

109TH CONGRESS
1ST SESSION

H. R. 3512

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

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2005

Mr. YOUNG of Alaska (for himself, Mr. OBERSTAR, Mr. PETRI, and Mr. DEFAZIO) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Resources, and Science, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide an extension of administrative expenses for 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 2005, Part VI”.

1 **SEC. 2. ADMINISTRATIVE EXPENSES FOR FEDERAL-AID**
2 **HIGHWAY PROGRAM.**

3 (a) **AUTHORIZATION OF CONTRACT AUTHORITY.**—
4 Section 4(a) of the Surface Transportation Extension Act
5 of 2004, Part V (118 Stat. 1147, 119 Stat. 325) is
6 amended by striking “\$292,179,920” and inserting
7 “\$309,260,880”.

8 (b) **LIMITATION ON OBLIGATIONS.**—Of the obligation
9 limitation made available for Federal-aid highways and
10 highway safety construction programs for fiscal year 2005
11 by division H of Public Law 108–447 (118 Stat. 3204)
12 not more the \$17,080,960 shall be available, in addition
13 to any obligation limitation previously provided, for ad-
14 ministrative expenses of the Federal Highway Administra-
15 tion for the period of July 30, 2005, through August 14,
16 2005.

17 (c) **CONFORMING AMENDMENT.**—Section 2(e)(3) of
18 such Act (118 Stat. 1146, 119 Stat. 325) is amended by
19 striking “July 30” and inserting “August 14”.

20 **SEC. 3. ADMINISTRATIVE EXPENSES FOR NATIONAL HIGH-**
21 **WAY TRAFFIC SAFETY ADMINISTRATION.**

22 (a) **IN GENERAL.**—There shall be available from the
23 Highway Trust Fund (other than the Mass Transit Ac-
24 count) for the Secretary of Transportation to pay the ad-
25 ministrative expenses of the National Highway Traffic Ad-
26 ministration in carrying out the highway safety programs

1 authorized by sections 157 and 163 of chapter 1 of title
2 23, United States Code, and sections 402, 403, 405, and
3 410 of chapter 4 of such title, the National Driver Reg-
4 ister under chapter 303 of title 49, United States Code,
5 the motor vehicle safety program under chapter 301 of
6 such title 49, and the motor vehicle information and cost
7 savings program under part C of subtitle VI of such title
8 49 \$4,125,000 for the period of July 30, 2005, through
9 August 14, 2005.

10 (b) CONTRACT AUTHORITY.—Funds made available
11 by this section shall be available for obligation in the same
12 manner as if such funds were apportioned under chapter
13 1 of title 23, United States Code; except that such funds
14 shall remain available until expended.

15 **SEC. 4. ADMINISTRATIVE EXPENSES FOR MOTOR CARRIER**
16 **SAFETY ADMINISTRATION PROGRAM.**

17 Section 7(a)(1) of the Surface Transportation Exten-
18 sion Act of 2004, Part V (118 Stat. 1153; 119 Stat. 330)
19 is amended—

20 (1) by striking “\$213,799,290” and inserting
21 “\$224,383,414”; and

22 (2) by striking “July 30” and inserting “Au-
23 gust 14”.

1 **SEC. 5. ADMINISTRATIVE EXPENSES FOR FEDERAL TRAN-**
2 **SIT PROGRAMS.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
4 5338(f)(2) of title 49, United States Code, is amended—

5 (1) in the heading by striking “JULY 30” and
6 inserting “AUGUST 14”;

7 (2) in subparagraph (A)(vii)—

8 (A) by striking “\$54,350,686” and insert-
9 ing “\$57,650,686”; and

10 (B) by striking “July 30” and inserting
11 “August 14”; and

12 (3) in subparagraph (B)(vii) by striking “July
13 30” and inserting “August 14”.

14 (b) OBLIGATION CEILING.—Section 3040(7) of the
15 Transportation Equity Act for the 21st Century (112
16 Stat. 394; 118 Stat. 885; 118 Stat. 1158; 119 Stat. 333)
17 is amended—

18 (1) by striking “\$6,398,695,996” and inserting
19 “\$6,401,995,996”; and

20 (2) by striking “July 30” and inserting “Au-
21 gust 14”.

22 **SEC. 6. BUREAU OF TRANSPORTATION STATISTICS.**

23 (a) IN GENERAL.—Section 5001(a)(4) of the Trans-
24 portation Equity Act for the 21st Century (112 Stat. 420;
25 118 Stat. 1150; 119 Stat. 327; 119 Stat. 346; 119 Stat.
26 379; 119 Stat. 394) is amended by striking “\$25,730,000

1 for the period of October 1, 2004, through July 30, 2005”
2 and inserting “\$27,000,000 for the period of October 1,
3 2004, through August 14, 2005”.

4 (b) LIMITATION ON OBLIGATIONS.—Of the obligation
5 limitation made available for Federal-aid highways and
6 highway safety construction programs for fiscal year 2005
7 by division H of Public Law 108–447 (118 Stat. 3204)
8 not more the \$1,270,000 shall be available, in addition
9 to any obligation limitation previously provided, for ad-
10 ministrative expenses of the Bureau of Transportation
11 Statistics for the period of July 30, 2005, through August
12 14, 2005.

