

108TH CONGRESS
1ST SESSION

S. 1165

To amend the Transportation Equity Act for the 21st Century to provide from the Highway Trust Fund additional funding for Indian reservation roads, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 2, 2003

Mr. DOMENICI (for himself, Mr. INOUE, Mr. CAMPBELL, and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To amend the Transportation Equity Act for the 21st Century to provide from the Highway Trust Fund additional funding for Indian reservation roads, and for other purposes.

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 “American Indian Res-
5 ervation Transportation Improvement Program Act”.

6 **SEC. 2. INDIAN RESERVATION ROADS.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
8 1101(a)(8)(A) of the Transportation Equity Act for the

1 21st Century (112 Stat. 112) is amended by striking “of
2 such title” and all that follows and inserting “of that
3 title—

4 “(i) \$225,000,000 for fiscal year
5 1998;

6 “(ii) \$275,000,000 for each of fiscal
7 years 1999 through 2003;

8 “(iii) \$330,000,000 for fiscal year
9 2004;

10 “(iv) \$360,000,000 for fiscal year
11 2005;

12 “(v) \$390,000,000 for fiscal year
13 2006;

14 “(vi) \$420,000,000 for fiscal year
15 2007;

16 “(vii) \$450,000,000 for fiscal year
17 2008; and

18 “(viii) \$480,000,000 for fiscal year
19 2009.”.

20 (b) ADDITIONAL AUTHORIZATION OF CONTRACT AU-
21 THORITY FOR STATES WITH INDIAN RESERVATIONS.—

22 Section 1214(d)(5)(A) of the Transportation Equity Act
23 for the 21st Century (23 U.S.C. 202 note; 112 Stat. 206)
24 is amended by inserting before the period at the end the
25 following: “, \$3,000,000 for each of fiscal years 2004 and

1 2005, \$4,000,000 for each of fiscal years 2006 and 2007,
 2 and \$5,000,000 for each of fiscal years 2008 and 2009”.

3 (c) INDIAN RESERVATION ROAD BRIDGES.—Section
 4 202(d)(4)(B) of title 23, United States Code, is amend-
 5 ed—

6 (1) by striking “(B) RESERVATION.—Of the
 7 amounts” and all that follows through “to replace,”
 8 and inserting the following:

9 “(B) FUNDING.—

10 “(i) RESERVATION OF FUNDS.—Not-
 11 withstanding any other provision of law,
 12 there is authorized to be appropriated from
 13 the Highway Trust Fund \$15,000,000 for
 14 each of fiscal years 2004 through 2009 to
 15 carry out planning, design, engineering,
 16 preconstruction, construction, and inspec-
 17 tion of projects to replace,”; and

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

19 “(ii) AVAILABILITY.—Funds made
 20 available to carry out this subparagraph—

21 “(I) shall be available for obliga-
 22 tion in the same manner as if the
 23 funds were apportioned under chapter
 24 1; and

1 “(II) shall not be used to pay
2 any administrative costs.”.

3 **SEC. 3. INDIAN RESERVATION RURAL TRANSIT PROGRAM.**

4 Section 5311 of title 49, United States Code, is
5 amended by adding at the end the following:

6 “(k) INDIAN RESERVATION RURAL TRANSIT PRO-
7 GRAM.—

8 “(1) DEFINITIONS.—In this subsection:

9 “(A) INDIAN TRIBE.—The term ‘Indian
10 tribe’ has the meaning given the term in section
11 4 of the Indian Self-Determination and Edu-
12 cation Assistance Act (25 U.S.C. 450b).

13 “(B) RESERVATION.—The term ‘reserva-
14 tion’ means—

15 “(i) an Indian reservation in existence
16 as of the date of enactment of this sub-
17 section;

18 “(ii) a public domain Indian allot-
19 ment; and

20 “(iii) an Indian reservation in the
21 State of Oklahoma that existed at any time
22 before, but is no longer in existence as of,
23 the date of enactment of this subsection.

24 “(C) SECRETARY.—The term ‘Secretary’
25 means the Secretary of Transportation, acting

1 through the Administrator of the Federal High-
2 way Administration.

3 “(2) PROGRAM.—The Secretary shall establish
4 and carry out a program to provide competitive
5 grants to Indian tribes to establish rural transit pro-
6 grams on reservations or other land under the juris-
7 diction of the Indian tribes.

8 “(3) COOPERATION.—The Secretary shall—

9 “(A) establish and maintain intra-agency
10 cooperation between the Federal Highway Ad-
11 ministration and the Federal Transit Adminis-
12 tration in—

13 “(i) administering tribal transit pro-
14 grams funded by the Federal Highway Ad-
15 ministration; and

16 “(ii) exploring options for the transfer
17 of funds from the Federal Highway Ad-
18 ministration to the Federal Transit Admin-
19 istration for the direct funding of tribal
20 transit programs; and

21 “(B) establish and maintain working rela-
22 tionships with representatives of regional tribal
23 technical assistance programs to ensure proper
24 administration of ongoing and future tribal

1 transit programs carried out using Federal
2 funds.

3 “(4) FUNDING.—Notwithstanding any other
4 provision of law, for each fiscal year, of the amount
5 made available to carry out this section under sec-
6 tion 5338 for the fiscal year, the Secretary shall use
7 \$20,000,000 to carry out this subsection.”.

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