

House Resolution 520, the previous question is ordered.

The question is on the motion offered by the gentleman from Florida (Mr. SHAW).

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. GREEN of Texas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Without objection, further proceedings on this motion will be postponed.

There was no objection.

#### GENERAL LEAVE

Mr. SHAW. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of the Senate amendment to H.R. 743.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later today.

#### SURFACE TRANSPORTATION EXTENSION ACT OF 2004

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3783) 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.

The Clerk read as follows:

H.R. 3783

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Surface Transportation Extension Act of 2004".

##### SEC. 2. ADVANCES.

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

(b) PROGRAMMATIC DISTRIBUTIONS.—

(1) ADMINISTRATION OF FUNDS.—Section 2(b)(3) of such Act (117 Stat. 1110) is amended by striking "the amendment made under subsection (d)" and inserting "section 1101(c) of the Transportation Equity Act for the 21st Century".

(2) SPECIAL RULES FOR MINIMUM GUARANTEE.—Section 2(b)(4) of such Act is amend-

ed by striking "\$1,166,666,667" and inserting \$2,100,000,000.

(3) EXTENSION OF OFF-SYSTEM BRIDGE SET-ASIDE.—Section 144(g)(3) of title 23, United States Code, is amended by striking "February 29" inserting "June 30".

(c) AUTHORIZATION OF CONTRACT AUTHORITY.—Section 1101(c)(1) of the Transportation Equity Act for the 21st Century (117 Stat. 1111) is amended by striking "\$13,483,458,333 for the period of October 1, 2003, through February 29, 2004" and inserting "\$24,270,225,000 for the period of October 1, 2003, through June 30, 2004".

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

"(e) LIMITATION ON OBLIGATIONS.—

"(1) DISTRIBUTION OF OBLIGATION AUTHORITY.—Subject to paragraph (2), for the period of October 1, 2003, through June 30, 2004, the Secretary shall distribute the obligation limitation made available for Federal-aid highways and highway safety construction programs under the heading '(LIMITATION ON OBLIGATIONS)' under the heading 'FEDERAL-AID HIGHWAYS' in the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (division F of Public Law 108-199) in accordance with section 110 of such Act; except that the amount of obligation limitation to be distributed for such period for each program, project, and activity specified in sections 110(a)(1), 110(a)(2), 110(a)(4), 110(a)(5), and 110(g) of such Act shall equal the greater of—

"(A) the funding authorized for such program, project, or activity in this Act and the Surface Transportation Extension Act of 2004 (including any amendments made by this Act and such Act); or

"(B) ½ of the funding provided for or limitation set on such program, project, or activity in the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004.

"(2) LIMITATION ON TOTAL AMOUNT OF AUTHORITY DISTRIBUTED.—The total amount of obligation limitation distributed under paragraph (1) for the period of October 1, 2003, through June 30, 2004, shall not exceed \$25,232,250,000; except that this limitation shall not apply to \$479,000,000 in obligations for minimum guarantee for such period.

"(3) TIME PERIOD FOR OBLIGATIONS OF FUNDS.—A State shall not obligate after June 30, 2004, any funds for any Federal-aid highway program project made available by this Act and the Surface Transportation Extension Act of 2004 (including any amendments made by this Act and such Act), until the date of enactment of a law reauthorizing the Federal-aid highway program.

"(4) TREATMENT OF OBLIGATIONS.—Any obligation of obligation authority distributed under this subsection shall be considered to be an obligation for Federal-aid highways and highway safety construction programs for fiscal year 2004 for the purposes of the matter under the heading '(LIMITATION ON OBLIGATIONS)' under the heading 'FEDERAL-AID HIGHWAYS' in the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004."

##### SEC. 3. TRANSFERS OF UNOBLIGATED APPORTIONMENTS.

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

"(e) PROHIBITION OF TRANSFERS.—Notwithstanding any other provision of this section, no funds may be transferred after February 29, 2004, by a State under subsection (a)—

"(1) from amounts apportioned to the State for the congestion mitigation and air quality improvement program; and

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

##### SEC. 4. ADMINISTRATIVE EXPENSES.

Section 4(a) of the Surface Transportation Extension Act of 2003 (117 Stat. 1113) is amended by striking "\$187,500,000" and inserting "\$337,500,000".

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

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

(1) FEDERAL LANDS HIGHWAYS.—

(A) INDIAN RESERVATION ROADS.—Section 1101(a)(8)(A) of the Transportation Equity Act for the 21st Century (112 Stat. 112; 117 Stat. 1113) is amended—

(i) in the first sentence by striking "\$114,583,333 for the period of October 1, 2003, through February 29, 2004" and inserting "\$206,250,000 for the period of October 1, 2003, through June 30, 2004"; and

(ii) in the second sentence by striking "\$5,416,667" and inserting "\$9,750,000".

(B) PUBLIC LANDS HIGHWAYS.—Section 1101(a)(8)(B) of such Act (112 Stat. 112; 117 Stat. 1113) is amended by striking "\$102,500,000 for the period of October 1, 2003, through February 29, 2004" and inserting "\$184,500,000 for the period of October 1, 2003, through June 30, 2004".

(C) PARK ROADS AND PARKWAYS.—Section 1101(a)(8)(C) of such Act (112 Stat. 112; 117 Stat. 1113) is amended by striking "\$68,750,000 for the period of October 1, 2003, through February 29, 2004" and inserting "\$123,750,000 for the period of October 1, 2003, through June 30, 2004".

(D) REFUGE ROADS.—Section 1101(a)(8)(D) of such Act (112 Stat. 112; 117 Stat. 1113) is amended by striking "\$8,333,333 for the period of October 1, 2003, through February 29, 2004" and inserting "\$15,000,000 for the period of October 1, 2003, through June 30, 2004".

(2) NATIONAL CORRIDOR PLANNING AND DEVELOPMENT AND COORDINATED BORDER INFRASTRUCTURE PROGRAMS.—Section 1101(a)(9) of such Act (112 Stat. 112; 117 Stat. 1114) is amended by striking "\$58,333,333 for the period of October 1, 2003, through February 29, 2004" and inserting "\$105,000,000 for the period of October 1, 2003, through June 30, 2004".

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

(A) IN GENERAL.—Section 1101(a)(10) of such Act (112 Stat. 113; 117 Stat. 1114) is amended by striking "\$15,833,333 for the period of October 1, 2003, through February 29, 2004" and inserting "\$28,500,000 for the period of October 1, 2003, through June 30, 2004".

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

(i) in clause (i) by striking "\$4,166,667" and inserting "\$7,500,000";

(ii) in clause (ii) by striking "\$2,083,333" and inserting "\$3,750,000"; and

(iii) in clause (iii) by striking "\$2,083,333" and inserting "\$3,750,000".

(4) NATIONAL SCENIC BYWAYS PROGRAM.—Section 1101(a)(11) of the Transportation Equity Act for the 21st Century (112 Stat. 113; 117 Stat. 1114) is amended by striking "\$11,458,333 for the period of October 1, 2003, through February 29, 2004" and inserting "\$20,625,000 for the period of October 1, 2003, through June 30, 2004".

(5) VALUE PRICING PILOT PROGRAM.—Section 1101(a)(12) of such Act (112 Stat. 113; 117 Stat. 1114) is amended by striking "\$4,583,333 for the period of October 1, 2003, through February 29, 2004" and inserting "\$8,250,000 for the period of October 1, 2003, through June 30, 2004".

(6) HIGHWAY USE TAX EVASION PROJECTS.—Section 1101(a)(14) of such Act (112 Stat. 113; 117 Stat. 1114) is amended by striking “\$2,083,333 for the period of October 1, 2003, through February 29, 2004” and inserting “\$3,750,000 for the period of October 1, 2003, through June 30, 2004”.

(7) COMMONWEALTH OF PUERTO RICO HIGHWAY PROGRAM.—Section 1101(a)(15) of such Act (112 Stat. 113; 117 Stat. 1114) is amended by striking “\$45,833,333 for the period of October 1, 2003, through February 29, 2004” and inserting “\$82,500,000 for the period of October 1, 2003, through June 30, 2004”.

(8) SAFETY GRANTS.—Section 1212(i)(1)(D) of such Act (23 U.S.C. 402 note; 112 Stat. 196; 117 Stat. 840; 117 Stat. 1114) is amended by striking “\$208,333 for the period of October 1, 2003, through February 29, 2004” and inserting “\$375,000 for the period of October 1, 2003, through June 30, 2004”.

