

112TH CONGRESS
2D SESSION

H. R. 4348

To provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 16, 2012

Mr. MICA (for himself, Mr. CAMP, and Mr. TERRY) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, Natural Resources, Science, Space, and Technology, and Energy and Commerce, 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 Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, 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. TABLE OF CONTENTS.**

4 The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—SURFACE TRANSPORTATION EXTENSION

Sec. 101. Short title.

Subtitle A—Federal-Aid Highways

Sec. 111. Extension of Federal-aid highway programs.

Subtitle B—Extension of Highway Safety Programs

Sec. 121. Extension of National Highway Traffic Safety Administration highway safety programs.

Sec. 122. Extension of Federal Motor Carrier Safety Administration programs.

Sec. 123. Additional programs.

Subtitle C—Public Transportation Programs

Sec. 131. Allocation of funds for planning programs.

Sec. 132. Special rule for urbanized area formula grants.

Sec. 133. Allocating amounts for capital investment grants.

Sec. 134. Apportionment of formula grants for other than urbanized areas.

Sec. 135. Apportionment based on fixed guideway factors.

Sec. 136. Authorizations for public transportation.

Sec. 137. Amendments to SAFETEA-LU.

Subtitle D—Highway Trust Fund Extension

Sec. 141. Extension of highway-related taxes.

Sec. 142. Extension of trust fund expenditure authority.

TITLE II—KEYSTONE XL PIPELINE

Sec. 201. Short title.

Sec. 202. Restriction.

Sec. 203. Permit.

Sec. 204. Relation to other law.

TITLE III—RESTORE ACT

Sec. 301. Short title.

Sec. 302. Gulf Coast Restoration Trust Fund.

1 **TITLE I—SURFACE**
2 **TRANSPORTATION EXTENSION**

3 **SEC. 101. SHORT TITLE.**

4 **This title may be cited as the “Surface Transpor-**
5 **tation Extension Act of 2012, Part II”.**

1 **Subtitle A—Federal-Aid Highways**

2 **SEC. 111. EXTENSION OF FEDERAL-AID HIGHWAY PRO-** 3 **GRAMS.**

4 (a) IN GENERAL.—Section 111 of the Surface Trans-
5 portation Extension Act of 2011, Part II (Public Law
6 112–30; 125 Stat. 343) is amended—

7 (1) by striking “the period beginning on Octo-
8 ber 1, 2011, and ending on June 30, 2012,” each
9 place it appears and inserting “fiscal year 2012”;

10 (2) by striking “ $\frac{3}{4}$ of” each place it appears;
11 and

12 (3) in subsection (a) by striking “June 30,
13 2012” and inserting “September 30, 2012”.

14 (b) USE OF FUNDS.—Section 111(c) of the Surface
15 Transportation Extension Act of 2011, Part II (125 Stat.
16 343) is amended—

17 (1) in paragraph (3)—

18 (A) in subparagraph (A) by striking “, ex-
19 cept that during such period” and all that fol-
20 lows before the period at the end; and

21 (B) in subparagraph (B)(ii) by striking
22 “\$479,250,000” and inserting “\$639,000,000”;
23 and

24 (2) by striking paragraph (4).

1 (c) EXTENSION OF AUTHORIZATIONS UNDER TITLE
 2 V OF SAFETEA-LU.—Section 111(e)(2) of the Surface
 3 Transportation Extension Act of 2011, Part II (125 Stat.
 4 343) is amended by striking “the period beginning on Oc-
 5 tober 1, 2011, and ending on June 30, 2012.” and insert-
 6 ing “fiscal year 2012.”.

7 (d) ADMINISTRATIVE EXPENSES.—Section 112(a) of
 8 the Surface Transportation Extension Act of 2011, Part
 9 II (125 Stat. 346) is amended by striking “\$294,641,438
 10 for the period beginning on October 1, 2011, and ending
 11 on June 30, 2012.” and inserting “\$392,855,250 for fiscal
 12 year 2012.”.

