

108TH CONGRESS
1ST SESSION

H. R. 3087

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2003

Received

AN ACT

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Surface Transpor-
5 tation Extension Act of 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-
21 retary shall ensure that the State is apportioned an
22 amount of the funds, determined under paragraph
23 (2), for the Interstate maintenance program, the
24 National Highway System program, the bridge pro-
25 gram, the surface transportation program, the con-

1 gestion mitigation and air quality improvement pro-
2 gram, the recreational trails program, the Appa-
3 lachian development highway system program, and
4 the minimum guarantee.

5 (2) IN GENERAL.—The amount that each State
6 shall be apportioned under this subsection for each
7 item referred to in paragraph (1) shall be deter-
8 mined by multiplying—

9 (A) the amount apportioned to the State
10 under subsection (a); by

11 (B) the ratio that—

12 (i) the amount of funds apportioned
13 for the item to the State for fiscal year
14 2003; bears to

15 (ii) the total of the amount of funds
16 apportioned for the items to the State for
17 fiscal year 2003.

18 (3) ADMINISTRATION OF FUNDS.—Funds au-
19 thorized by the amendment made under subsection
20 (d) shall be administered as if the funds had been
21 apportioned, allocated, deducted, or set aside, as the
22 case may be, under title 23, United States Code; ex-
23 cept that the deductions and set-asides in the fol-
24 lowing sections of such title shall not apply to such
25 funds: sections 104(a)(1)(A), 104(a)(1)(B),

1 104(b)(1)(A), 104(d)(1), 104(d)(2), 104(f)(1),
2 104(h)(1), 118(c)(1), 140(b), 140(c), and 144(g)(1).

3 (4) SPECIAL RULES FOR MINIMUM GUAR-
4 ANTEE.—In carrying out the minimum guarantee
5 under section 105(c) of title 23, United States Code,
6 with funds apportioned under this section for the
7 minimum guarantee, the \$2,800,000,000 set forth in
8 paragraph (1) of such section 105(c) shall be treated
9 as being \$1,166,666,667 and the aggregate of
10 amounts apportioned to the States under this sec-
11 tion for the minimum guarantee shall be treated, for
12 purposes of such section 105(c), as amounts made
13 available under section 105 of such title.

14 (5) EXTENSION OF OFF-SYSTEM BRIDGE SET-
15 ASIDE.—Section 144(g)(3) of title 23, United States
16 Code, is amended by inserting after “2003” the fol-
17 lowing: “and in the period of October 1, 2003,
18 through February 29, 2004,”.

19 (c) REPAYMENT FROM FUTURE APPORTION-
20 MENTS.—

21 (1) IN GENERAL.—The Secretary shall reduce
22 the amount that would be apportioned, but for this
23 section, to a State for programs under chapter 1 of
24 title 23, United States Code, for fiscal year 2004,
25 under a law reauthorizing the Federal-aid highway

1 program enacted after the date of enactment of this
2 Act by the amount that is apportioned to each State
3 under subsection (a) and section 5(c) for each such
4 program.

5 (2) PROGRAM CATEGORY RECONCILIATION.—

6 The Secretary may establish procedures under which
7 funds apportioned under subsection (a) for a pro-
8 gram category for which funds are not authorized
9 under a law described in paragraph (1) may be re-
10 stored to the Federal-aid highway program.

11 (d) AUTHORIZATION OF CONTRACT AUTHORITY.—

12 Section 1101 of the Transportation Equity Act for the
13 21st Century (112 Stat. 111–115) is amended by adding
14 at the end the following:

15 “(c) ADVANCE AUTHORIZATION.—

16 “(1) IN GENERAL.—There shall be available
17 from the Highway Trust Fund (other than the Mass
18 Transit Account) to carry out section 2(a) of the
19 Surface Transportation Extension Act of 2003
20 \$13,483,458,333 for the period of October 1, 2003,
21 through February 29, 2004.

22 “(2) SPECIAL RULE.—Funds apportioned under
23 section 2(a) of the Surface Transportation Exten-
24 sion Act of 2003 shall be subject to a limitation on

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

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

8 (e) LIMITATION ON OBLIGATIONS.—

9 (1) IN GENERAL.—Subject to paragraph (2),
10 for the period of October 1, 2003, through February
11 29, 2004, the Secretary shall allocate to each State
12 for programs funded under this section and section
13 5(c) an amount of obligation authority made avail-
14 able under an Act making appropriations for the De-
15 partment of Transportation for fiscal year 2004 that
16 is—

17 (A) equal to the greater of—

18 (i) the State’s unobligated balance, as
19 of October 1, 2003, of Federal-aid highway
20 apportionments subject to any limitation
21 on obligations; except that unobligated bal-
22 ances of contract authority from minimum
23 guarantee and Appalachian development
24 highway system apportionments for which
25 obligation authority was made available

1 until used shall not be included for pur-
2 poses of calculating a State's unobligated
3 balance of apportionments for this clause;
4 or

5 (ii) $\frac{5}{12}$ of the State's total fiscal year
6 2003 obligation authority for funds appor-
7 tioned for the Federal-aid highway pro-
8 gram; but

9 (B) not greater than 75 percent of the
10 State's total fiscal year 2003 obligation author-
11 ity for funds apportioned for the Federal-aid
12 highway program.

13 (2) LIMITATION ON AMOUNT.—The total of all
14 allocations under paragraph (1) and allocations, for
15 programs funded under sections 4, 5 (other than
16 subsection (c)), and 6(a) of this Act, of obligation
17 authority made available under an Act making ap-
18 propriations for the Department of Transportation
19 for fiscal year 2004 shall not exceed
20 \$14,101,250,000; except that this limitation shall
21 not apply to \$266,250,000 in obligations for min-
22 imum guarantee for the period of October 1, 2003,
23 through February 29, 2004.