(9) TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM.—Section 1221(e)(1) of such Act (23 U.S.C. 101 note; 112 Stat. 223; 117 Stat. 1114) is amended by striking “\$10,416,667 for the period of October 1, 2003, through February 29, 2004” and inserting “\$18,750,000 for the period of October 1, 2003, through June 30, 2004”.

(10) TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION.—Section 188 of title 23, United States Code, is amended—

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

“(F) \$105,000,000 for the period of October 1, 2003, through June 30, 2004.”;

(B) in subsection (a)(2) by striking “\$833,333 for the period of October 1, 2003, through February 29, 2004” and inserting “\$1,500,000 for the period of October 1, 2003, through June 30, 2004”; and

(C) in the item relating to fiscal year 2004 in table contained in subsection (c) by striking “\$1,083,333,333” and inserting “\$1,950,000,000”.

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

(1) SURFACE TRANSPORTATION RESEARCH.—Section 5001(a)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 419; 117 Stat. 1115) is amended by striking “\$43,750,000 for the period of October 1, 2003, through February 29, 2004” and inserting “\$78,750,000 for the period of October 1, 2003, through June 30, 2004”.

(2) TECHNOLOGY DEPLOYMENT PROGRAM.—Section 5001(a)(2) of such Act (112 Stat. 419; 117 Stat. 1115) is amended by striking “\$22,916,667 for the period of October 1, 2003, through February 29, 2004” and inserting “\$41,250,000 for the period of October 1, 2003, through June 30, 2004”.

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

(4) BUREAU OF TRANSPORTATION STATISTICS.—Section 5001(a)(4) of such Act (112 Stat. 420; 117 Stat. 1115) is amended by striking “\$12,916,667 for the period of October 1, 2003, through February 29, 2004” and inserting “\$23,250,000 for the period of October 1, 2003, through June 30, 2004”.

(5) ITS STANDARDS, RESEARCH, OPERATIONAL TESTS, AND DEVELOPMENT.—Section 5001(a)(5) of such Act (112 Stat. 420; 117 Stat. 1115) is amended by striking “\$47,916,667 for the period of October 1, 2003, through February 29, 2004” and inserting “\$86,250,000 for the period of October 1, 2003, through June 30, 2004”.

(6) ITS DEPLOYMENT.—Section 5001(a)(6) of such Act (112 Stat. 420; 117 Stat. 1116) is amended by striking “\$51,666,667 for the period of October 1, 2003, through February 29,

2004” and inserting “\$93,000,000 for the period of October 1, 2003, through June 30, 2004”.

(7) UNIVERSITY TRANSPORTATION RESEARCH.—Section 5001(a)(7) of such Act (112 Stat. 420; 117 Stat. 1116) is amended by striking “\$11,250,000 for the period of October 1, 2003, through February 29, 2004” and inserting “\$20,250,000 for the period of October 1, 2003, through June 30, 2004”.

(c) METROPOLITAN PLANNING.—Section 5(c)(1) of the Surface Transportation Extension Act of 2003 (117 Stat. 1116) is amended by striking “\$100,000,000 for the period of October 1, 2003, through February 29, 2004” and inserting “\$180,000,000 for the period of October 1, 2003, through June 30, 2004”.

(d) TERRITORIES.—Section 1101(d)(1) of the Transportation Equity Act for the 21st Century (117 Stat. 1116) is amended by striking “\$15,166,667 for the period of October 1, 2003, through February 29, 2004” and inserting “\$27,300,000 for the period of October 1, 2003, through June 30, 2004”.

(e) ALASKA HIGHWAY.—Section 1101(e)(1) of such Act (117 Stat. 1116) is amended by striking “\$7,833,333 for the period of October 1, 2003, through February 29, 2004” and inserting “\$14,100,000 for the period of October 1, 2003, through June 30, 2004”.

(f) OPERATION LIFESAVER.—Section 1101(f)(1) of such Act (117 Stat. 1117) is amended by striking “\$208,333 for the period of October 1, 2003, through February 29, 2004” and inserting “\$375,000 for the period of October 1, 2003, through June 30, 2004”.

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

(1) by striking “\$41,666,667” and inserting “\$75,000,000”; and

(2) by striking “February 29” and inserting “June 30”.

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

(1) by striking “\$41,666,667” and inserting “\$75,000,000”; and

(2) by striking “February 29” and inserting “June 30”.

(i) RECREATIONAL TRAILS ADMINISTRATIVE COSTS.—Section 1101(i)(1) of such Act (117 Stat. 1117) is amended by striking “\$312,500 for the period of October 1, 2003, through February 29, 2004” and inserting “\$562,500 for the period of October 1, 2003, through June 30, 2004”.

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

(1) by striking “\$2,187,500” and inserting “\$3,937,500”; and

(2) by striking “\$104,167” and inserting “\$187,500”; and

(3) by striking “February 29” each place it appears and inserting “June 30”.

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

(1) in paragraph (1) by striking “\$4,166,667 for the period of October 1, 2003, through February 29, 2004” and inserting “\$7,500,000 for the period of October 1, 2003, through June 30, 2004”; and

(2) in paragraph (2) by striking “\$4,166,667 for the period of October 1, 2003, through February 29, 2004” and inserting “\$7,500,000 for the period of October 1, 2003, through June 30, 2004”.

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

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

(2) by inserting “or the amendment made by section 5(a)(1) of such Act” before the period at the end.

(m) REDUCTION OF ALLOCATED PROGRAMS.—Section 5(m) of such Act (117 Stat. 1119) is amended—

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

(2) by striking “both”;

(3) by striking “and by this section” and inserting “, by this section, and by section 5 of such Act”; and

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

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

## SEC. 6. EXTENSION OF HIGHWAY SAFETY PROGRAMS.

(a) CHAPTER 1 HIGHWAY SAFETY PROGRAMS.—

(1) SEAT BELT SAFETY INCENTIVE GRANTS.—Section 157(g)(1) of title 23, United States Code, is amended by striking “\$46,666,667 for the period of October 1, 2003, through February 29, 2004” and inserting “\$84,000,000 for the period of October 1, 2003, through June 30, 2004”.

(2) PREVENTION OF INTOXICATED DRIVER INCENTIVE GRANTS.—Section 163(e)(1) of such title is amended by striking “\$50,000,000 for the period of October 1, 2003, through February 29, 2004” and inserting “\$90,000,000 for the period of October 1, 2003, through June 30, 2004”.

(b) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Section 2009(a)(1) of the Transportation Equity Act for the 21st Century (112 Stat. 337; 117 Stat. 1119) is amended by striking “, and \$68,750,000 for the period of October 1, 2003, through February 29, 2004” and inserting “, and \$123,019,875 for the period of October 1, 2003, through June 30, 2004”.

(c) HIGHWAY SAFETY RESEARCH AND DEVELOPMENT.—Section 2009(a)(2) of such Act (112 Stat. 337; 117 Stat. 1119) is amended by striking “\$30,000,000 for the period of October 1, 2003, through February 29, 2004” and inserting “\$53,681,400 for the period of October 1, 2003, through June 30, 2004”.

(d) OCCUPANT PROTECTION INCENTIVE GRANTS.—Section 2009(a)(3) of such Act (112 Stat. 337; 117 Stat. 1120) is amended by striking “\$8,333,333 for the period of October 1, 2003, through February 29, 2004” and inserting “\$14,911,500 for the period of October 1, 2003, through June 30, 2004”.

(e) ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES INCENTIVE GRANTS.—Section 2009(a)(4) of such Act (112 Stat. 337; 117 Stat. 1120) is amended by striking “\$16,666,667 for the period of October 1, 2003, through February 29, 2004” and inserting “\$29,823,000 for the period of October 1, 2003, through June 30, 2004”.

(f) NATIONAL DRIVER REGISTER.—Section 2009(a)(6) of such Act (112 Stat. 338; 117 Stat. 1120) is amended by striking “\$833,333 for the period of October 1, 2003, through February 29, 2004” and inserting “\$2,684,070 for the period of October 1, 2003, through June 30, 2004”.