13 **Subtitle B—Extension of Highway** 14 **Safety Programs**

15 **SEC. 121. EXTENSION OF NATIONAL HIGHWAY TRAFFIC** 16 **SAFETY ADMINISTRATION HIGHWAY SAFETY** 17 **PROGRAMS.**

18 (a) CHAPTER 4 HIGHWAY SAFETY PROGRAMS.—Sec-
 19 tion 2001(a)(1) of SAFETEA-LU (119 Stat. 1519) is
 20 amended by striking “\$235,000,000 for each of fiscal
 21 years 2009 through 2011” and all that follows through
 22 the period at the end and inserting “and \$235,000,000
 23 for each of fiscal years 2009 through 2012.”.

24 (b) HIGHWAY SAFETY RESEARCH AND DEVELOP-
 25 MENT.—Section 2001(a)(2) of SAFETEA-LU (119 Stat.

1 1519) is amended by striking “and \$81,183,000 for the
2 period beginning on October 1, 2011, and ending on June
3 30, 2012.” and inserting “and \$105,500,000 for fiscal
4 year 2012.”.

5 (c) OCCUPANT PROTECTION INCENTIVE GRANTS.—
6 Section 2001(a)(3) of SAFETEA–LU (119 Stat. 1519)
7 is amended by striking “, \$25,000,000 for each of fiscal
8 years 2006 through 2011” and all that follows through
9 the period at the end and inserting “and \$25,000,000 for
10 each of fiscal years 2006 through 2012.”.

11 (d) SAFETY BELT PERFORMANCE GRANTS.—Section
12 2001(a)(4) of SAFETEA–LU (119 Stat. 1519) is amend-
13 ed by striking “and \$36,375,000 for the period beginning
14 on October 1, 2011, and ending on June 30, 2012.” and
15 inserting “and \$48,500,000 for fiscal year 2012.”.

16 (e) STATE TRAFFIC SAFETY INFORMATION SYSTEM
17 IMPROVEMENTS.—Section 2001(a)(5) of SAFETEA–LU
18 (119 Stat. 1519) is amended by striking “for each of fiscal
19 years 2006 through 2011” and all that follows through
20 the period at the end and inserting “for each of fiscal
21 years 2006 through 2012.”.

22 (f) ALCOHOL-IMPAIRED DRIVING COUNTER-
23 MEASURES INCENTIVE GRANT PROGRAM.—Section
24 2001(a)(6) of SAFETEA–LU (119 Stat. 1519) is amend-
25 ed by striking “\$139,000,000 for each of fiscal years fiscal

1 years 2009 through 2011” and all that follows through
2 the period at the end and inserting “and \$139,000,000
3 for each of fiscal years 2009 through 2012.”.

4 (g) NATIONAL DRIVER REGISTER.—Section
5 2001(a)(7) of SAFETEA–LU (119 Stat. 1520) is amend-
6 ed by striking “and \$3,087,000 for the period beginning
7 on October 1, 2011, and ending on June 30, 2012.” and
8 inserting “and \$4,000,000 for fiscal year 2012.”.

9 (h) HIGH VISIBILITY ENFORCEMENT PROGRAM.—
10 Section 2001(a)(8) of SAFETEA–LU (119 Stat. 1520)
11 is amended by striking “for each of fiscal years 2006
12 through 2011” and all that follows through the period at
13 the end and inserting “for each of fiscal years 2006
14 through 2012.”.

15 (i) MOTORCYCLIST SAFETY.—Section 2001(a)(9) of
16 SAFETEA–LU (119 Stat. 1520) is amended by striking
17 “\$7,000,000 for each of fiscal years 2009 through 2011”
18 and all that follows through the period at the end and
19 inserting “and \$7,000,000 for each of fiscal years 2009
20 through 2012.”.

21 (j) CHILD SAFETY AND CHILD BOOSTER SEAT SAFE-
22 TY INCENTIVE GRANTS.—Section 2001(a)(10) of
23 SAFETEA–LU (119 Stat. 1520) is amended by striking
24 “\$7,000,000 for each of fiscal years 2009 through 2011”
25 and all that follows through the period at the end and

1 inserting “and \$7,000,000 for each of fiscal years 2009
2 through 2012.”.