13 **SEC. 7. EXTENSION OF AUTHORIZATION FOR USE OF TRUST**
14 **FUNDS FOR OBLIGATIONS UNDER TEA-21.**

15 (a) HIGHWAY TRUST FUND.—

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

19 (A) in the matter before subparagraph (A),
20 by striking “July 31, 2005” and inserting “Au-
21 gust 15, 2005”,

22 (B) by striking “or” at the end of subpara-
23 graph (O),

24 (C) by striking the period at the end of
25 subparagraph (P) and inserting “, or”,

1 (D) by inserting after subparagraph (P)
2 the following new subparagraph:

3 “(Q) authorized to be paid out of the
4 Highway Trust Fund under the Surface Trans-
5 portation Extension Act of 2005, Part VI.”,
6 and

7 (E) in the matter after subparagraph (Q),
8 as added by this paragraph, by striking “Sur-
9 face Transportation Extension Act of 2005,
10 Part V” and inserting “Surface Transportation
11 Extension Act of 2005, Part VI”.

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

14 (A) in the matter before subparagraph (A),
15 by striking “July 31, 2005” and inserting “Au-
16 gust 15, 2005”,

17 (B) in subparagraph (M), by striking “or”
18 at the end of such subparagraph,

19 (C) in subparagraph (N), by inserting “or”
20 at the end of such subparagraph,

21 (D) by inserting after subparagraph (N)
22 the following new subparagraph:

23 “(O) the Surface Transportation Extension
24 Act of 2005, Part VI,” and

1 (E) in the matter after subparagraph (O),
2 as added by this paragraph, by striking “Sur-
3 face Transportation Extension Act of 2005,
4 Part V” and inserting “Surface Transportation
5 Extension Act of 2005, Part VI”.

6 (3) EXCEPTION TO LIMITATION ON TRANS-
7 FERS.—Subparagraph (B) of section 9503(b)(6) of
8 such Code is amended by adding at the end the fol-
9 lowing: “The preceding sentence shall be applied by
10 substituting ‘August 15, 2005’ for the date there-
11 in.”.

12 (b) AQUATIC RESOURCES TRUST FUND.—

13 (1) SPORT FISH RESTORATION ACCOUNT.—
14 Paragraph (2) of section 9504(b) of the Internal
15 Revenue Code of 1986 is amended by adding at the
16 end the following: “Subparagraphs (A), (B), and (C)
17 shall each be applied by substituting ‘Surface Trans-
18 portation Extension Act of 2005, Part VI’ for ‘Sur-
19 face Transportation Extension Act of 2005, Part
20 V’.”.

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

23 (A) by striking “July 31, 2005” and in-
24 serting “August 15, 2005”, and

1 (B) by striking “Surface Transportation
2 Extension Act of 2005, Part V” and inserting
3 “Surface Transportation Extension Act of
4 2005, Part VI”.

5 (3) EXCEPTION TO LIMITATION ON TRANS-
6 FERS.—Paragraph (2) of section 9504(d) of such
7 Code is amended by adding at the end the following
8 new sentence: “The preceding sentence shall be ap-
9 plied by substituting ‘August 15, 2005’ for the date
10 therein.”.

11 (c) TEMPORARY RULE REGARDING ADJUSTMENTS.—
12 During the period beginning on the date of the enactment
13 of the Surface Transportation Extension Act of 2003 and
14 ending on August 14, 2005, for purposes of making any
15 estimate under section 9503(d) of the Internal Revenue
16 Code of 1986 of receipts of the Highway Trust Fund, the
17 Secretary of the Treasury shall treat—

18 (1) each expiring provision of paragraphs (1)
19 through (4) of section 9503(b) of such Code which
20 is related to appropriations or transfers to such
21 Fund to have been extended through the end of the
22 24-month period referred to in section
23 9503(d)(1)(B) of such Code, and

24 (2) with respect to each tax imposed under the
25 sections referred to in section 9503(b)(1) of such

1 Code, the rate of such tax during the 24-month pe-
2 riod referred to in section 9503(d)(1)(B) of such
3 Code to be the same as the rate of such tax as in
4 effect on the date of the enactment of the Surface
5 Transportation Extension Act of 2003.

6 (d) SUBSEQUENT REPEAL OF CERTAIN TEMPORARY
7 PROVISIONS.—Each of the following provisions of the In-
8 ternal Revenue Code of 1986 are amended by striking the
9 last sentence thereof:

10 (1) Section 9503(b)(6)(B).

11 (2) Section 9504(b)(2).

12 (3) Section 9504(d)(2).

13 (e) EFFECTIVE DATE.—

14 (1) IN GENERAL.—Except as provided in para-
15 graph (2), the amendments made by this section
16 shall take effect on the date of the enactment of this
17 Act.

18 (2) SUBSEQUENT REPEAL.—The amendments
19 made by subsection (d) shall take effect on the date
20 of the enactment of the Safe, Accountable, Flexible,
21 Efficient Transportation Equity Act: A Legacy for
22 Users and shall be executed immediately before the
23 amendments made by such Act.

○