## SEC. 7. EXTENSION OF MOTOR CARRIER SAFETY PROGRAM.

(a) ADMINISTRATIVE EXPENSES.—Section 7(a)(1) of the Surface Transportation Extension Act of 2003 (117 Stat. 1120) is amended by striking “\$71,487,500 for the period of October 1, 2003, through February 29, 2004” and inserting “\$131,811,967 for the period October 1, 2003 through June 30, 2004”.

(b) MOTOR CARRIER SAFETY ASSISTANCE PROGRAM.—Section 31104(a)(7) of title 49, United States Code, is amended to read as follows:

“(7) Not more than \$126,519,126 for the period of October 1, 2003, through June 30, 2004.”

(c) INFORMATION SYSTEMS AND COMMERCIAL DRIVER'S LICENSE GRANTS.—

(1) AUTHORIZATION OF APPROPRIATION.—Section 31107(a)(5) of such title is amended to read as follows:

“(5) \$14,972,678 for the period of October 1, 2003 through June 30, 2004.”.

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

(A) by striking “February 29,” and inserting “June 30,”; and

(B) by striking “\$416,667” and inserting “\$748,634”.

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

(1) by striking “\$416,667” and inserting “\$748,634”; and

(2) by striking “February 29” and inserting “June 30”.

#### SEC. 8. EXTENSION OF FEDERAL TRANSIT PROGRAMS.

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

(1) in paragraph (1) by striking “February 29” and inserting “June 30”; and

(2) in paragraph (2)(B)(iii)—

(A) by striking “FEBRUARY 29” in the clause heading and inserting “JUNE 30”; and

(B) by striking “\$4,333,333” and inserting “\$7,753,980”;

(C) by striking “February 29” and inserting “June 30”;

(3) in paragraph (3)(B) by striking “(and \$1,250,000 shall be available for the period October 1, 2003, through February 29, 2004)” and inserting “(and \$2,236,725 shall be available for the period October 1, 2003, through June 30, 2004)”;

(4) in paragraph (3)(C) by striking “(and \$20,833,334 shall be available for the period October 1, 2003, through February 29, 2004)” and inserting “(and \$37,278,750 shall be available for the period October 1, 2003, through June 30, 2004)”.

(b) APPORTIONMENT OF APPROPRIATIONS FOR FIXED GUIDEWAY MODERNIZATION.—The heading for paragraph (1) of section 8(b) of the Surface Transportation Extension of 2003 (117 Stat. 1121) is amended by striking “FEBRUARY 29” and inserting “JUNE 30”.

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

(1) in the heading to paragraph (2) by striking “FEBRUARY 29” and inserting “JUNE 30”; and

(2) in paragraph (2)(A) by striking clause (vi) and inserting the following:

“(vi) \$2,289,809,940 for the period of October 1, 2003, through June 30, 2004.”;

(3) in paragraph (2)(B) by striking clause (vi) and inserting the following:

“(vi) \$572,452,485 for the period of October 1, 2003, through June 30, 2004.”; and

(4) in paragraph (2)(C) by striking “February 29” and inserting “June 30”.

(d) ALLOCATION OF FORMULA GRANT FUNDS FOR OCTOBER 1, 2003, THROUGH JUNE 30, 2004.—Section 8(d) of the Surface Transportation Extension of 2003 (117 Stat. 1122) is amended—

(1) in the subsection heading by striking “FEBRUARY 29” and inserting “JUNE 30”;

(2) in the matter preceding paragraph (1) by striking “February 29” and inserting “June 30”;

(3) in paragraph (1) by striking “\$2,020,813” and inserting “\$3,616,001”;

(4) in paragraph (1) by striking “\$20,833,334” and inserting “\$37,278,750”.

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

(1) in the heading to paragraph (2) by striking “FEBRUARY 29” and inserting “JUNE 30”;

(2) in paragraph (2)(A) by striking clause (vi) and inserting the following:

“(vi) \$1,871,393,250 for the period of October 1, 2003, through June 30, 2004.”; and

(3) in paragraph (2)(B) by striking clause (vi) and inserting the following:

“(vi) \$467,848,313 for the period of October 1, 2003, through June 30, 2004.”.

(f) PLANNING AUTHORIZATIONS AND ALLOCATIONS.—Section 5338(c) of such title is amended—

(1) in the heading to paragraph (2) by striking “FEBRUARY 29” and inserting “JUNE 30”;

(2) in paragraph (2)(A) by striking clause (vi) and inserting the following:

“(vi) \$43,690,695 for the period of October 1, 2003, through June 30, 2004.”; and

(3) in paragraph (2)(B) by striking clause (vi) and inserting the following:

“(vi) \$10,736,280 for the period of October 1, 2003, through June 30, 2004.”.

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

(1) in the heading to paragraph (2) by striking “FEBRUARY 29” and inserting “JUNE 30”;

(2) in paragraph (2)(A) by striking clause (vi) and inserting the following:

“(vi) \$31,463,265 for the period of October 1, 2003, through June 30, 2004.”;

(3) in paragraph (2)(B) by striking clause (vi) and inserting the following:

“(vi) \$8,052,210 for the period of October 1, 2003, through June 30, 2004.”; and

(4) in paragraph (2)(C) by striking “February 29” and inserting “June 30”.

(h) ALLOCATION OF RESEARCH FUNDS FOR OCTOBER 1, 2003, THROUGH FEBRUARY 29, 2004.—Section 8(h) of the Surface Transportation Extension Act of 2003 (117 Stat. 1123)—

(1) in the matter preceding paragraph (1) by striking “February 29” and inserting “June 30”;

(2) in paragraph (1) by striking “\$2,187,500” and inserting “\$3,914,269”;

(3) in paragraph (2) by striking “\$3,437,500” and inserting “\$6,150,994”;

(4) in paragraph (3)—

(A) by striking “\$1,666,667” and inserting “\$2,982,300”; and

(B) by striking “\$416,667” and inserting “\$745,575”.

(i) UNIVERSITY TRANSPORTATION RESEARCH AUTHORIZATIONS.—Section 5338(e) of title 49, United States Code, is amended—

(1) in the heading to paragraph (2) by striking “FEBRUARY 29” and inserting “JUNE 30”;

(2) in paragraph (2)(A) by striking “\$2,020,833 for the period of October 1, 2003, through February 29, 2004” and inserting “\$3,578,760 for the period of October 1, 2003, through June 30, 2004”; and

(3) in paragraph (2)(B) by striking “\$505,833 for the period of October 1, 2003, through February 29, 2004” and inserting “\$894,690 for the period of October 1, 2003, through June 30, 2004”;

(4) in each of clauses (i) and (iii) of paragraph (2)(C) by striking “February 29” and inserting “June 30”.

(j) ALLOCATION OF UNIVERSITY TRANSPORTATION RESEARCH FUNDS.—

(1) IN GENERAL.—Section 8(j)(1) of the Surface Transportation Extension Act of 2003 (117 Stat. 1124) is amended—

(A) in the matter preceding subparagraph (A) by striking “February 29” and inserting “June 30”;

(B) in subparagraph (A) by striking “\$833,333” and inserting “\$1,491,150”; and

(C) in subparagraph (B) by striking “\$833,333” and inserting “1,491,150”.

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

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

(1) in the heading to paragraph (2) by striking “FEBRUARY 29” and inserting “JUNE 30”;

(2) in paragraph (2)(A) by striking clause (vi) and inserting the following:

“(vi) \$45,032,730 for the period of October 1, 2003, through June 30, 2004.”; and

(3) in paragraph (2)(B) by striking clause (vi) and inserting the following:

“(vi) \$11,258,183 for the period of October 1, 2003, through June 30, 2004.”.

(l) JOB ACCESS AND REVERSE COMMUTE PROGRAM.—Section 3037(l) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5309 note; 112 Stat. 391-392; 117 Stat. 1124) is amended—

(1) in paragraph (1)(A) by striking clause (vi) and inserting the following:

“(vi) \$74,557,500 for the period of October 1, 2003, through June 30, 2004.”;

(2) in paragraph (1)(B) by striking clause (vi) and inserting the following:

“(vi) \$18,639,375 for the period of October 1, 2003, through June 30, 2004.”; and

(3) in paragraph (2) by striking “February 29, 2004, \$4,166,667” and inserting “June 30, 2004, \$7,455,750 shall be used for such projects”.