24 (3) TIME PERIOD FOR OBLIGATIONS OF
25 FUNDS.—A State shall not obligate any funds for

1 any Federal-aid highway program project after Feb-
2 ruary 29, 2004, until the date of enactment of a
3 multiyear law reauthorizing the Federal-aid highway
4 program.

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

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

16 (a) IN GENERAL.—In addition to any other authority
17 of a State to transfer funds, for fiscal year 2004, a State
18 may transfer any funds apportioned to the State for any
19 program under section 104(b) (including amounts appor-
20 tioned under section 104(b)(3) or set aside, made avail-
21 able, or suballocated under section 133(d)) or section 144
22 of title 23, United States Code, before, on, or after the
23 date of enactment of this Act, that are subject to any limi-
24 tation on obligations, and that are not obligated, to any
25 other of those programs.

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

8 (c) RESTORATION OF APPORTIONMENTS.—

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

17 (2) PROGRAM CATEGORY RECONCILIATION.—

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

23 (3) LIMITATION ON STATUTORY CONSTRUC-
24 TION.—No provision of law, except a statute enacted
25 after the date of enactment of this Act that ex-

1 pressly limits the application of this subsection, shall
2 impair the authority of the Secretary to restore
3 funds pursuant to this subsection.

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

6 **SEC. 4. ADMINISTRATIVE EXPENSES.**

7 (a) AUTHORIZATION OF CONTRACT AUTHORITY.—
8 There shall be available from the Highway Trust Fund
9 (other than the Mass Transit Account) for administrative
10 expenses of the Federal-aid highway program
11 \$187,500,000 for fiscal year 2004.

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

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

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

22 (1) FEDERAL LANDS HIGHWAYS.—

23 (A) INDIAN RESERVATION ROADS.—Sec-
24 tion 1101(a)(8)(A) of the Transportation Eq-

1 uity Act for the 21st Century (112 Stat. 112)
2 is amended—

3 (i) by inserting before the period at
4 the end the following: “and \$114,583,333
5 for the period of October 1, 2003, through
6 February 29, 2004”; and

7 (ii) by adding at the end the fol-
8 lowing: “The minimum amount made
9 available for such period that the Sec-
10 retary, in cooperation with the Secretary of
11 the Interior, shall reserve for Indian res-
12 ervation road bridges under section
13 202(d)(4) of title 23, United States Code,
14 shall be \$5,416,667 instead of
15 \$13,000,000.”.

16 (B) PUBLIC LANDS HIGHWAYS.—Section
17 1101(a)(8)(B) of such Act (112 Stat. 112) is
18 amended by inserting before the period at the
19 end the following: “and \$102,500,000 for the
20 period of October 1, 2003, through February
21 29, 2004”.

22 (C) PARK ROADS AND PARKWAYS.—Sec-
23 tion 1101(a)(8)(C) of such Act (112 Stat. 112)
24 is amended by inserting before the period at the
25 end the following: “and \$68,750,000 for the pe-

1 riod of October 1, 2003, through February 29,
2 2004”.

3 (D) REFUGE ROADS.—Section
4 1101(a)(8)(D) of such Act (112 Stat. 112) is
5 amended by inserting before the period at the
6 end the following: “and \$8,333,333 for the pe-
7 riod of October 1, 2003, through February 29,
8 2004”.

9 (2) NATIONAL CORRIDOR PLANNING AND DE-
10 VELOPMENT AND COORDINATED BORDER INFRA-
11 STRUCTURE PROGRAMS.—Section 1101(a)(9) of such
12 Act (112 Stat. 112) is amended by inserting before
13 the period at the end the following: “and
14 \$58,333,333 for the period of October 1, 2003,
15 through February 29, 2004”.

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

18 (A) IN GENERAL.—Section 1101(a)(10) of
19 such Act (112 Stat. 113) is amended by insert-
20 ing before the period at the end the following:
21 “and \$15,833,333 for the period of October 1,
22 2003, through February 29, 2004”.

23 (B) SET ASIDE FOR ALASKA, NEW JERSEY,
24 AND WASHINGTON.—To carry out section 1064
25 of the Intermodal Surface Transportation Effi-

1 ciency Act of 1991 (23 U.S.C. 129 note; 105
2 Stat. 2005; 112 Stat. 185), of funds made
3 available by the amendment made by subpara-
4 graph (A)—

5 (i) \$4,166,667 shall be available for
6 section 1064(d)(2);

7 (ii) \$2,083,333 shall be available for
8 section 1064(d)(3); and

9 (iii) \$2,083,333 shall be available for
10 section 1064(d)(4).

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

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

17 (B) by inserting before the period at the
18 end the following: “, and \$11,458,333 for the
19 period of October 1, 2003, through February
20 29, 2004”.

21 (5) VALUE PRICING PILOT PROGRAM.—Section
22 1101(a)(12) of such Act (112 Stat. 113) is amend-
23 ed—

24 (A) by striking “and”; and

1 (B) by inserting before the period at the
2 end the following: “, and \$4,583,333 for the pe-
3 riod of October 1, 2003, through February 29,
4 2004”.

5 (6) HIGHWAY USE TAX EVASION PROJECTS.—
6 Section 1101(a)(14) of such Act (112 Stat. 113) is
7 amended by inserting before the period at the end
8 the following: “and \$2,083,333 for the period of Oc-
9 tober 1, 2003, through February 29, 2004”.

10 (7) COMMONWEALTH OF PUERTO RICO HIGH-
11 WAY PROGRAM.—

12 (A) IN GENERAL.—Section 1101(a)(15) of
13 such Act (112 Stat. 113) is amended by insert-
14 ing before the period at the end the following:
15 “and \$45,833,333 for the period of October 1,
16 2003, through February 29, 2004”.

17 (B) CONFORMING AMENDMENT.—Section
18 1214(r) of such Act (112 Stat. 209) is amended
19 by striking “2003” and inserting “2004”.

