraph

19 (4);

20 (2) by striking the period at the end of para-
21 graph (5) and inserting “; and”; and

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

23 “(6) for fiscal year 2004, \$34,498,000,000.”.

24 (b) MASS TRANSIT CATEGORY.—Section 8103(b) of
25 such Act (2 U.S.C. 901 note; 112 Stat. 492) is amended—

1 (1) by striking “and” at the end of paragraph
2 (4);

3 (2) by striking the period at the end of para-
4 graph (5) and inserting “; and”; and

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

6 “(6) for fiscal year 2004, \$7,303,000,000.”.

7 (c) TREATMENT OF FUNDS.—Notwithstanding any
8 other provision of law, funds made available under this
9 Act, including the amendments made by this Act, shall
10 be deemed to be zero for the purposes of section 110 of
11 the title 23, United States Code.

12 **SEC. 12. EXTENSION OF AUTHORIZATION FOR USE OF**
13 **TRUST FUNDS FOR OBLIGATIONS UNDER TEA**
14 **21.**

15 (a) HIGHWAY TRUST FUND.—

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

19 (A) in the matter before subparagraph (A),
20 by striking “October 1, 2003” and inserting
21 “July 1, 2004”, and

22 (B) in the matter after subparagraph (E),
23 by striking “TEA 21 Restoration Act” and in-
24 serting “Surface Transportation Extension Act
25 of 2003”.

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

3 (A) in the matter before subparagraph (A),
4 by striking “October 1, 2003” and inserting
5 “July 1, 2004”, and

6 (B) in the matter after subparagraph (C),
7 by striking “TEA 21 Restoration Act” and in-
8 serting “Surface Transportation Extension Act
9 of 2003”.

10 (3) EXCEPTION TO LIMITATION ON TRANS-
11 FERS.—Subparagraph (B) of section 9503(b)(5) of
12 such Code is amended by striking “October 1,
13 2003” and inserting “July 1, 2004”.

14 (b) AQUATIC RESOURCES TRUST FUND.—

15 (1) SPORT FISH RESTORATION ACCOUNT.—Sub-
16 paragraphs (B) and (C) of section 9504(b)(2) of the
17 Internal Revenue Code of 1986 are each amended by
18 striking “TEA 21 Restoration Act” and inserting
19 “Surface Transportation Extension Act of 2003”.

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

22 (A) by striking “October 1, 2003” and in-
23 serting “July 1, 2004”, and

1 (B) by striking “TEA 21 Restoration Act”
2 and inserting “Surface Transportation Extension
3 Act of 2003”.

4 (3) EXCEPTION TO LIMITATION ON TRANS-
5 FERS.—Paragraph (2) of section 9504(d) of such
6 Code is amended by striking “October 1, 2003” and
7 inserting “July 1, 2004”.

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

11 (d) TEMPORARY RULE REGARDING ADJUST-
12 MENTS.—During the period beginning on the date of the
13 enactment of this Act and ending on March 31, 2004, for
14 purposes of making any estimate under section 9503(d)
15 of the Internal Revenue Code of 1986 of receipts of the
16 Highway Trust Fund, the Secretary of the Treasury shall
17 treat—

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

23 (2) with respect to each tax imposed under the
24 sections referred to in section 9503(b)(1) of such
25 Code, the rate of such tax during the 24-month pe-

1 riod referred to in section 9503(d)(1)(B) of such
2 Code to be the same as the rate of such tax as in
3 effect on the date of the enactment of this Act.

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