3 (k) ADMINISTRATIVE EXPENSES.—Section
4 2001(a)(11) of SAFETEA-LU (119 Stat. 1520) is
5 amended by striking “\$25,328,000 for fiscal year 2011”
6 and all that follows through the period at the end and
7 inserting “and \$25,328,000 for each of fiscal years 2011
8 and 2012.”.

9 **SEC. 122. EXTENSION OF FEDERAL MOTOR CARRIER SAFE-**
10 **TY ADMINISTRATION PROGRAMS.**

11 (a) MOTOR CARRIER SAFETY GRANTS.—Section
12 31104(a)(8) of title 49, United States Code, is amended
13 to read as follows:

14 “(8) \$212,000,000 for fiscal year 2012.”.

15 (b) ADMINISTRATIVE EXPENSES.—

16 (1) IN GENERAL.—Section 31104(i)(1)(H) of
17 title 49, United States Code, is amended to read as
18 follows:

19 “(H) \$244,144,000 for fiscal year 2012.”.

20 (2) TECHNICAL CORRECTION.—Section
21 31104(i)(1)(F) of title 49, United States Code, is
22 amended to read as follows:

23 “(F) \$239,828,000 for fiscal year 2010;”.

24 (c) GRANT PROGRAMS.—Section 4101(c) of
25 SAFETEA-LU (119 Stat. 1715) is amended—

1 (1) in paragraph (1) by striking “and
2 \$22,500,000 for the period beginning on October 1,
3 2011, and ending on June 30, 2012.” and inserting
4 “and \$30,000,000 for fiscal year 2012.”;

5 (2) in paragraph (2) by striking “2011 and
6 \$24,000,000 for the period beginning on October 1,
7 2011, and ending on June 30, 2012.” and inserting
8 “2012.”;

9 (3) in paragraph (3) by striking “2011 and
10 \$3,750,000 for the period beginning on October 1,
11 2011, and ending on June 30, 2012.” and inserting
12 “2012.”;

13 (4) in paragraph (4) by striking “2011 and
14 \$18,750,000 for the period beginning on October 1,
15 2011, and ending on June 30, 2012.” and inserting
16 “2012.”; and

17 (5) in paragraph (5) by striking “2011 and
18 \$2,250,000 for the period beginning on October 1,
19 2011, and ending on June 30, 2012.” and inserting
20 “2012.”.

21 (d) HIGH-PRIORITY ACTIVITIES.—Section
22 31104(k)(2) of title 49, United States Code, is amended
23 by striking “2011 and \$11,250,000 for the period begin-
24 ning on October 1, 2011, and ending on June 30, 2012,”
25 and inserting “2012”.

1 (e) NEW ENTRANT AUDITS.—Section
2 31144(g)(5)(B) of title 49, United States Code, is amend-
3 ed by striking “and up to \$21,750,000 for the period be-
4 ginning on October 1, 2011, and ending on June 30,
5 2012,”.

6 (f) OUTREACH AND EDUCATION.—Section 4127(e) of
7 SAFETEA-LU (119 Stat. 1741) is amended by striking
8 “and 2011 (and \$750,000 to the Federal Motor Carrier
9 Safety Administration, and \$2,250,000 to the National
10 Highway Traffic Safety Administration, for the period be-
11 ginning on October 1, 2011, and ending on June 30,
12 2012)” and inserting “2011, and 2012”.

13 (g) GRANT PROGRAM FOR COMMERCIAL MOTOR VE-
14 HICLE OPERATORS.—Section 4134(c) of SAFETEA-LU
15 (119 Stat. 1744) is amended by striking “2011 and
16 \$750,000 for the period beginning on October 1, 2011,
17 and ending on June 30, 2012,” and inserting “2012”.

18 (h) MOTOR CARRIER SAFETY ADVISORY COM-
19 MITTEE.—Section 4144(d) of SAFETEA-LU (119 Stat.
20 1748) is amended by striking “June 30, 2012” and insert-
21 ing “September 30, 2012”.

22 (i) WORKING GROUP FOR DEVELOPMENT OF PRAC-
23 TICES AND PROCEDURES TO ENHANCE FEDERAL-STATE
24 RELATIONS.—Section 4213(d) of SAFETEA-LU (49
25 U.S.C. 14710 note; 119 Stat. 1759) is amended by strik-

1 ing “June 30, 2012” and inserting “September 30,
2 2012”.