20 (8) SAFETY GRANTS.—Section 1212(i)(1)(D) of
21 such Act (23 U.S.C. 402 note; 112 Stat. 196; 112
22 Stat. 840) is amended by inserting before the period
23 at the end the following: “and \$208,333 for the pe-
24 riod of October 1, 2003, through February 29,
25 2004”.

1 (9) TRANSPORTATION AND COMMUNITY AND
2 SYSTEM PRESERVATION PILOT PROGRAM.—Section
3 1221(e)(1) of such Act (23 U.S.C. 101 note; 112
4 Stat. 223) is amended by inserting before the period
5 at the end the following: “and \$10,416,667 for the
6 period of October 1, 2003, through February 29,
7 2004”.

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

11 (A) in subsection (a)(1)—

12 (i) by striking “and” at the end of
13 subparagraph (D);

14 (ii) by striking the period at the end
15 of subparagraph (E) and inserting “;
16 and”; and

17 (iii) by adding at the end the fol-
18 lowing:

19 “(F) \$58,333,333 for the period of Octo-
20 ber 1, 2003, through February 29, 2004.”;

21 (B) in subsection (a)(2) by inserting after
22 “2003” the following: “and \$833,333 for the
23 period of October 1, 2003, through February
24 29, 2004”; and

25 (C) in subsection (c)—

1 (i) by striking “2003” and inserting
2 “2004”; and

3 (ii) by striking the period at the end
4 of the table and inserting the following:

“2004\$1,083,333,333.”.

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

7 (1) SURFACE TRANSPORTATION RESEARCH.—
8 Section 5001(a)(1) of the Transportation Equity Act
9 for the 21st Century (112 Stat. 419) is amended—

10 (A) by striking “2002, and” and inserting
11 “2002,”; and

12 (B) by inserting after “2003” the fol-
13 lowing: “, and \$43,750,000 for the period of
14 October 1, 2003, through February 29, 2004”.

15 (2) TECHNOLOGY DEPLOYMENT PROGRAM.—
16 Section 5001(a)(2) of such Act (112 Stat. 419) is
17 amended—

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

20 (B) by inserting after “2003” the fol-
21 lowing: “, and \$22,916,667 for the period of
22 October 1, 2003, through February 29, 2004”.

23 (3) TRAINING AND EDUCATION.—Section
24 5001(a)(3) of such Act (112 Stat. 420) is amend-
25 ed—

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

3 (B) by inserting after “2003” the fol-
4 lowing: “, and \$8,750,000 for the period of Oc-
5 tober 1, 2003, through February 29, 2004”.

6 (4) BUREAU OF TRANSPORTATION STATIS-
7 TICS.—Section 5001(a)(4) of such Act (112 Stat.
8 420) is amended by inserting before the period at
9 the end the following: “, and \$12,916,667 for the
10 period of October 1, 2003, through February 29,
11 2004”.

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

15 (A) by striking “2002, and” and inserting
16 “2002,”; and

17 (B) by inserting after “2003” the fol-
18 lowing: “, and \$47,916,667 for the period of
19 October 1, 2003, through February 29, 2004”.

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

22 (A) by striking “2002, and” and inserting
23 “2002,”; and

1 (B) by inserting after “2003” the fol-
2 lowing: “, and \$51,666,667 for the period of
3 October 1, 2003, through February 29, 2004”.

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

7 (A) by striking “2002, and” and inserting
8 “2002,”; and

9 (B) by inserting after “2003” the fol-
10 lowing: “, and \$11,250,000 for the period of
11 October 1, 2003, through February 29, 2004”.

12 (c) METROPOLITAN PLANNING.—

13 (1) AUTHORIZATION OF CONTRACT AUTHOR-
14 ITY.—There shall be available from the Highway
15 Trust Fund (other than the Mass Transit Account)
16 to carry out section 134 of title 23, United States
17 Code, \$100,000,000 for the period of October 1,
18 2003, through February 29, 2004.

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

23 (3) CONTRACT AUTHORITY.—Funds made
24 available by this subsection shall be available for ob-
25 ligation in the same manner as if such funds were

1 apportioned under chapter 1 of title 23, United
2 States Code, and shall be subject to a limitation on
3 obligations for Federal-aid highways and highway
4 safety construction programs.

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

9 “(d) TERRITORIES.—

10 “(1) IN GENERAL.—In lieu of the amounts de-
11 ducted under section 104(b)(1) of title 23, United
12 States Code, there shall be available from the High-
13 way Trust Fund (other than the Mass Transit Ac-
14 count) for the Virgin Islands, Guam, American
15 Samoa, and the Commonwealth of the Northern
16 Mariana Islands \$15,166,667 for the period of Octo-
17 ber 1, 2003, through February 29, 2004.

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

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

3 “(e) ALASKA HIGHWAY.—

4 “(1) IN GENERAL.—In lieu of the amounts de-
5 ducted under section 104(b)(1) of title 23, United
6 States Code, there shall be available from the High-
7 way Trust Fund (other than the Mass Transit Ac-
8 count) for the Alaska Highway program under sec-
9 tion 218 of such title \$7,833,333 for the period of
10 October 1, 2003, through February 29, 2004.

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

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

20 “(f) OPERATION LIFESAVER.—

21 “(1) IN GENERAL.—In lieu of the amount set
22 aside under section 104(d)(1) of title 23, United
23 States Code, there shall be available from the High-
24 way Trust Fund (other than the Mass Transit Ac-
25 count) to carry out the operation lifesaver program

1 under such section §208,333 for the period of Octo-
2 ber 1, 2003, through February 29, 2004.

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

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

12 “(g) BRIDGE DISCRETIONARY.—

13 “(1) IN GENERAL.—There shall be available
14 from the Highway Trust Fund (other than the Mass
15 Transit Account) \$41,666,667 to the Secretary at
16 the discretion of the Secretary to carry out section
17 144(g) of title 23, United States Code, for the pe-
18 riod of October 1, 2003, through February 29,
19 2004.