(m) RURAL TRANSPORTATION ACCESSIBILITY INCENTIVE PROGRAM.—Section 3038(g) of such Act (49 U.S.C. 5310 note; 112 Stat. 393; 117 Stat. 1125) is amended—

(1) in paragraph (1) by striking subparagraph (F) and inserting the following:

“(F) \$3,914,269 for the period of October 1, 2003, through June 30, 2004.”; and

(2) in paragraph (2) by striking “(and \$708,333 shall be available for the period of October 1, 2003, through February 29, 2004)” and inserting “(and \$1,267,478 shall be available for the period of October 1, 2003, through June 30, 2004)”.

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

(1) in the heading to paragraph (2) by striking “FEBRUARY 29” and inserting “JUNE 30”; and

(2) in paragraph (2)(A) by striking “February 29” and inserting “June 30”.

(o) OBLIGATION CEILING.—Section 3040(6) of the Transportation Equity Act for the 21st Century (112 Stat. 394; 117 Stat. 1125) is amended to read as follows:

“(6) \$5,449,407,675 for the period of October 1, 2003, through June 30, 2004.”.

(p) FUEL CELL BUS AND BUS FACILITIES PROGRAM.—Section 3015(b) of such Act (112 Stat. 361; 117 Stat. 1125) is amended by striking “February 29, 2004, \$2,020,833” and inserting “June 30, 2004, \$3,616,039”.

(q) ADVANCED TECHNOLOGY PILOT PROJECT.—Section 3015(c)(2) of such Act (49 U.S.C. 322 note; 112 Stat. 361; 117 Stat. 1125) is amended—

(1) by striking “February 29” and inserting “June 30”; and

(2) by striking “and \$2,083,333” and inserting “and \$3,727,875”.

(r) PROJECTS FOR NEW FIXED GUIDEWAY SYSTEMS AND EXTENSIONS TO EXISTING SYSTEMS.—Subsections (a), (b), and (c)(1) of section 3030 of such Act (112 Stat. 373-381; 117 Stat. 1125) are each amended by striking “February 29” and inserting “June 30”.

(s) NEW JERSEY URBAN CORE PROJECT.—Subparagraphs (A), (B), and (C) of section 3031(a)(3) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2122; 112 Stat. 379) are each amended by striking “February 29” and inserting “June 30”.

(t) TREATMENT OF FUNDS.—Section 8(t) of the Surface Transportation Extension Act of 2003 (23 U.S.C. 101 note; 117 Stat. 1126) is amended by inserting “and by section 8 of the Surface Transportation Extension Act of 2004” before “shall be treated”.

(u) LOCAL SHARE.—Section 3011(a) of the Transportation Equity Act for the 21st Century (112 Stat. 357) is amended by inserting

"and for the period of October 1, 2003, through June 30, 2004" after "2003".

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

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

"(6) \$7,500,000 for the period of October 1, 2003, through June 30, 2004."

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

"(4) FIRST 9 MONTHS OF FISCAL YEAR 2004.—For the period of October 1, 2003, through June 30, 2004, of the balance of each annual appropriation remaining after making the distribution under subsection (a), an amount equal to \$61,500,000, reduced by 82 percent of the amount appropriated for that fiscal year from the Boat Safety Account of the Aquatic Resources Trust Fund established by section 9504 of the Internal Revenue Code of 1986 to carry out the purposes of section 13106(a) of title 46, United States Code, shall be used as follows:

"(A) \$7,500,000 shall be available to the Secretary of the Interior for 3 fiscal years for obligation for qualified projects under section 5604(c) of the Clean Vessel Act of 1992 (33 U.S.C. 1322 note).

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

"(C) The balance remaining after the application of subparagraphs (A) and (B) shall be transferred to the Secretary of Transportation and shall be expended for State recreational boating safety programs under section 13106 of title 46, United States Code."

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

(1) by striking "\$2,083,333" and inserting "\$3,750,000"; and

(2) by striking "\$833,333" and inserting "\$1,500,000".

**SEC. 10. EXTENSION OF AUTHORIZATION FOR USE OF TRUST FUNDS FOR OBLIGATIONS UNDER TEA-21.**

(a) HIGHWAY TRUST FUND.—

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

(A) in the matter before subparagraph (A), by striking "March 1, 2004" and inserting "July 1, 2004";

(B) by striking "or" at the end of subparagraph (E);

(C) by striking the period at the end of subparagraph (F) and inserting ", or";

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

"(G) authorized to be paid out of the Highway Trust Fund under the Surface Transportation Extension Act of 2004.", and

(E) in the matter after subparagraph (G), as added by this paragraph, by striking "Surface Transportation Extension Act of 2003" and inserting "Surface Transportation Extension Act of 2004".

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

(A) in the matter before subparagraph (A), by striking "March 1, 2004" and inserting "July 1, 2004";

(B) in subparagraph (C), by striking "or" at the end of such subparagraph;

(C) in subparagraph (D), by inserting "or" at the end of such subparagraph;

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

"(E) the Surface Transportation Extension Act of 2004.", and

(E) in the matter after subparagraph (E), as added by this paragraph, by striking

"Surface Transportation Extension Act of 2003" and inserting "Surface Transportation Extension Act of 2004".

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Subparagraph (B) of section 9503(b)(5) of such Code is amended by striking "March 1, 2004" and inserting "July 1, 2004".

(b) AQUATIC RESOURCES TRUST FUND.—

(1) SPORT FISH RESTORATION ACCOUNT.—Paragraph (2) of section 9504(b) of the Internal Revenue Code of 1986 is amended by striking "Surface Transportation Extension Act of 2003" each place it appears and inserting "Surface Transportation Extension Act of 2004".

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

(A) by striking "March 1, 2004" and inserting "July 1, 2004"; and

(B) by striking "Surface Transportation Extension Act of 2003" and inserting "Surface Transportation Extension Act of 2004".

(3) EXCEPTION TO LIMITATION ON TRANSFERS.—Paragraph (2) of section 9504(d) of such Code is amended by striking "March 1, 2004" and inserting "July 1, 2004".

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

(d) TEMPORARY RULE REGARDING ADJUSTMENTS.—During the period beginning on the date of the enactment of the Surface Transportation Extension Act of 2003 and ending on June 30, 2004, for purposes of making any estimate under section 9503(d) of the Internal Revenue Code of 1986 of receipts of the Highway Trust Fund, the Secretary of the Treasury shall treat—

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

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Illinois (Mr. LIPINSKI) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska (Mr. YOUNG).

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, H.R. 3783, the legislation now under consideration by the House, will continue for an additional 4 months the highway construction, highway safety, transit, motor carrier, and surface transportation research programs. These programs will be continued under current-law program structure and conditions.

This bill is necessary in order to give the House Committee on Transportation and Infrastructure and our colleagues in the Senate time to complete a multi-year surface transportation bill.

Mr. Speaker, H.R. 3783 provides for over \$31 billion in new funding author-

ity, which reflects 9 months' work or nine-twelfths of the budget authority and associated outlays in the year 2004 budget resolution that Congress passed last year.

As my colleagues may know, Mr. Speaker, I have introduced H.R. 3550 with the gentleman from Minnesota (Mr. OBERSTAR), the Transportation Equity Act: A Legacy For Users, or TEA-LU. TEA-LU will begin to meet the needs and begin to improve our aging and deteriorating transportation infrastructure.

TEA-LU will address and resolve the funding inequity issue between the donor and donee States, create new jobs, and stimulate the economy. Unfortunately, the overall funding for transportation has not been resolved entirely; and, therefore, we must pass this 4-month extension.

Even though TEA-LU has been introduced, there are many issues remaining for this House to resolve. As I mentioned earlier, identifying the appropriate resources to support funding levels over the next 6 years is the primary challenge. If TEA-LU is reduced to the level of the Senate bill, many worthy projects and programs will be reduced or quite possibly eliminated from the bill.

In the interim, this 4-month extension is a must-pass bill. If we do not pass this bill and send it to the President before February 29, four Department of Transportation agencies will close their doors and furlough their employees: the Federal Highway Administration, the Federal Transit Administration, National Highway Traffic Safety Administration, and the Federal Motor Carrier Safety Administration.

If we do not pass this extension, new highway projects will be shelved, States will not be reimbursed the Federal share of the projects, safety grants will not be provided to the States, transit construction will be halted, and Federal enforcement of our motor carrier safety regulations on the highways and at the borders will suffer.