3 **SEC. 123. ADDITIONAL PROGRAMS.**

4 (a) HAZARDOUS MATERIALS RESEARCH
5 PROJECTS.—Section 7131(e) of SAFETEA-LU (119
6 Stat. 1910) is amended by striking “and \$870,000 for the
7 period beginning on October 1, 2011, and ending on June
8 30, 2012,” and inserting “and \$1,160,000 for fiscal year
9 2012”.

10 (b) DINGELL-JOHNSON SPORT FISH RESTORATION
11 ACT.—Section 4 of the Dingell-Johnson Sport Fish Res-
12 toration Act (16 U.S.C. 777c) is amended—

13 (1) in subsection (a) by striking “2011 and for
14 the period beginning on October 1, 2011, and ending
15 on June 30, 2012,” and inserting “2012,”; and

16 (2) in the first sentence of subsection (b)(1)(A)
17 by striking “2011 and for the period beginning on
18 October 1, 2011, and ending on June 30, 2012,”
19 and inserting “2012,”.

20 **Subtitle C—Public Transportation**
21 **Programs**

22 **SEC. 131. ALLOCATION OF FUNDS FOR PLANNING PRO-**
23 **GRAMS.**

24 Section 5305(g) of title 49, United States Code, is
25 amended by striking “2011 and for the period beginning

1 on October 1, 2011, and ending on June 30, 2012” and
2 inserting “2012”.

3 **SEC. 132. SPECIAL RULE FOR URBANIZED AREA FORMULA**
4 **GRANTS.**

5 Section 5307(b)(2) of title 49, United States Code,
6 is amended—

7 (1) by striking the paragraph heading and in-
8 serting “SPECIAL RULE FOR FISCAL YEARS 2005
9 THROUGH 2012.—”;

10 (2) in subparagraph (A) by striking “2011 and
11 the period beginning on October 1, 2011, and ending
12 on June 30, 2012,” and inserting “2012,”; and

13 (3) in subparagraph (E)—

14 (A) by striking the subparagraph heading
15 and inserting “MAXIMUM AMOUNTS IN FISCAL
16 YEARS 2008 THROUGH 2012.—”; and

17 (B) in the matter preceding clause (i) by
18 striking “2011 and during the period beginning
19 on October 1, 2011, and ending on June 30,
20 2012” and inserting “2012”.

21 **SEC. 133. ALLOCATING AMOUNTS FOR CAPITAL INVEST-**
22 **MENT GRANTS.**

23 Section 5309(m) of title 49, United States Code, is
24 amended—

25 (1) in paragraph (2)—

1 (A) by striking the paragraph heading and
2 inserting “FISCAL YEARS 2006 THROUGH
3 2012.—”;

4 (B) in the matter preceding subparagraph
5 (A) by striking “2011 and the period beginning
6 on October 1, 2011, and ending on June 30,
7 2012,” and inserting “2012”; and

8 (C) in subparagraph (A)(i) by striking
9 “2011 and \$150,000,000 for the period begin-
10 ning on October 1, 2011, and ending on June
11 30, 2012,” and inserting “2012”;

12 (2) in paragraph (6)—

13 (A) in subparagraph (B) by striking “2011
14 and \$11,250,000 shall be available for the pe-
15 riod beginning on October 1, 2011, and ending
16 on June 30, 2012,” and inserting “2012”; and

17 (B) in subparagraph (C) by striking
18 “though 2011 and \$3,750,000 shall be available
19 for the period beginning on October 1, 2011,
20 and ending on June 30, 2012,” and inserting
21 “through 2012”; and

22 (3) in paragraph (7)—

23 (A) in subparagraph (A)—

24 (i) in the matter preceding clause

25 (i)—

1 (I) in the first sentence by strik-
2 ing “2011 and \$7,500,000 shall be
3 available for the period beginning on
4 October 1, 2011, and ending on June
5 30, 2012,” and inserting “2012”; and

6 (II) in the second sentence by in-
7 serring “each fiscal year” before the
8 colon;

9 (ii) in clause (i) by striking “for each
10 fiscal year and \$1,875,000 for the period
11 beginning on October 1, 2011, and ending
12 on June 30, 2012,”;

