

108TH CONGRESS  
1ST SESSION

# S. 528

To reauthorize funding for maintenance of public roads used by school buses serving certain Indian reservations.

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IN THE SENATE OF THE UNITED STATES

MARCH 5, 2003

Mr. BINGAMAN (for himself and Mr. BENNETT) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To reauthorize funding for maintenance of public roads used by school buses serving certain Indian reservations.

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 “Indian School Bus  
5 Route Safety Reauthorization Act of 2003”.

6 **SEC. 2. REAUTHORIZATION OF ADDITIONAL CONTRACT AU-**  
7 **THORITY FOR STATES WITH INDIAN RES-**  
8 **ERVATIONS.**

9 (a) AVAILABILITY TO STATES.—Not later than Octo-  
10 ber 1 of each fiscal year, funds made available under sub-

1 section (e) for the fiscal year shall be made available by  
2 the Secretary of Transportation, in equal amounts, to each  
3 State that has within the boundaries of the State all or  
4 part of an Indian reservation having a land area of  
5 10,000,000 acres or more.

6 (b) AVAILABILITY TO ELIGIBLE COUNTIES.—

7 (1) IN GENERAL.—Each fiscal year, each coun-  
8 ty that is located in a State to which funds are made  
9 available under subsection (a), and that has in the  
10 county a public road described in paragraph (2),  
11 shall be eligible to apply to the State for all or a  
12 portion of the funds made available to the State  
13 under this section to be used by the county to main-  
14 tain such public roads.

15 (2) ROADS.—A public road referred to in para-  
16 graph (1) is a public road that—

17 (A) is within, is adjacent to, or provides  
18 access to an Indian reservation described in  
19 subsection (a);

20 (B) is used by a school bus to transport  
21 children to or from a school or Headstart pro-  
22 gram carried out under the Head Start Act (42  
23 U.S.C. 9831 et seq.); and

24 (C) is maintained by the county in which  
25 the public road is located.

1           (3) ALLOCATION AMONG ELIGIBLE COUN-  
2 TIES.—

3           (A) IN GENERAL.—Except as provided in  
4 subparagraph (B), each State that receives  
5 funds under subsection (a) shall provide directly  
6 to each county that applies for funds the  
7 amount that the county requests in the applica-  
8 tion.

9           (B) ALLOCATION AMONG ELIGIBLE COUN-  
10 TIES.—If the total amount of funds applied for  
11 under this section by eligible counties in a State  
12 exceeds the amount of funds available to the  
13 State, the State shall equitably allocate the  
14 funds among the eligible counties that apply for  
15 funds.

16       (c) SUPPLEMENTARY FUNDING.—For each fiscal  
17 year, the Secretary of Transportation shall ensure that  
18 funding made available under this section supplements  
19 (and does not supplant)—

20           (1) any obligation of funds by the Bureau of  
21 Indian Affairs for road maintenance programs on  
22 Indian reservations; and

23           (2) any funding provided by a State to a county  
24 for road maintenance programs in the county.

1 (d) USE OF UNALLOCATED FUNDS.—Any portion of  
2 the funds made available to a State under this section that  
3 is not made available to counties within 1 year after the  
4 funds are made available to the State shall be apportioned  
5 among the States in accordance with section 104(b) of  
6 title 23, United States Code.

7 (e) FUNDING.—

8 (1) IN GENERAL.—There are authorized to be  
9 appropriated from the Highway Trust Fund (other  
10 than the Mass Transit Account) to carry out this  
11 section—

12 (A) \$3,000,000 for each of fiscal years  
13 2004 and 2005;

14 (B) \$4,000,000 for each of fiscal years  
15 2006 and 2007; and

16 (C) \$5,000,000 for each of fiscal years  
17 2008 and 2009.

18 (2) CONTRACT AUTHORITY.—Funds made  
19 available to carry out this section shall be available  
20 for obligation in the same manner as if the funds  
21 were apportioned under chapter 1 of title 23, United  
22 States Code.

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