It is crucial that H.R. 3783 be passed by both the House and the Senate and delivered to the Senate before February 29. Our economy cannot withstand the shutdown of the national surface transportation programs.

Mr. Speaker, I reserve the balance of my time.

Mr. LIPINSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3783, the Surface Transportation Extension Act of 2004.

This bill would extend surface transportation funding for an additional 4 months, from March 2004 through June 2004. TEA-21 expired on September 30, 2003. Current funds are flowing because we passed a 5-month extension last year. The Surface Transportation Extension Act of 2003 extended our highway and transit programs through February 29. That is only a short 2 weeks away. That is why we need to once again pass another extension to avoid

disruption of Federal surface transportation programs. If we do not pass an extension by February 29, current law would essentially cut off highway and transit funding as of March 1. That would result in devastating impacts to every single State in the Union.

Mr. Speaker, H.R. 3783 would extend the current programs and authorize a total of \$32 billion in continued funding through June 2004. This bill would authorize \$26.4 billion for highway programs, \$5.4 billion for transit programs, and \$499 million for motor carrier safety and highway safety programs. We need to pass this bill because it will keep our Nation moving.

□ 1515

However, I believe the real debate today is not just about the need for this extension, because we all know we need to pass it and sign it into law. The real debate today is about the need to pass a multi-year authorization bill at a robust funding level that will adequately address our surface transportation needs. The real debate today is why the administration is shortsighted and shortchanging the great American middle class.

Last year, the administration's \$247 billion SAFETEA proposal was too little too late. Even with the revised funding level of \$256 billion, it is still too little and too late. Most recent figures showed the U.S. unemployment rate is at 5.6 percent. Millions of Americans are still unemployed. They are struggling to put food on their kitchen tables. With our sluggish national economy and millions of Americans out of work, we need something much more than the administration's SAFETEA proposal.

What this Nation needs is a robust public works funding package, and SAFETEA just is not it. What we need is H.R. 3550, the Transportation Equity Act, A Legacy for Users. Under the leadership of the gentleman from Alaska (Mr. YOUNG), the gentleman from Wisconsin (Mr. PETRI), and the gentleman from Minnesota (Mr. OBERSTAR), this proposal on the House Committee on Transportation and Infrastructure would authorize \$375 billion over 6 years.

Some have criticized that our proposed surface transportation funding will bust the budget and worsen the Federal deficit. Let us be clear about this, nothing could be further from the truth.

Ronald Wilson Reagan knew that fact. In 1982, he said that the highway program will not increase the Federal deficit because the Highway Trust Fund is off budget and because it is funded through user fees. It is a pay-as-you-go system that is deficit neutral.

In addition, I believe, just as Ronald Wilson Reagan believed when he asked Congress to raise the highway user fee by five cents, that highway user fees are simply good tax policy.

Let us pass the extension now because we need to do it. But, most im-

portantly, let us pass a robust multi-year transportation funding bill because we ought to do it. Just as George Herbert Walker Bush said when he signed ISTEA into law back in December of 1991, this bill really is about one thing. It is all about jobs, jobs, jobs.

Mr. Speaker, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. PETRI), the chairman of the Subcommittee on Highways, Transit and Pipelines of the Committee on Transportation and Infrastructure.

Mr. PETRI. Mr. Speaker, I rise in support of the bill H.R. 3783, the Surface Transportation Extension Act of 2004.

Although a lot of work has been done on the reauthorization bill, there are challenges remaining, including identifying the needed resources to support funding levels over the next 6 years and addressing the concerns of donor States who want to get a better return on their contribution to the Highway Trust Fund.

This short-term extension is a must-pass bill and so, frankly, is the six-year reauthorization at some point. This is not, as some try to characterize it, pork. This is needed investment in our Nation's productive infrastructure.

If we fail to invest in our Nation's productive infrastructure, we will become less competitive as an economy, we will have a less productive economy, higher prices in the stores, less safe driving on our highways. It is estimated that one out of three deaths on our highways, some 40,000 a year, could be prevented if we had well-maintained, well-designed, modern transportation infrastructure.

This is an investment which, if we fail to make, we are going to pay anyway. The fact is we are not going to save any money by underinvesting in our transportation infrastructure as a country. We will pay in terms of blowing gas out of people's tailpipes, in terms of delay, in terms of inefficiencies in our economy or we can invest and have something to show for it: a first-rate transportation system linking our country together, making us competitive as an economy.

Today, we worry a lot in America about the growing economic competition we face from across the Pacific in China. Let me tell you what China is doing. They are taking a leaf out of our book. Back 60 years ago, Dwight Eisenhower, who knew something about war and about competitiveness and about our country, he stood back, put a cap as best he could on defense spending and pulled the lid full speed ahead on investing in our productive domestic transportation infrastructure. We built the interstate highway system.

What did the Soviet Union do? No roads to speak of. They relied on their railroads. Forty years later, who had the better investment strategy? We had something to save for. We were

more competitive as a country, and they collapsed.

What is happening today in the world? We are talking and debating about whether we are going to maintain our commitment to a first-rate infrastructure, grow it to accommodate growth in our economy, grow it to accommodate on the public sector side the tremendous investment the private sector has made in communication and computer technology, to manage data, which at the end of the day squeeze inventory out of the system, go to just-in-time delivery, wonderful things that make us much more productive. But if the goods cannot be moved efficiently, none of that pays off the way it otherwise can.

What is China planning to do today? They are planning over the next 15 years to replicate our interstate transportation system, four-lane highways linking that continent. They are planning on doing in 15 years what it took us 60 years to do. If we fail to meet this challenge, where will we be? What will we have to show for all this supposed savings that we make as a country by underinvesting in our infrastructure? We will leave our children and our grandchildren disarmed in the face of that challenge.

So I ask my colleagues to put aside the rhetoric, recognize that there are different kinds of spending in this world. Everyone says their spending is investment. This is real investment. You have got something to show for it. We will leave a legacy to our children and our grandchildren that we can be proud of and that they can benefit from. This is must-pass legislation, and we are going to have to pay for it if we are going to want to get something for it.

I urge my colleagues to support the passage of the continuing resolution before us today. It is vitally important that this bill be passed by both the House and the Senate and delivered to the President before February 29. Our economy cannot withstand the shutdown of the national surface transportation programs, and it cannot withstand a kind of gnawing away and erosion of our commitment in this area otherwise, either. If we do that, we will regret it in years to come.

Mr. LIPINSKI. Mr. Speaker, I want to compliment the gentleman from Wisconsin (Mr. PETRI) on those excellent remarks of his.

Mr. Speaker, I yield 3 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Speaker, I thank the distinguished gentleman from Illinois (Mr. LIPINSKI) for yielding me time.

Mr. Speaker, I want to thank the three gentlemen who have preceded me in speaking, because what they have done is herculean. They have worked together in a bipartisan manner to try to get a bill for this House. I thought they were being wonderfully ambitious to try to get it this month; and I think

this House should be very grateful to them because they are having to contend with something that is very, very difficult.

There are three different figures here, Mr. Speaker. Our committee wants \$375 billion, the Senate has come forward with \$318 billion, and the administration has come forward with \$256 billion. And these three gentlemen are trying to find some way to thread this needle and get us all through it. I want to thank them for it.

I do want to say that you would think that this was taxpayers' money. When you think about these different figures, the average person would not believe that this money is in trust to be spent on exactly what we are here on the floor getting an extension for, on mass transportation, on roads, on infrastructure. What we have got is a seminal decision waiting for us.

The best case for going full way with the House bill, of course, is the failure of the recovery to generate any jobs. We cannot go on this way without having to pay a price for it.

The difference in the figures bothers me. The gentleman from the other body, Mr. INHOFE, has indicated that if the full figure that our committee wants is not forthcoming, and I am here using his words, cutting the costs would cause more problems than it would solve because the committee's allocation of funds among the States would be in jeopardy.

This money does not go flinging all around. It goes to States desperately in need of it now, particularly given the huge funding problems the States are having across the board. He is talking about a figure that is less than our figure of \$318 million, that the problem would go to the formula itself. So everybody would look to get a lot less money than they need if we cannot agree upon a formula that in fact uses the trust fund for what people paid at the pump to have it used for.