13 (iii) in clause (ii) by striking “for each
14 fiscal year and \$1,875,000 for the period
15 beginning on October 1, 2011, and ending
16 on June 30, 2012,”;

17 (iv) in clause (iii) by striking “for
18 each fiscal year and \$750,000 for the pe-
19 riod beginning on October 1, 2011, and
20 ending on June 30, 2012,”;

21 (v) in clause (iv) by striking “for each
22 fiscal year and \$750,000 for the period be-
23 ginning on October 1, 2011, and ending on
24 June 30, 2012,”;

1 (vi) in clause (v) by striking “for each
2 fiscal year and \$750,000 for the period be-
3 ginning on October 1, 2011, and ending on
4 June 30, 2012,”;

5 (vii) in clause (vi) by striking “for
6 each fiscal year and \$750,000 for the pe-
7 riod beginning on October 1, 2011, and
8 ending on June 30, 2012,”;

9 (viii) in clause (vii) by striking “for
10 each fiscal year and \$487,500 for the pe-
11 riod beginning on October 1, 2011, and
12 ending on June 30, 2012,”; and

13 (ix) in clause (viii) by striking “for
14 each fiscal year and \$262,500 for the pe-
15 riod beginning on October 1, 2011, and
16 ending on June 30, 2012,”;

17 (B) in subparagraph (B) by striking clause
18 (vii) and inserting the following:

19 “(vii) \$13,500,000 for fiscal year
20 2012.”;

21 (C) in subparagraph (C) by striking “and
22 during the period beginning on October 1,
23 2011, and ending on June 30, 2012,”;

24 (D) in subparagraph (D) by striking “and
25 not less than \$26,250,000 shall be available for

1 the period beginning on October 1, 2011, and
2 ending on June 30, 2012,”; and

3 (E) in subparagraph (E) by striking “and
4 \$2,250,000 shall be available for the period be-
5 ginning on October 1, 2011, and ending on
6 June 30, 2012,”.

7 **SEC. 134. APPORTIONMENT OF FORMULA GRANTS FOR**
8 **OTHER THAN URBANIZED AREAS.**

9 Section 5311(c)(1)(G) of title 49, United States
10 Code, is amended to read as follows:

11 “(G) \$15,000,000 for fiscal year 2012.”.

12 **SEC. 135. APPORTIONMENT BASED ON FIXED GUIDEWAY**
13 **FACTORS.**

14 Section 5337 of title 49, United States Code, is
15 amended by striking subsection (g).

16 **SEC. 136. AUTHORIZATIONS FOR PUBLIC TRANSPOR-**
17 **TATION.**

18 (a) FORMULA AND BUS GRANTS.—Section 5338(b)
19 of title 49, United States Code, is amended—

20 (1) in paragraph (1) by striking subparagraph
21 (G) and inserting the following:

22 “(G) \$8,360,565,000 for fiscal year
23 2012.”; and

24 (2) in paragraph (2)—

1 (A) in subparagraph (A) by striking
2 “\$113,500,000 for each of fiscal years 2009
3 through 2011, and \$85,125,000 for the period
4 beginning on October 1, 2011, and ending on
5 June 30, 2012,” and inserting “and
6 \$113,500,000 for each of fiscal years 2009
7 through 2012”;

8 (B) in subparagraph (B) by striking
9 “\$4,160,365,000 for each of fiscal years 2009
10 through 2011, and \$3,120,273,750 for the pe-
11 riod beginning on October 1, 2011, and ending
12 on June 30, 2012,” and inserting “and
13 \$4,160,365,000 for each of fiscal years 2009
14 through 2012”;

15 (C) in subparagraph (C) by striking
16 “\$51,500,000 for each of fiscal years 2009
17 through 2011, and \$38,625,000 for the period
18 beginning on October 1, 2011, and ending on
19 June 30, 2012,” and inserting “and
20 \$51,500,000 for each of fiscal years 2009
21 through 2012”;

22 (D) in subparagraph (D) by striking
23 “\$1,666,500,000 for each of fiscal years 2009
24 through 2011, and \$1,249,875,000 for the pe-
25 riod beginning on October 1, 2011, and ending