20 “(2) CONTRACT AUTHORITY.—Funds made
21 available by this subsection shall be available for ob-
22 ligation in the same manner as if the funds were ap-
23 portioned under chapter 1 of title 23, United States
24 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) \$41,666,667 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 February 29, 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 \$312,500 for the pe-
12 riod of October 1, 2003, through February 29,
13 2004.

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

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

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

3 “(1) IN GENERAL.—In lieu of the amount to be
4 deducted under section 104(d)(2) of title 23, United
5 States Code, there shall be available from the High-
6 way Trust Fund (other than the Mass Transit Ac-
7 count) to the Secretary for elimination of hazards of
8 railway-highway crossings in accordance with such
9 section \$2,187,500 for the period of October 1,
10 2003, through February 29, 2004; except that not
11 less than \$104,167 instead of \$250,000 shall be
12 available for the period of October 1, 2003, through
13 February 29, 2004, for eligible improvements de-
14 scribed in subparagraph (E) of such section.

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

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

24 “(k) NONDISCRIMINATION.—

1 “(1) SKILLS TRAINING.—In lieu of the amount
2 to be deducted under section 140(b) of title 23,
3 United States Code, there shall be available from the
4 Highway Trust Fund (other than the Mass Transit
5 Account) to the Secretary for the administration of
6 such section \$4,166,667 for the period of October 1,
7 2003, through February 29, 2004.

8 “(2) ON-THE-JOB TRAINING.—In lieu of the
9 amount to be deducted under section 140(c) of title
10 23, United States Code, there shall be available from
11 the Highway Trust Fund (other than the Mass
12 Transit Account) to the Secretary for the adminis-
13 tration of such section \$4,166,667 for the period of
14 October 1, 2003, through February 29, 2004.

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

24 (l) ADMINISTRATION OF FUNDS.—Funds authorized
25 by the amendments made by this section shall be adminis-

1 tered as if the funds had been apportioned, allocated, de-
2 ducted, or set aside, as the case may be, under title 23,
3 United States Code, except that the deductions under sec-
4 tions 104(a)(1)(A) and 104(a)(1)(B) of such title shall not
5 apply to funds made available by the amendment made
6 by subsection (a)(1) of this section.

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

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

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

24 (a) CHAPTER 1 HIGHWAY SAFETY PROGRAMS.—

1 (1) SEAT BELT SAFETY INCENTIVE GRANTS.—
2 Section 157 of title 23, United States Code, is
3 amended—

4 (A) in subsection (a)(3) by striking
5 “2001” and inserting “2002”;

6 (B) in subsection (a)(8)(B) by striking
7 “2001” and inserting “2002”;

8 (C) in subsection (b) by striking “2002”
9 and inserting “2003”;

10 (D) in subsection (c)(1) by striking
11 “2002” and inserting “2003”;

12 (E) in subsection (c)(2) by striking
13 “2002” and inserting “2003”;

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

16 (G) in subsection (g)(1)—

17 (i) by striking “and”; and

18 (ii) by inserting before the period at
19 the end the following: “, and \$46,666,667
20 for the period of October 1, 2003, through
21 February 29, 2004”;

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

24 (I) in subsection (g)(3)(B) by striking
25 “2003” and inserting “2004”.

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

4 (A) by striking “and”; and

5 (B) by inserting before the period at the
6 end the following: “, and \$50,000,000 for the
7 period of October 1, 2003, through February
8 29, 2004”.

9 (b) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Sec-
10 tion 2009(a)(1) of the Transportation Equity Act for the
11 21st Century (112 Stat. 337) is amended—

12 (1) by striking “and”; and

13 (2) by inserting before the period at the end the
14 following: “, and \$68,750,000 for the period of Oc-
15 tober 1, 2003, through February 29, 2004”.

16 (c) HIGHWAY SAFETY RESEARCH AND DEVELOP-
17 MENT.—Section 2009(a)(2) of such Act (112 Stat. 337)
18 is amended by inserting after “2003” the following: “, and
19 \$30,000,000 for the period of October 1, 2003, through
20 February 29, 2004”.

21 (d) OCCUPANT PROTECTION INCENTIVE GRANTS.—
22 Section 2009(a)(3) of such Act (112 Stat. 337) is amend-
23 ed—

24 (1) by striking “and”; and

1 (2) by inserting before the period at the end the
2 following: “, and \$8,333,333 for the period of Octo-
3 ber 1, 2003, through February 29, 2004”.

4 (e) ALCOHOL-IMPAIRED DRIVING COUNTER-
5 MEASURES INCENTIVE GRANTS.—

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

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

10 (B) in subsection (a)(4)(C) by striking
11 “and sixth” and inserting “, sixth, and sev-
12 enth”; and

13 (2) AUTHORIZATION OF APPROPRIATIONS.—
14 Section 2009(a)(4) of such Act (112 Stat. 337) is
15 amended—

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

18 (B) by inserting before the period at the
19 end the following: “, and \$16,666,667 for the
20 period of October 1, 2003, through February
21 29, 2004”.

22 (f) NATIONAL DRIVER REGISTER.—Section
23 2009(a)(6) of such Act (112 Stat. 338) is amended by
24 inserting after “2003” the following: “, and \$833,333 for

1 the period of October 1, 2003, through February 29,
2 2004”.

3 (g) ALLOCATIONS.—Section 2009(b) of such Act
4 (112 Stat. 338) is amended—

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

7 (2) in paragraph (2) by striking “2003” and in-
8 serting “2004”.

9 (h) APPLICABILITY OF TITLE 23.—Section 2009(c)
10 of such Act (112 Stat. 338) is amended by striking
11 “2003” and inserting “2004”.