We would not be in this situation if we had passed the \$50 billion bill where we came forward last year with \$50 billion paid for bill, ready to go, projects in every Members' districts ready to go, sitting on the table, cannot go for lack of funds. That bill never made it to the floor. What jobs are flowing are flowing only anemically, left over from the old transportation bills.

I do not have any doubt that this bill will pass. I have come to the floor to speak about the bill that the gentlemen have been working on, a bill we must have, a bill that is adequately funded, a bill that will use the Highway Trust Fund for the purposes we have collected those funds for.

We must go forward, not backwards. If you need a reason besides the state of your own economy and your own State, think about drugs, think about jobs and the failure of our economy to recover.

Mr. YOUNG of Alaska. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. LATOURETTE).

Mr. LATOURETTE. Mr. Speaker, I thank the chairman of our committee for yielding me time.

I support this extension; and I recognize that, by supporting this extension, by the time this extension expires under the able leadership of the gentleman from Alaska (Mr. YOUNG), the ranking member, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Illinois (Mr. LIPINSKI) and the gentleman from Wisconsin (Mr. PETRI), we will have a bill produced in the House that will be worthy of our support.

There is a great American in Cleveland, Ohio, today speaking in support of the highway bill. It is the Secretary of the Department of Transportation, the former chairman of our committee, Norm Mineta, who I have nothing but respect for.

The problem is, he is supporting the wrong bill. He is supporting a bill that proposes to spend over 6 years about \$258 billion that does not come close to meeting the needs of America's infrastructure.

The chairman and I were in our Republican conference today, and the transportation bill was the subject of some discussion. I have to tell you that if you are looking, not to be partisan, but if you are looking for Republican principles when it comes to highway spending, you can go to Abraham Lincoln, you can go to Dwight Eisenhower, you can go to Richard Nixon, you can go to Ronald Reagan, you can go to George H.W. Bush. All of those presidents recognized that you need to have a strong infrastructure in this country, you need to have a strong infrastructure bill, that the return on infrastructure spending is about six to one back to the government, produces hundreds of thousands, millions of jobs over the six-year life of the bill; and this President should have a bill, too.

I hope that those who are sort of trying to do transportation on the cheap and maybe have the ear of the President at the moment recognize that if you want to draw a line in the sand on spending, this is the wrong beach to draw that line on. If we are going to stay competitive with our folks around the world in Asia and in Europe, we need to make this serious investment in our Nation's infrastructure.

I just had, at the invitation of the gentleman from Alaska (Mr. YOUNG), the opportunity to be in Iraq. There is some discussion in this Chamber about whether or not we should have approved \$18 billion for the reconstruction of Iraq. I happen to think it was money well spent. But I will say that if we can spend money building roads in Baghdad, and Tikrit and Um Qasr, we should be able to spend money in this country building roads in Anchorage and up in Duluth and in Portland and in Chicago and in Washington, D.C., and in Cleveland, Ohio.

So I hope that when this bill comes to the floor it is closer to the \$375 billion than it is the \$258 billion that our

good friend and former chairman, Secretary Mineta, is talking about in Cleveland, Ohio, today.

Mr. LIPINSKI. Mr. Speaker, I yield such time as he may consume to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the full committee.

□ 1530

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding the time and for his excellent management of the bill and the splendid work the gentleman from Illinois has invested over these many months on the bill, and our chairman of the full committee, the gentleman from Alaska, who has spearheaded the drive for the right policy for America. The gentleman from Ohio said a moment ago this is an investment in America; it is an investment in jobs at home.

The gentleman from Wisconsin talked about China's investment in highways. That is just a pittance of what China is investing: \$200 billion to double the capacity of their existing waterway ports; \$100 billion to modernize their airports, build six new airports, modernize 35 existing airports, build regional airports, to move goods and people more efficiently and effectively and to compete in the globalized marketplace.

Japan, 10 years ago, launched a \$1 trillion infrastructure investment program to upgrade the Shinkansen high-speed rail that carries 256 million passengers a year at speeds of nearly 200 miles an hour; upgrade their ports; build a new airport in the ocean as they have already done, extend that; and improve their existing international airport in Tokyo. Why are they doing that? Because they want to compete in the global marketplace more effectively, more efficiently; and every investment they make is a disadvantage to us if we do not keep up, if we do not make our infrastructure investments at home to keep America productive.

Time is running out. I said that 7 years ago. I was on this floor saying time is running out on us. We need to extend this bill, but we need to pass this bill. This was then BESTEA in 1997, and we did, we extended; but we did get a bill passed.

So last fall we were here for the expiration of TEA-21; and I said in this well on this floor, I am afraid we will be back here on this floor once again pleading for another extension of time to keep transportation programs from once again expiring. I do not want to be back on this floor saying again what I said 6 years ago, time is running out, end of quote; but here we are, once again, not because we cannot get a bill accomplished in this committee.

I want it said on the record. We have had a very, how shall I say, competitive negotiation in committee, competing ideas, competing thoughts, competing policies; but we have worked them out. We have the major policy

issues agreed upon largely, a few things yet to be done; and we will get those done in the historic bipartisan spirit of this committee and practice of this committee.

What we cannot get done is the funding side. We cannot do that alone. We need the executive branch to participate with us. We need the Committee on Ways and Means to participate, and they will if they are released. Free the Committee on Ways and Means. Let them go ahead. I think the gentleman from California (Mr. THOMAS) will agree with us that we need a robust bill.

What we cannot have is a reverse option. We started off with \$375 billion. Do I hear \$350 billion? Do I hear 325? Do I hear 318? Do I hear 311? Do I hear 300? Auctions are supposed to go the other way. We are going in the wrong way, not for lack of effort by our chairman, by members of the committee on both sides.

The gentleman from Alaska (Chairman YOUNG) has stuck his neck out and said it time and again. He has led the way. He has told the White House what we need to do. He has told his Republican conference what we need to do. He has told every user group in America what we need to do. He sent us out on the road as missionaries advocating for a robust bill; and nowhere that I have been, nowhere the gentleman from Wisconsin (Chairman PETRI) has been, nowhere that the gentleman from Illinois (Ranking Member LIPINSKI) has been, nowhere the gentleman from Alaska (Chairman YOUNG) has been has anyone said we should not do five cents for America.

This investment in the highway trust fund is the best investment America makes. We have an anti-deficiency provision in the highway trust fund law that says you cannot run a deficit and never have in the nearly 50 years of the highway trust fund, never have, never will; and the users of the system understand that. That is why they are willing to pay the five cents.

Yesterday, OPEC announced that they are going to cut back on production of oil to drive the price of fuel up so that they can continue to generate profits in the face of an eroding American dollar. We are going to sit here and let them do that and say, oh, we cannot burden the American public with five cents? Thirty-six dollars per capita in America to get a better highway system, to get a better investment in transit.

If we were to pass this bill at \$375 billion now and the President sign it into law in the next 2 months, we would have 475,000 people in the construction trades working in America by Labor Day, \$60 billion of economic activity, putting America back to work. How can that be wrong? How can that be partisan? It is the best investment we can make in America. Get this country moving again, create the jobs. We did it under TEA-21, created 1.3 million jobs in construction trades. No one was

sitting on the benches of America. Today we have 800,000 construction workers out of a job and can put half of them to work in the next four months if we pass our bill, our committee bill, and leave a legacy for the chairman, leave a legacy for America. That is what we have got to do, do the right thing for America, not sit around here and fritter away our future and be subject to globalization.

We have seen textiles move offshore. We have seen leather goods move offshore. We have seen steel production move offshore. We now even have call centers moving offshore. We are bringing people from India into universities, community colleges in Indiana, Ohio, Iowa to train them with speech therapists in a Midwest accent so they can go back to India and run call centers. That is actually happening.

Well, one thing they cannot build in China is the Alameda Corridor. They cannot build CREATE in Tokyo for Illinois, for Chicago. They cannot build Anchorage roadways in Taiwan. You build them in America. You create those jobs in America, right here. This is an American program. This is an investment for the future of this country. Why are we quibbling around with five cents? Get over it.

We could have 200 Democrats voting for that bill if we could get it on the House floor, and how can that be a liability for the President if we all stand together and do the right thing for America?

Right now, we are going to kick the can down the road a little bit and hope the people come to their senses, do the \$375 billion bill so we do not have to be here another 3 months saying, well, sorry, we could not do it, folks; sorry, America, we could not put you back to work; sorry, we cannot do the right thing for this country, we will wait till next year.

