

109TH CONGRESS
1ST SESSION

H. R. 3512

IN THE SENATE OF THE UNITED STATES

JULY 29, 2005

Received

AN ACT

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” .

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

8 (a) AUTHORIZATION OF CONTRACT AUTHORITY.—
9 Section 4(a) of the Surface Transportation Extension Act
10 of 2004, Part V (118 Stat. 1147, 119 Stat. 325) is
11 amended by striking “\$292,179,920” and inserting
12 “\$309,260,880”.

13 (b) LIMITATION ON OBLIGATIONS.—Of the obligation
14 limitation made available for Federal-aid highways and
15 highway safety construction programs for fiscal year 2005
16 by division H of Public Law 108–447 (118 Stat. 3204)
17 not more the \$17,080,960 shall be available, in addition
18 to any obligation limitation previously provided, for ad-
19 ministrative expenses of the Federal Highway Administra-
20 tion for the period of July 30, 2005, through August 14,
21 2005.

22 (b) CONFORMING AMENDMENT.—Section 2(e)(3) of
23 such Act (118 Stat. 1146, 119 Stat. 325) is amended by
24 striking “July 30” and inserting “August 14”.

1 **SEC. 3. ADMINISTRATIVE EXPENSES FOR NATIONAL HIGH-**
2 **WAY TRAFFIC SAFETY ADMINISTRATION.**

3 (a) IN GENERAL.—There shall be available from the
4 Highway Trust Fund (other than the Mass Transit Ac-
5 count) for the Secretary of Transportation to pay the ad-
6 ministrative expenses of the National Highway Traffic Ad-
7 ministration in carrying out the highway safety programs
8 authorized by sections 157 and 163 of chapter 1 of title
9 23, United States Code, and sections 402, 403, 405, and
10 410 of chapter 4 of such title, the National Driver Reg-
11 ister under chapter 303 of title 49, United States Code,
12 the motor vehicle safety program under chapter 301 of
13 such title 49, and the motor vehicle information and cost
14 savings program under part C of subtitle VI of such title
15 49 \$4,125,000 for the period of July 30, 2005, through
16 August 14, 2005.

17 (b) CONTRACT AUTHORITY.—Funds made available
18 by this section shall be available for obligation in the same
19 manner as if such funds were apportioned under chapter
20 1 of title 23, United States Code; except that such funds
21 shall remain available until expended.

22 **SEC. 4. ADMINISTRATIVE EXPENSES FOR MOTOR CARRIER**
23 **SAFETY ADMINISTRATION PROGRAM.**

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

1 (1) by striking “\$213,799,290” and inserting
2 “\$224,383,414”; and

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

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

7 (a) AUTHORIZATION OF APPROPRIATIONS.—Section
8 5338(f)(2) of title 49, United States Code, is amended—

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

11 (2) in subparagraph (A)(vii)—

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

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

16 (3) in subparagraph (B)(vii) by striking “July
17 30” and inserting “August 14”.

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

22 (1) by striking “\$6,398,695,996” and inserting
23 “\$6,401,995,996”; and

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

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

2 (a) IN GENERAL.—Section 5001(a)(4) of the Trans-
3 portation Equity Act for the 21st Century (112 Stat. 420;
4 118 Stat. 1150; 119 Stat. 327; 119 Stat. 346; 119 Stat.
5 379; 119 Stat. 394) is amended by striking “\$25,730,000
6 for the period of October 1, 2004, through July 30, 2005”
7 and inserting “\$27,000,000 for the period of October 1,
8 2004, through August 14, 2005”.

9 (b) LIMITATION ON OBLIGATIONS.—Of the obligation
10 limitation made available for Federal-aid highways and
11 highway safety construction programs for fiscal year 2005
12 by division H of Public Law 108–447 (118 Stat. 3204)
13 not more the \$1,270,000 shall be available, in addition
14 to any obligation limitation previously provided, for ad-
15 ministrative expenses of the Bureau of Transportation
16 Statistics for the period of July 30, 2005, through August
17 14, 2005.

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

20 (a) HIGHWAY TRUST FUND.—

21 (1) IN GENERAL.—Paragraph (1) of section
22 9503(e) of the Internal Revenue Code of 1986 is
23 amended—

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

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

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

5 (D) by inserting after subparagraph (P)
6 the following new subparagraph:

7 “(Q) authorized to be paid out of the
8 Highway Trust Fund under the Surface Trans-
9 portation Extension Act of 2005, Part VI.”,
10 and

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

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

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

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

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

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

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

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

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

16 (b) AQUATIC RESOURCES TRUST FUND.—

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

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

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

5 (B) by striking “Surface Transportation
6 Extension Act of 2005, Part V” and inserting
7 “Surface Transportation Extension Act of
8 2005, Part VI”.

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

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

22 (1) each expiring provision of paragraphs (1)
23 through (4) of section 9503(b) of such Code which
24 is related to appropriations or transfers to such
25 Fund to have been extended through the end of the

1 24-month period referred to in section
2 9503(d)(1)(B) of such Code, and

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

10 (d) SUBSEQUENT REPEAL OF CERTAIN TEMPORARY
11 PROVISIONS.—Each of the following provisions of the In-
12 ternal Revenue Code of 1986 are amended by striking the
13 last sentence thereof:

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

15 (2) Section 9504(b)(2).

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

17 (e) EFFECTIVE DATE.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2), the amendments made by this section
20 shall take effect on the date of the enactment of this
21 Act.

22 (2) SUBSEQUENT REPEAL.—The amendments
23 made by subsection (d) shall take effect on the date
24 of the enactment of the Safe, Accountable, Flexible,
25 Efficient Transportation Equity Act: A Legacy for

1 Users and shall be executed immediately before the
2 amendments made by such Act.

Passed the House of Representatives July 29, 2005.

Attest: JEFF TRANDAHL,
Clerk.