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

13 (a) ADMINISTRATIVE EXPENSES.—

14 (1) IN GENERAL.—There shall be available
15 from the Highway Trust Fund (other than the Mass
16 Transit Account) for the Secretary of Transpor-
17 tation to pay administrative expenses of the Federal
18 Motor Carrier Safety Administration \$71,487,500
19 for the period of October 1, 2003, through February
20 29, 2004.

21 (2) USE OF FUNDS.—Funds authorized by this
22 subsection may be used for personnel costs; adminis-
23 trative infrastructure; rent; information technology;
24 and programs for research and technology, regu-

1 latory development, and other operating expenses
2 and similar matters.

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

6 “(7) Not more than \$68,750,000 for the period
7 of October 1, 2003, through February 29, 2004.”.

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

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

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

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

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

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

19 “(5) \$8,333,333 for the period of October 1,
20 2003 through February 29, 2004.”.

21 (2) EMERGENCY CDL GRANTS.—From amounts
22 made available by section 31107(a) of title 49,
23 United States Code, for the period of October 1,
24 2003 through February 29, 2004, the Secretary of
25 Transportation may make grants of up to \$416,667

1 to a State whose commercial driver’s license pro-
2 gram may fail to meet the compliance requirements
3 of section 31311(a) of such title.

4 (d) CRASH CAUSATION STUDY.—There shall be avail-
5 able from the Highway Trust Fund (other than the Mass
6 Transit Account) for the Federal Motor Carrier Safety
7 Administration to continue the crash causation study re-
8 quired by section 224 of the Motor Carrier Safety Im-
9 provement Act of 1999 (49 U.S.C. 31100 note; 113 Stat.
10 1770–1771), \$416,667 for the period of October 1, 2003
11 through February 29, 2004.

12 (e) CONTRACT AUTHORITY.—Funds made available
13 by this section shall be available for obligation in the same
14 manner as if such funds were apportioned under chapter
15 1 of title 23, United States Code.

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

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

19 (1) in paragraph (1) by inserting “and for the
20 period of October 1, 2003, through February 29,
21 2004” after “2003”;

22 (2) in paragraph (2)(B) by inserting after
23 clause (ii) the following:

24 “(iii) OCTOBER 1, 2003 THROUGH FEB-
25 RUARY 29, 2004.—Of the amounts made

1 available under paragraph (1)(B),
2 \$4,333,333 shall be available for the period
3 of October 1, 2003, through February 29,
4 2004, for capital projects described in
5 clause (i).”;

6 (3) in paragraph (3)(B) by inserting after
7 “2003” the following: “(and \$1,250,000 shall be
8 available for the period October 1, 2003, through
9 February 29, 2004)”;

10 (4) in paragraph (3)(C) by inserting after
11 “2003” the following: “(and \$20,833,334 shall be
12 available for the period October 1, 2003, through
13 February 29, 2004)”.

14 (b) APPORTIONMENT OF APPROPRIATIONS FOR
15 FIXED GUIDEWAY MODERNIZATION.—

16 (1) SPECIAL RULE FOR OCTOBER 1, 2003
17 THROUGH FEBRUARY 29, 2004.—The Secretary of
18 Transportation shall determine the amount that
19 each urbanized area is to be apportioned for fixed
20 guideway modernization under section 5337 of title
21 49, United States Code, on a pro rata basis to re-
22 flect the partial fiscal year 2004 funding made avail-
23 able by sections 5338(b)(2)(A)(vi) and
24 5338(b)(2)(B)(vi) of such title.

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

4 (c) FORMULA GRANTS AUTHORIZATIONS.—Section
5 5338(a) of such title is amended—

6 (1) in the heading to paragraph (2) by inserting
7 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
8 THROUGH FEBRUARY 29, 2004” after “2003”;

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

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

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

16 “(vi) \$1,292,948,344 for the period of
17 October 1, 2003, through February 29,
18 2004.”;

19 (5) by adding at the end in paragraph (2)(B)
20 the following:

21 “(vi) \$323,459,169 for the period of
22 October 1, 2003, through February 29,
23 2004.”; and

24 (6) in paragraph (2)(C) by inserting after “a
25 fiscal year” the following: “(other than for the pe-

1 riod of October 1, 2003, through February 29,
2 2004”.

3 (d) ALLOCATION OF FORMULA GRANT FUNDS FOR
4 OCTOBER 1, 2003, THROUGH FEBRUARY 29, 2004.—Of
5 the aggregate of amounts made available by and appro-
6 priated under section 5338(a)(2) of title 49, United States
7 Code, for the period of October 1, 2003, through February
8 29, 2004—

9 (1) \$2,020,813 shall be available to the Alaska
10 Railroad for improvements to its passenger oper-
11 ations under section 5307 of such title;

12 (2) \$20,833,334 shall be available to carry out
13 section 5308 of such title; and

14 (3) of the remaining amount—

15 (A) 2.4 percent shall be available to pro-
16 vide transportation services to elderly individ-
17 uals and individuals with disabilities under sec-
18 tion 5310 of such title;

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

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

1 (e) CAPITAL PROGRAM AUTHORIZATIONS.—Section
2 5338(b) of such title is amended—

3 (1) in the heading to paragraph (2) by inserting
4 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
5 THROUGH FEBRUARY 29, 2004” after “2003”;

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

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

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

13 “(vi) \$1,022,503,342 for the period of
14 October 1, 2003, through February 29,
15 2004.”; and

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

18 “(vi) \$255,801,669 for the period of
19 October 1, 2003, through February 29,
20 2004.”.