1 on June 30, 2012,” and inserting “and
2 \$1,666,500,000 for each of fiscal years 2009
3 through 2012”;

4 (E) in subparagraph (E) by striking
5 “\$984,000,000 for each of fiscal years 2009
6 through 2011, and \$738,000,000 for the period
7 beginning on October 1, 2011, and ending on
8 June 30, 2012,” and inserting “and
9 \$984,000,000 for each of fiscal years 2009
10 through 2012”;

11 (F) in subparagraph (F) by striking
12 “\$133,500,000 for each of fiscal years 2009
13 through 2011, and \$100,125,000 for the period
14 beginning on October 1, 2011, and ending on
15 June 30, 2012,” and inserting “and
16 \$133,500,000 for each of fiscal years 2009
17 through 2012”;

18 (G) in subparagraph (G) by striking
19 “\$465,000,000 for each of fiscal years 2009
20 through 2011, and \$348,750,000 for the period
21 beginning on October 1, 2011, and ending on
22 June 30, 2012,” and inserting “and
23 \$465,000,000 for each of fiscal years 2009
24 through 2012”;

1 (H) in subparagraph (H) by striking
2 “\$164,500,000 for each of fiscal years 2009
3 through 2011, and \$123,375,000 for the period
4 beginning on October 1, 2011, and ending on
5 June 30, 2012,” and inserting “and
6 \$164,500,000 for each of fiscal years 2009
7 through 2012”;

8 (I) in subparagraph (I) by striking
9 “\$92,500,000 for each of fiscal years 2009
10 through 2011, and \$69,375,000 for the period
11 beginning on October 1, 2011, and ending on
12 June 30, 2012,” and inserting “and
13 \$92,500,000 for each of fiscal years 2009
14 through 2012”;

15 (J) in subparagraph (J) by striking
16 “\$26,900,000 for each of fiscal years 2009
17 through 2011, and \$20,175,000 for the period
18 beginning on October 1, 2011, and ending on
19 June 30, 2012,” and inserting “and
20 \$26,900,000 for each of fiscal years 2009
21 through 2012”;

22 (K) in subparagraph (K) by striking “for
23 each of fiscal years 2006 through 2011 and
24 \$2,625,000 for the period beginning on October
25 1, 2011, and ending on June 30, 2012,” and

1 inserting “for each of fiscal years 2006 through
2 2012”;

3 (L) in subparagraph (L) by striking “for
4 each of fiscal years 2006 through 2011 and
5 \$18,750,000 for the period beginning on Octo-
6 ber 1, 2011, and ending on June 30, 2012,”
7 and inserting “for each of fiscal years 2006
8 through 2012”;

9 (M) in subparagraph (M) by striking
10 “\$465,000,000 for each of fiscal years 2009
11 through 2011, and \$348,750,000 for the period
12 beginning on October 1, 2011, and ending on
13 June 30, 2012,” and inserting “and
14 \$465,000,000 for each of fiscal years 2009
15 through 2012”; and

16 (N) in subparagraph (N) by striking
17 “\$8,800,000 for each of fiscal years 2009
18 through 2011, and \$6,600,000 for the period
19 beginning on October 1, 2011, and ending on
20 June 30, 2012,” and inserting “and \$8,800,000
21 for each of fiscal years 2009 through 2012”.

22 (b) CAPITAL INVESTMENT GRANTS.—Section
23 5338(c)(7) of title 49, United States Code, is amended
24 to read as follows:

25 “(7) \$1,955,000,000 for fiscal year 2012.”.

1 (c) RESEARCH AND UNIVERSITY RESEARCH CEN-
2 TERS.—Section 5338(d) of title 49, United States Code,
3 is amended—

4 (1) in paragraph (1), in the matter preceding
5 subparagraph (A), by striking “through 2011, and
6 \$33,000,000 for the period beginning on October 1,
7 2011, and ending on June 30, 2012,” and inserting
8 “through 2011, and \$44,000,000 for fiscal year
9 2012,”; and

10 (2) by striking paragraph (3) and inserting the
11 following:

12 “(3) ADDITIONAL AUTHORIZATIONS.—

13 “(A) RESEARCH.—Of amounts authorized
14 to be appropriated under paragraph (1) for fis-
15 cal year 2012, the Secretary shall allocate for
16 each of the activities and projects described in
17 subparagraphs (A) through (F) of paragraph
18 (1) an amount equal to 63 percent of the
19 amount allocated for fiscal year 2009 under
20 each such subparagraph.