Well, if that is what it comes to, we will wait till next year; but I want to do the right thing, want to do it now. We are going to join in partnership to get there. We have got to make the right investments. We have got to do the right thing. For the time being, the right thing is to pass this extension.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my good friend from Minnesota on his eloquent presentation. I want to thank the gentleman from Wisconsin (Mr. PETRI), the gentleman from Illinois (Mr. LIPINSKI), and the committee members and the staffs who have worked so hard on this legislation and the parent legislation.

There is not much I can add to what the gentleman from Minnesota (Mr. OBERSTAR) has said. Everybody knows where I am standing on this legislation; and by the way, the number 375 is not an artificial number. It is the number that came from the administration, what is needed to improve and maintain the existing highway system, when the interstate highway system

becomes 50 years old, or will be 50 years old 3 years from now; and that is an old system.

This is the legislation that can solve the economic woes of this country, not just because of jobs but because transportation provides the resources for the prescription drugs, for Medicare, for education, for Social Security. All those things thrive on our economy, and our economy cannot provide the basis for those systems without transportation.

Truck traffic alone will increase 90 percent over what it is now in the next 15 years. Car traffic, the mileage being used will increase a huge amount over the next 15 years. The most expensive thing we can do today is not the five cents, not the two cents, not even using the funds out of the general fund for the trust fund, but to do nothing. To do nothing is the most expensive cost to the American people. The most expensive cost to the American people is to do nothing.

I can assure my good friends that I am working and my colleagues are working, and we are going to try to achieve the goal we seek; but I will not support a bill that goes so far below the needs. My administration is wrong in this, and I have told them that. I think most of my colleagues have read my letter to the President. They are dead wrong. Because if we do not do this, the legacy we leave behind will, in fact, I think be a legacy of incompetency.

I do not want to wear that label. The gentleman from Minnesota (Mr. OBERSTAR) and myself and the gentleman from Illinois (Mr. LIPINSKI) and the gentleman from Wisconsin (Mr. PETRI) and the staffs and everybody, we are trying to do something that is right for this great Nation, a legacy for users, a need, jobs for America. That is the parent bill, H.R. 3550; and I hope we continue this discussion but reach a solution in the very near future.

The legislation we are addressing today is mandatory because if we do not do it, not only will the agency be shut down, but the States will not issue contracts for the upcoming building session; and so I urge full support for this legislation.

I will ask for a vote. I want my colleagues all to know that, because I think it is important we are on the record of where we stand as a body about building for the future of our great Nation in transportation.

Mr. Speaker, I reserve the balance of my time.

Mr. LIPINSKI. Mr. Speaker, could the Chair inform me how much time I have left.

The SPEAKER pro tempore (Mr. ISAKSON). The gentleman from Illinois (Mr. LIPINSKI) has 4 minutes remaining. The gentleman from Alaska (Mr. YOUNG) has 7½ minutes remaining.

Mr. LIPINSKI. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I am honored to join with my colleagues

today on what is the most important economic, environmental, and public safety issue that we will be facing.

I for one was a little bit startled when we had the President refer to this transportation bill as an entitlement program. With all due respect, this is not an entitlement, except to the point that I think, as referenced by our committee chair, the American public is entitled to have infrastructure investment.

I find it striking that we can have conservative icons like Grover Norquist, Paul Weyrich, we have the Chamber of Commerce, along with environmentalists, with unions, with development interests, with Realtors, all coming together with one of the broadest coalitions we have seen. All understand that this transportation funding is a user fee. To keep pace with inflation is an important national goal that was endorsed by no less a conservative icon than President Reagan. We are attempting to move forward in this fashion. It does not have to be this hard.

I would hope that our membership across the aisles will support our leadership on this committee who have taken a principled and strong stand to fund needs, as the gentleman from Alaska (Chairman YOUNG) mentioned, that were identified by a study from the administration itself. It is not a hard sell to the American public. Eighty percent of the public feels that our highway and transit network are important to our economy. Sixty-nine percent of the public support increasing our Federal transportation investment, even if it means raising the gas tax.

TEA-21 has provided money for roads, for bridges, for virtually every metropolitan area. It has helped with air quality. It has helped with transportation enhancements, transit freight movement, bicycles. Communities large and small have used all of these provisions. Now is the time for all of us to step forward.

I am sorry we are not debating the 6-year reauthorization, but I hope that we will be using the next 4 months to actually do our job of legislating and passing a bipartisan bill that funds these needs, balances transportation, places a premium on environmental protection, and maintains local flexibility and control of decisionmaking.

□ 1545

Mr. YOUNG of Alaska. Mr. Speaker, I reserve the balance of my time.

Mr. LIPINSKI. Mr. Speaker, I yield 1 minute 25 seconds to the gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. Mr. Speaker, I rise in support of the Surface Transportation Extension Act of 2004. Although we have made progress on the full reauthorization bill, we still have miles to go before we finish. However, I believe passing the full reauthorization as close as possible to the \$375 billion figure supported by many Members of this body will be one of our most significant accomplishments of this Congress.

The challenges we are working to meet through passage of this bill are very significant to the people of our Nation, especially during these difficult economic times. These challenges are central to the lives of working families like those in my district as well as those around the country.

Transportation is about more than concrete, asphalt and steel. It is about people and about providing them with the opportunity to lead safer, healthier and more fulfilling lives.

The much-needed investment in our steadily deteriorating infrastructure would provide a proverbial shot in the arm for the economy, while helping to improve America's prosperity and quality of life. Our country's economic strength, our ability to improve productivity, and our capacity to create jobs are all dependent upon expanded investment in transportation infrastructure. The 6-year reauthorization will have a lasting impact on all three of these areas.

This extension will provide funding for 4 months. In those 4 months, we have a lot of work to do. I hope the Bush administration will see the wisdom of passing a full 6-year reauthorization at a number far above the proposed \$256 billion figure. So far, they have missed the mark.

Mr. LIPINSKI. Mr. Speaker, I yield 35 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of the temporary extension of the Transportation legislation for \$375 billion and to say that these types of transportation projects actually create jobs.

However, I go on record to say several things.

First, this is an engine that makes a difference for the 21st century. I hope we can work with local communities and our local agencies, like the Texas Department of Transportation to insure that they do more to enlist the input of citizens to make sure these projects are neighborhood friendly and supported.

In addition, we really must address the crisis of drunk driving on our freeways. Houston has recently had several deaths due to drunk driving. I hope to work with the chairman and the ranking member and the ranking member of the subcommittee to ensure that we have safe highways and freeways by addressing the question in the final bill. We should have full funding and an extension of the surface highway and transportation bill because it equates to jobs for America.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of this bill, H.R. 3783, the Surface Transportation Extension Act of 2004. This four-month extension of the "Transportation Equity Act for the 21st Century (TEA-21; PL 105-178)" that was set to expire in 18 days is a very important legislative measure to the safety of our highways.

Under H.R. 3783, \$224 million will be awarded for the National Highway Traffic Safety Administration for various grant programs. Similarly, \$255 million will go to the Federal Motor Carrier Safety Administration for grants to enforce safety regulations and inspections along the Mexican border.

If this bill is not extended by February 29, 2004, the consequences will be grave for the safety of our motorists as well as for the construction workers who await the beginning of contracts of employment. This 4-month extension of TEA-21 will preserve the basic structure of our Federal surface transportation programs, which have proven to be extremely beneficial for our citizens' mobility and our national economy over the last 6 years.

The guaranteed funding, the program structure, and the balanced approach to transportation planning found in TEA-21 amount to positive growth and increased safety for the country. Transit has experienced the highest percentage of ridership growth among all modes of surface transportation, growing over 28 percent between 1993 and 2001. Therefore, I look forward to this legislation's preservation of the structure and programs of TEA-21 for the next 4 months.

The transportation needs of this Nation are significant, as more and more communities find themselves confronting the problems of traffic congestion and delay. According to the Texas Transportation Institute, in the year 2000, Americans in 75 urban areas spent 3.6 billion hours stuck in traffic, with an estimated cost to the Nation of \$67.5 billion in lost time and wasted fuel. As these figures show, congestion has a real economic cost to this Nation, in addition to the psychological and social costs of spending hours each day sitting in traffic.