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

23 (1) in the heading to paragraph (2) by inserting
24 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
25 THROUGH FEBRUARY 29, 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) \$24,636,667 for the period of
9 October 1, 2003, through February 29,
10 2004.”;

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

13 “(vi) \$6,100,000 for the period of Oc-
14 tober 1, 2003, through February 29,
15 2004.”; and

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

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

20 (1) in the heading to paragraph (2) by inserting
21 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
22 THROUGH FEBRUARY 29, 2004” after “2003”;

23 (2) by striking “and” at the end of paragraphs
24 (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) \$16,536,667 for the period of
7 October 1, 2003, through February 29,
8 2004.”;

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

11 “(vi) \$4,095,000 for the period of Oc-
12 tober 1, 2003, through February 29,
13 2004.”; and

14 (6) in paragraph (2)(C) by inserting after “a
15 fiscal year” the following: “(other than for the pe-
16 riod of October 1, 2003, through February 29,
17 2004)”.

18 (h) ALLOCATION OF RESEARCH FUNDS FOR OCTO-
19 BER 1, 2003, THROUGH FEBRUARY 29, 2004.—Of the
20 funds made available by or appropriated under section
21 5338(d)(2) of title 49, United States Code, for the period
22 of October 1, 2003, through February 29, 2004—

23 (1) not less than \$2,187,500 shall be available
24 for providing rural transportation assistance under
25 section 5311(b)(2) of such title;

1 (2) not less than \$3,437,500 shall be available
2 for carrying out transit cooperative research pro-
3 grams under section 5313(a) of such title;

4 (3) not less than \$1,666,667 shall be available
5 to carry out programs under the National Transit
6 Institute under section 5315 of such title, including
7 not more than \$416,667 shall be available to carry
8 out section 5315(a)(16) of such title; and

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

13 (i) UNIVERSITY TRANSPORTATION RESEARCH AU-
14 THORIZATIONS.—Section 5338(e) of such title is amend-
15 ed—

16 (1) in the heading to paragraph (2) by inserting
17 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
18 THROUGH FEBRUARY 29, 2004” after “2003”;

19 (2) in paragraph (2)(A) by inserting after
20 “2003” the following: “and \$2,020,833 for the pe-
21 riod of October 1, 2003, through February 29,
22 2004”;

23 (3) in paragraph (2)(B) by inserting after
24 “2003” the following: “and \$505,833 for the period

1 of October 1, 2003, through February 29, 2004”;
2 and

3 (4) in clauses (i) and (iii) of paragraph (2)(C)
4 by inserting after “fiscal year” the following: “(other
5 than for the period of October 1, 2003, through
6 February 29, 2004)”.

7 (j) ALLOCATION OF UNIVERSITY TRANSPORTATION
8 RESEARCH FUNDS.—

9 (1) IN GENERAL.—Of the amounts made avail-
10 able under section 5338(e)(2)(A) of title 49, United
11 States Code, for the period October 1, 2003,
12 through February 29, 2004—

13 (A) \$833,333 shall be available for the
14 center identified in section 5505(j)(4)(A) of
15 such title; and

16 (B) \$833,333 shall be available for the
17 center identified in section 5505(j)(4)(F) of
18 such title.

19 (2) TRAINING AND CURRICULUM DEVELOP-
20 MENT.—Notwithstanding section 5338(e)(2) of such
21 title, any amounts made available under such section
22 for such period that remain after distribution under
23 paragraph (1), shall be available for the purposes
24 identified in section 3015(d) of the Transportation
25 Equity Act for the 21st Century (112 Stat. 857).

1 (3) CONFORMING AMENDMENT.—Section
2 3015(d)(2) of the Transportation Equity Act for the
3 21st Century (112 Stat. 857) is amended by insert-
4 ing “and in the period October 31, 2003, through
5 February 29, 2004” after “2003”.

6 (k) ADMINISTRATION AUTHORIZATIONS.—Section
7 5338(f) of such title is amended—

8 (1) in the heading to paragraph (2) by inserting
9 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
10 THROUGH FEBRUARY 29, 2004” after “2003”;

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

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

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

18 “(vi) \$24,585,834 for the period of
19 October 1, 2003, through February 29,
20 2004.”; and

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

23 “(vi) \$6,150,833 for the period of Oc-
24 tober 1, 2003, through February 29,
25 2004.”.

1 (l) JOB ACCESS AND REVERSE COMMUTE PRO-
2 GRAM.—Section 3037(l) of the Transportation Equity Act
3 for the 21st Century (49 U.S.C. 5309 note; 112 Stat.
4 391–392) is amended—

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

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

10 (3) by adding at the end of paragraph (1)(A)
11 the following:

12 “(vi) \$50,519,167 for the period of
13 October 1, 2003, through February 29,
14 2004.”;

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

17 “(vi) \$12,638,333 for the period of
18 October 1, 2003, through February 29,
19 2004.”; and

20 (5) by inserting before the period at the end of
21 paragraph (2) the following: “; except that in the pe-
22 riod of October 1, 2003, through February 29,
23 2004, \$4,166,667 shall be used for such projects”.

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

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

6 “(F) \$2,187,500 for the period of October
7 1, 2003, through February 29, 2004.”; and

8 (2) in paragraph (2) by inserting after “2003”
9 the following: “(and \$708,333 shall be available for
10 the period of October 1, 2003, through February 29,
11 2004)”.

12 (n) URBANIZED AREA FORMULA GRANTS.—Section
13 5307(b) of title 49, United States Code, is amended—

14 (1) in the heading to paragraph (2) by inserting
15 “AND FOR THE PERIOD OF OCTOBER 1, 2003,
16 THROUGH FEBRUARY 29, 2004” after “2003”;

17 (2) in paragraph (2)(A)—

18 (A) by inserting “and for the period of Oc-
19 tober 1, 2003, through February 29, 2004”
20 after “2003,”;

21 (B) by striking “or” at the end of clause
22 (ii);

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

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

1 “(iv) a portion of the area was not
2 designated as an urbanized area as deter-
3 mined under the 1990 Federal decennial
4 census and received assistance under sec-
5 tion 5311 in fiscal year 2002.”;

6 (3) by adding at the end of paragraph (2)(B)
7 the following: “Each portion of an area not des-
8 ignated as an urbanized area under the 1990 Fed-
9 eral decennial census and eligible to receive funds
10 under subparagraph (A)(iv) shall receive an amount
11 of funds made available to carry out this section
12 that is no less than the amount the portion of the
13 area received under section 5311 in fiscal year
14 2002.”.