21 “(B) UNIVERSITY CENTERS PROGRAM.—

22 “(i) FISCAL YEAR 2012.—Of the
23 amounts allocated under subparagraph
24 (A)(i) for the university centers program
25 under section 5506 for fiscal year 2012,

1 the Secretary shall allocate for each pro-
2 gram described in clauses (i) through (iii)
3 and (v) through (viii) of paragraph (2)(A)
4 an amount equal to 63 percent of the
5 amount allocated for fiscal year 2009
6 under each such clause.

7 “(ii) FUNDING.—If the Secretary de-
8 termines that a project or activity de-
9 scribed in paragraph (2) received sufficient
10 funds in fiscal year 2011, or a previous fis-
11 cal year, to carry out the purpose for
12 which the project or activity was author-
13 ized, the Secretary may not allocate any
14 amounts under clause (i) for the project or
15 activity for fiscal year 2012 or any subse-
16 quent fiscal year.”.

17 (d) ADMINISTRATION.—Section 5338(e)(7) of title
18 49, United States Code, is amended to read as follows:

19 “(7) \$98,713,000 for fiscal year 2012.”.

20 **SEC. 137. AMENDMENTS TO SAFETEA-LU.**

21 (a) CONTRACTED PARATRANSIT PILOT.—Section
22 3009(i)(1) of SAFETEA-LU (119 Stat. 1572) is amend-
23 ed by striking “2011 and the period beginning on October
24 1, 2011, and ending on June 30, 2012,” and inserting
25 “2012,”.

1 (b) PUBLIC-PRIVATE PARTNERSHIP PILOT PRO-
2 GRAM.—Section 3011 of SAFETEA-LU (49 U.S.C. 5309
3 note; 119 Stat. 1588) is amended—

4 (1) in subsection (c)(5) by striking “2011 and
5 the period beginning on October 1, 2011, and ending
6 on June 30, 2012” and inserting “2012”; and

7 (2) in the second sentence of subsection (d) by
8 striking “2011 and the period beginning on October
9 1, 2011, and ending on June 30, 2012,” and insert-
10 ing “2012”.

11 (c) ELDERLY INDIVIDUALS AND INDIVIDUALS WITH
12 DISABILITIES PILOT PROGRAM.—Section 3012(b)(8) of
13 SAFETEA-LU (49 U.S.C. 5310 note; 119 Stat. 1593)
14 is amended by striking “June 30, 2012” and inserting
15 “September 30, 2012”.

16 (d) OBLIGATION CEILING.—Section 3040(8) of
17 SAFETEA-LU (119 Stat. 1639) is amended to read as
18 follows:

19 “(8) \$10,458,278,000 for fiscal year 2012, of
20 which not more than \$8,360,565,000 shall be from
21 the Mass Transit Account.”.

22 (e) PROJECT AUTHORIZATIONS FOR NEW FIXED
23 GUIDEWAY CAPITAL PROJECTS.—Section 3043 of
24 SAFETEA-LU (119 Stat. 1640) is amended—

1 (1) in subsection (b), in the matter preceding
2 paragraph (1), by striking “2011 and the period be-
3 ginning on October 1, 2011, and ending on June 30,
4 2012,” and inserting “2012”; and

5 (2) in subsection (c), in the matter preceding
6 paragraph (1), by striking “2011 and the period be-
7 ginning on October 1, 2011, and ending on June 30,
8 2012,” and inserting “2012”.

9 (f) ALLOCATIONS FOR NATIONAL RESEARCH AND
10 TECHNOLOGY PROGRAMS.—Section 3046 of SAFETEA-
11 LU (49 U.S.C. 5338 note; 119 Stat. 1706) is amended—

12 (1) in subsection (b) by striking “fiscal year or
13 period” and inserting “fiscal year”; and

14 (2) by striking subsection (c)(2) and inserting
15 the following:

16 “(2) for fiscal year 2012, in amounts equal to
17 63 percent of the amounts allocated for fiscal year
18 2009 under each of paragraphs (2), (3), (5), and (8)
19 through (25) of subsection (a).”.