With respect to highway safety, we need these funds to address the horrible problem of drunk driving. The National Highway Traffic Safety Administration grant programs will ensure that new drivers get the safety education that is so critical when the risk is so high. In Houston during the year 2000, there were a total of 48,025 motor vehicle accidents. There were 219 fatal accidents and 243 killed in accidents. Also in that year, there were 33,370 accidents that caused injuries and 60,105 were injured.

Furthermore, on January 27, 2004, three fatal accidents occurred in Houston.

First, a pickup truck ran into a parked 18-wheeler when it tried ducking into a service land to get ahead of another car. The passenger died in the crash and the driver was listed in poor condition.

Another accident at Jones Road and FM1960 in Houston occurred when a man's car jumped the curb, hit a car then rear-ended a big rig. Authorities said the driver was speeding when the accident happened near the parking lot of a Krogers grocery store.

Moreover, a 15-year-old Pasadena girl was killed in a drunk driving accident. In that instance, police said that the driver of the car she was in lost control and flipped over in southeast Houston. The driver was arrested for DUI and manslaughter charges are pending.

Therefore, for reasons related to the safety of our drivers, the safety of the narrow roads and to the availability of jobs, among other reasons, I urge my colleagues to pass H.R. 3738.

Mr. Speaker, for the above reasons, I support this legislation, and I urge my colleagues to join me.

Mr. DINGELL. Mr. Speaker, I rise today to call on the President and House Leadership to come together with Chairman YOUNG and Ranking Member OBERSTAR and complete a robust and comprehensive transportation bill that addresses the economic needs of our country. A little less than five months ago, I, along with a majority of the House, voted for an extension. I did so reluctantly then, and will do so again today. But, we cannot continue down this path of short-term extensions.

Short-term extensions shortchange our economy, leaving state and local governments in a difficult situation when planning and assessing highway and transit projects. In fact, these short-term extensions result in an estimated \$2.1 billion in project delays and the loss of more than 90,000 jobs. As I said last time, we cannot continue to operate the government through continuing resolution. To do so not only puts our infrastructure in jeopardy, but the well being of our nation. I would hope that those opposing Chairman YOUNG and Ranking Member OBERSTAR's efforts realize that they are hindering our economy at a time when we need to get things moving again.

Mr. Speaker, nearly 3 million private-sector jobs have been lost since January 2001. We should be doing everything in our power to help get this economy back on track. A good robust transportation policy is a good place to start. For every \$1 billion invested in federal highway and transit spending, 47,000 jobs are created. These are good paying jobs. Jobs that provide money to families to put food on the table and clothe their children.

Yet, the President remarked a robust bill is somehow an entitlement program. It seems to me that he should take a second look at the bill that was proposed and reconsider his position. 1.7 million jobs would be a good start in trying to make up for the losses we have experienced in the last 3 years.

In Michigan, a good robust transportation bill would help our state begin an economic recovery due to the heavy loss of manufacturing jobs. It also would ensure that Michigan receives its fair share of transportation dollars. Michigan and other states need action on this bill soon. To prolong this process after this extension will have undesirable consequences on our economy.

I support my Transportation and Infrastructure Chairman and Ranking Member in their goals for our nation. They understand the investment we can put into our great nation through a robust bill. I stand by ready to help in any way I can.

Mr. YOUNG of Alaska. Mr. Speaker, this extension is an important piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ISAKSON). The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 3783.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. YOUNG of Alaska. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. YOUNG of Alaska. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3783.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

#### NATIVE AMERICAN TECHNICAL CORRECTIONS ACT OF 2003

Mr. POMBO. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 523) to make technical corrections to laws relating to Native Americans, and for other purposes.

The Clerk read as follows:

S. 523

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Native American Technical Corrections Act of 2003".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

#### TITLE I—TECHNICAL AMENDMENTS AND OTHER PROVISIONS RELATING TO NATIVE AMERICANS

##### Subtitle A—Technical Amendments

Sec. 101. Bosque Redondo Memorial Act.

Sec. 102. Navajo-Hopi Land Settlement Act.

Sec. 103. Tribal sovereignty.

Sec. 104. Cow Creek Band of Umpqua Indians.

Sec. 105. Pueblo de Cochiti; modification of settlement.

Sec. 106. Four Corners Interpretive Center.

Sec. 107. Mississippi Band of Choctaw Indians.

Sec. 108. Rehabilitation of Celilo Indian Village.

##### Subtitle B—Other Provisions Relating to Native Americans

Sec. 121. Barona Band of Mission Indians; facilitation of construction of pipeline to provide water for emergency fire suppression and other purposes.

Sec. 122. Conveyance of Native Alaskan objects.

Sec. 123. Pueblo of Acoma; land and mineral consolidation.

Sec. 124. Quinault Indian Nation; water feasibility study.

Sec. 125. Santee Sioux Tribe; study and report.

Sec. 126. Shakopee Mdewakanton Sioux Community.

Sec. 127. Agua Caliente Band of Cahuilla Indians.

Sec. 128. Saginaw Chippewa Tribal College.

Sec. 129. Ute Indian Tribe; oil shale reserve.

#### TITLE II—PUEBLO OF SANTA CLARA AND PUEBLO OF SAN ILDEFONSO

Sec. 201. Definitions.

Sec. 202. Trust for the Pueblo of Santa Clara, New Mexico.

Sec. 203. Trust for the Pueblo of San Ildefonso, New Mexico.

Sec. 204. Survey and legal descriptions.

Sec. 205. Administration of trust land.

Sec. 206. Effect.

Sec. 207. Gaming.

#### TITLE III—DISTRIBUTION OF QUINULT PERMANENT FISHERIES FUNDS

Sec. 301. Distribution of judgment funds.

Sec. 302. Conditions for distribution.

#### SEC. 2. DEFINITION OF SECRETARY.

In this Act, except as otherwise provided in this Act, the term "Secretary" means the Secretary of the Interior.

#### TITLE I—TECHNICAL AMENDMENTS AND OTHER PROVISIONS RELATING TO NATIVE AMERICANS

##### Subtitle A—Technical Amendments

#### SEC. 101. BOSQUE REDONDO MEMORIAL ACT.

Section 206 of the Bosque Redondo Memorial Act (16 U.S.C. 431 note; Public Law 106-511) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "2000" and inserting "2004"; and

(B) in paragraph (2), by striking "2001 and 2002" and inserting "2005 and 2006"; and

(2) in subsection (b), by striking "2002" and inserting "2007".

#### SEC. 102. NAVAJO-HOPI LAND SETTLEMENT ACT.

Section 25(a)(8) of Public Law 93-531 (commonly known as the "Navajo-Hopi Land Settlement Act of 1974") (25 U.S.C. 640d-24(a)(8)) is amended by striking "annually for fiscal years 1995, 1996, 1997, 1998, 1999, and 2000" and inserting "for each of fiscal years 2003 through 2008".

#### SEC. 103. TRIBAL SOVEREIGNTY.

Section 16 of the Act of June 18, 1934 (25 U.S.C. 476), is amended by adding at the end the following:

"(h) TRIBAL SOVEREIGNTY.—Notwithstanding any other provision of this Act—

"(1) each Indian tribe shall retain inherent sovereign power to adopt governing documents under procedures other than those specified in this section; and

"(2) nothing in this Act invalidates any constitution or other governing document adopted by an Indian tribe after June 18, 1934, in accordance with the authority described in paragraph (1)."

#### SEC. 104. COW CREEK BAND OF UMPQUA INDIANS.

Section 7 of the Cow Creek Band of Umpqua Tribe of Indians Recognition Act (25 U.S.C. 712e) is amended in the third sentence by inserting before the period at the end the following: ", and shall be treated as on-reservation land for the purpose of processing acquisitions of real property into trust".

#### SEC. 105. PUEBLO DE COCHITI; MODIFICATION OF SETTLEMENT.

Section 1 of Public Law 102-358 (106 Stat. 960) is amended—

(1) by striking "implement the settlement" and inserting the following: "implement—

"(1) the settlement;";

(2) by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(2) the modifications regarding the use of the settlement funds as described in the agreement known as the 'First Amendment to Operation and Maintenance Agreement for Implementation of Cochiti Wetlands Solution', executed—

"(A) on October 22, 2001, by the Army Corps of Engineers;

"(B) on October 25, 2001, by the Pueblo de Cochiti of New Mexico; and

"(C) on November 8, 2001, by the Secretary of the Interior."