15 (o) OBLIGATION CEILING.—Section 3040 of the
16 Transportation Equity Act for the 21st Century (112
17 Stat. 394) 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) \$3,042,501,691 for the period of October
24 1, 2003, through February 29, 2004.”.

1 (p) FUEL CELL BUS AND BUS FACILITIES PRO-
2 GRAM.—Section 3015(b) of such Act (112 Stat. 361) is
3 amended by inserting “(or, in the case of the period of
4 October 1, 2003, through February 29, 2004,
5 \$2,020,833)” after “\$4,850,000”.

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

9 (1) by inserting “and for the period of October
10 1, 2003, through February 29, 2004, after “2003,”;
11 and

12 (2) by inserting “and \$2,083,333 for such pe-
13 riod” after “\$5,000,000 per fiscal year”.

14 (r) PROJECTS FOR NEW FIXED GUIDEWAY SYSTEMS
15 AND EXTENSIONS TO EXISTING SYSTEMS.—Subsections
16 (a), (b), and (c)(1) of section 3030 of such Act (112 Stat.
17 373–381) are amended by inserting “and for the period
18 of October 1, 2003, through February 29, 2004,” after
19 “2003”.

20 (s) NEW JERSEY URBAN CORE PROJECT.—Subpara-
21 graphs (A), (B), and (C) of section 3031(a)(3) of the
22 Intermodal Surface Transportation Efficiency Act of 1991
23 (105 Stat. 2122; 112 Stat. 379) are amended by inserting
24 “and for the period of October 1, 2003, through February
25 29, 2004,” after “2003,”.

1 (t) TREATMENT OF FUNDS.—Amounts made avail-
2 able under the amendments made by this section shall be
3 treated for purposes of section 1101(b) of the Transpor-
4 tation Equity Act for the 21st Century (23 U.S.C. 101
5 note) as amounts made available for programs under title
6 III of such Act.

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

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

12 (1) by striking “and” at the end of paragraph
13 (4);

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

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

18 “(6) \$4,166,667 for the period of October 1,
19 2003, through February 29, 2004;”.

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

22 (1) by redesignating paragraph (4) as para-
23 graph (5);

24 (2) by inserting after paragraph (3) the fol-
25 lowing:

1 “(4) FIRST 5 MONTHS OF FISCAL YEAR 2004.—
2 For the period of October 1, 2003, through Feb-
3 ruary 29, 2004, of the balance of each annual appro-
4 priation remaining after making the distribution
5 under subsection (a), an amount equal to
6 \$34,166,667, reduced by 82 percent of the amount
7 appropriated for that fiscal year from the Boat Safe-
8 ty Account of the Aquatic Resources Trust Fund es-
9 tablished by section 9504 of the Internal Revenue
10 Code of 1986 to carry out the purposes of section
11 13106(a) of title 46, United States Code, shall be
12 used as follows:

13 “(A) \$4,166,667 shall be available to the
14 Secretary of the Interior for 3 fiscal years for
15 obligation for qualified projects under section
16 5604(c) of the Clean Vessel Act of 1992 (33
17 U.S.C. 1322 note).

18 “(B) \$3,333,333 shall be available to the
19 Secretary of the Interior for 3 fiscal years for
20 obligation for qualified projects under section
21 7404(d) of the Sportfishing and Boating Safety
22 Act of 1998 (16 U.S.C. 777g-1(d)).

23 “(C) The balance remaining after the ap-
24 plication of subparagraphs (A) and (B) shall be
25 transferred to the Secretary of Transportation

1 and shall be expended for State recreational
2 boating safety programs under section 13106 of
3 title 46, United States Code.”.

4 (c) BOAT SAFETY FUNDS.—Section 13106(c) of title
5 46, United States Code, is amended to read as follows:

6 “(c) Of the amount transferred to the Secretary of
7 Transportation under paragraph (4) of section 4(b) of the
8 Dingell-Johnson Sport Fish Restoration Act (16 U.S.C.
9 777e(b)), \$2,083,333 is available to the Secretary for pay-
10 ment of expenses of the Coast Guard for personnel and
11 activities directly related to coordinating and carrying out
12 the national recreational boating safety program under
13 this title, of which \$833,333 shall be available to the Sec-
14 retary only to ensure compliance with chapter 43 of this
15 title. No funds available to the Secretary under this sub-
16 section may be used to replace funding traditionally pro-
17 vided through general appropriations, nor for any pur-
18 poses except those purposes authorized by this section.
19 Amounts made available by this subsection shall remain
20 available until expended. The Secretary shall publish an-
21 nually in the Federal Register a detailed accounting of the
22 projects, programs, and activities funded under this sub-
23 section.”.

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

2 (a) ADJUSTMENTS TO ANNUALIZED DISCRETIONARY
3 SPENDING LIMITS.—In the matter that precedes subpara-
4 graph (A) of section 251(b)(2) of the Balanced Budget
5 and Emergency Deficit Control Act of 1985, strike
6 “through 2002”.

7 (b) DISCRETIONARY SPENDING LIMITS.—Section
8 251(c) of the Balanced Budget and Emergency Deficit
9 Control Act of 1985 is amended as follows:

10 (1) Strike paragraphs (1) through (7) and re-
11 designate paragraph (8) (which relates to fiscal year
12 2004) as paragraph (1) and in such redesignated
13 paragraph strike “(1) with respect to fiscal year
14 2004”, redesignate the remaining matter as sub-
15 paragraph (C), and before such redesignated matter
16 insert the following:

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

18 “(A) for the highway category:
19 \$31,834,000,000 in outlays;

20 “(B) for the mass transit category:
21 \$1,462,000,000 in new budget authority and
22 \$6,629,000,000 in outlays; and”.

23 (2) Redesignate paragraphs (9) through (16) as
24 paragraphs (2) through (9).

1 (c) CATEGORY DEFINED.—Section 250(e)(4) of the
2 Balanced Budget and Emergency Deficit Control Act of
3 1985 is amended—

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

7 (2) in subparagraph (C)—

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

11 (B) by striking “that Act” and inserting
12 “those Acts”.

13 (d) CONFORMANCE WITH THE CONCURRENT RESO-
14 LUTION ON THE BUDGET FOR FISCAL YEAR 2004.—Not-
15 withstanding any other provision of law, all adjustments
16 made pursuant to section 110(a)(2) of title 23, United
17 States Code, to sums authorized to be appropriated from
18 the Highway Trust Fund (other than the Mass Transit
19 Account) to carry out each of the Federal-aid highway and
20 highway safety construction programs (other than emer-
21 gency relief) in fiscal year 2004 shall be deemed to be zero.

22 (e) SENSE OF CONGRESS ON ADJUSTMENT TO ALIGN
23 HIGHWAY SPENDING WITH REVENUES.—It is the sense
24 of Congress that, in any multiyear reauthorization of the
25 Federal-aid highway program, the alignment of highway

1 spending with revenues under section 251(b)(1)(B)(ii) of
2 the Balanced Budget and Emergency Deficit Control Act
3 of 1985 should be restructured to minimize year-to-year
4 fluctuations in highway spending levels and to ensure the
5 uniform enforcement of such levels.

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

7 (a) HIGHWAY CATEGORY.—Section 8103(a) of the
8 Transportation Equity Act for the 21st Century (2 U.S.C.
9 901 note; 112 Stat. 492) is amended—

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

11 (4);

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

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

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

16 (b) MASS TRANSIT CATEGORY.—Section 8103(b) of
17 such Act (2 U.S.C. 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, \$7,303,000,000.”.

24 (c) TREATMENT OF FUNDS.—Notwithstanding any
25 other provision of law, funds made available under this

1 Act, including the amendments made by this Act, shall
2 be deemed to be zero for the purposes of section 110 of
3 the title 23, United States Code.

4 **SEC. 12. EXTENSION OF AUTHORIZATION FOR USE OF**
5 **TRUST FUNDS FOR OBLIGATIONS UNDER**
6 **TEA-21.**

7 (a) HIGHWAY TRUST FUND.—

8 (1) IN GENERAL.—Paragraph (1) of section
9 9503(c) of the Internal Revenue Code of 1986 is
10 amended—

11 (A) in the matter before subparagraph (A),
12 by striking “October 1, 2003” and inserting
13 “March 1, 2004”,

14 (B) by striking “or” at the end of subpara-
15 graph (D),

16 (C) by striking the period at the end of
17 subparagraph (E) and inserting “, or”,

18 (D) by inserting after subparagraph (E),
19 the following new subparagraph:

20 “(F) authorized to be paid out of the
21 Highway Trust Fund under the Surface Trans-
22 portation Extension Act of 2003.”, and

23 (E) in the matter after subparagraph (F),
24 as added by this paragraph, by striking “TEA

1 21 Restoration Act” and inserting “Surface
2 Transportation Extension Act of 2003”.

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

5 (A) in the matter before subparagraph (A),
6 by striking “October 1, 2003” and inserting
7 “March 1, 2004”,

8 (B) in subparagraph (B), by striking “or”
9 at the end of such subparagraph,

10 (C) in subparagraph (C), by inserting “or
11 ” after “Century,”,

12 (D) by inserting after subparagraph (C)
13 the following new subparagraph:

14 “(D) the Surface Transportation Exten-
15 sion Act of 2003,” and

16 (E) in the matter after subparagraph (D),
17 as added by this paragraph, by striking “TEA
18 21 Restoration Act” and inserting “Surface
19 Transportation Extension Act of 2003”.

20 (3) EXCEPTION TO LIMITATION ON TRANS-
21 FERS.—Subparagraph (B) of section 9503(b)(5) of
22 such Code is amended by striking “October 1,
23 2003” and inserting “March 1, 2004”.

24 (b) AQUATIC RESOURCES TRUST FUND.—

1 (1) SPORT FISH RESTORATION ACCOUNT.—
2 Paragraph (2) of section 9504(b) of the Internal
3 Revenue Code of 1986 is amended—

4 (A) in subparagraph (A), by striking
5 “Wildlife and Sport Fish Restoration Programs
6 Improvement Act of 2000” and inserting “Sur-
7 face Transportation Extension Act of 2003”,
8 and

9 (B) in subparagraphs (B) and (C), by
10 striking “TEA 21 Restoration Act” in each
11 such subparagraph and inserting “Surface
12 Transportation Extension Act of 2003”.

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

15 (A) by striking “October 1, 2003” and in-
16 serting “March 1, 2004”, and

17 (B) by striking “TEA 21 Restoration Act”
18 and inserting “Surface Transportation Exten-
19 sion Act of 2003”.

20 (3) EXCEPTION TO LIMITATION ON TRANS-
21 FERS.—Paragraph (2) of section 9504(d) of such
22 Code is amended by striking “October 1, 2003” and
23 inserting “March 1, 2004”.

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

4 (d) TEMPORARY RULE REGARDING ADJUST-
5 MENTS.—During the period beginning on the date of the
6 enactment of this Act and ending on February 29, 2004,
7 for purposes of making any estimate under section
8 9503(d) of the Internal Revenue Code of 1986 of receipts
9 of the Highway Trust Fund, the Secretary of the Treasury
10 shall treat—

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

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

Passed the House of Representatives September 24,
2003.

Attest:

JEFF TRANDAHL,

Clerk.