20 **Subtitle D—Highway Trust Fund** 21 **Extension**

22 **SEC. 141. EXTENSION OF HIGHWAY-RELATED TAXES.**

23 (a) IN GENERAL.—

24 (1) Each of the following provisions of the In-
25 ternal Revenue Code of 1986 is amended by striking

1 “June 30, 2012” and inserting “September 30,
2 2012”:

3 (A) Section 4041(a)(1)(C)(iii)(I).

4 (B) Section 4041(m)(1)(B).

5 (C) Section 4081(d)(1).

6 (2) Each of the following provisions of such
7 Code is amended by striking “July 1, 2012” and in-
8 serting “October 1, 2012”:

9 (A) Section 4041(m)(1)(A).

10 (B) Section 4051(c).

11 (C) Section 4071(d).

12 (D) Section 4081(d)(3).

13 (b) FLOOR STOCKS REFUNDS.—Section 6412(a)(1)
14 of such Code is amended—

15 (1) by striking “July 1, 2012” each place it ap-
16 pears and inserting “October 1, 2012”;

17 (2) by striking “December 31, 2012” each
18 place it appears and inserting “March 31, 2013”;

19 and

20 (3) by striking “October 1, 2012” and inserting
21 “January 1, 2013”.

22 (c) EXTENSION OF CERTAIN EXEMPTIONS.—Sec-
23 tions 4221(a) and 4483(i) of such Code are each amended
24 by striking “July 1, 2012” and inserting “October 1,
25 2012”.

1 (d) EXTENSION OF TRANSFERS OF CERTAIN
2 TAXES.—

3 (1) IN GENERAL.—Section 9503 of such Code
4 is amended—

5 (A) in subsection (b)—

6 (i) by striking “July 1, 2012” each
7 place it appears in paragraphs (1) and (2)
8 and inserting “October 1, 2012”;

9 (ii) by striking “JULY 1, 2012” in the
10 heading of paragraph (2) and inserting
11 “OCTOBER 1, 2012”;

12 (iii) by striking “June 30, 2012” in
13 paragraph (2) and inserting “September
14 30, 2012”; and

15 (iv) by striking “April 1, 2013” in
16 paragraph (2) and inserting “July 1,
17 2013”; and

18 (B) in subsection (c)(2), by striking “April
19 1, 2013” and inserting “July 1, 2013”.

20 (2) MOTORBOAT AND SMALL-ENGINE FUEL TAX
21 TRANSFERS.—

22 (A) IN GENERAL.—Paragraphs (3)(A)(i)
23 and (4)(A) of section 9503(c) of such Code are
24 each amended by striking “July 1, 2012” and
25 inserting “October 1, 2012”.

1 (B) CONFORMING AMENDMENTS TO LAND
2 AND WATER CONSERVATION FUND.—Section
3 201(b) of the Land and Water Conservation
4 Fund Act of 1965 (16 U.S.C. 460l–11(b)) is
5 amended—

6 (i) by striking “July 1, 2013” each
7 place it appears and inserting “October 1,
8 2013”; and

9 (ii) by striking “July 1, 2012” and in-
10 sserting “October 1, 2012”.

11 (e) TECHNICAL CORRECTION.—Paragraph (4) of sec-
12 tion 4482(c) of such Code is amended to read as follows:

13 “(4) TAXABLE PERIOD.—The term ‘taxable pe-
14 riod’ means any year beginning before July 1, 2013,
15 and the period which begins on July 1, 2013, and
16 ends at the close of September 30, 2013.”.

17 (f) 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 July 1, 2012.

21 (2) TECHNICAL CORRECTION.—The amendment
22 made by subsection (e) shall take effect as if in-
23 cluded in section 402 of the Surface Transportation
24 Extension Act of 2012.

1 **SEC. 142. EXTENSION OF TRUST FUND EXPENDITURE AU-**
2 **THORITY.**

3 (a) HIGHWAY TRUST FUND.—Section 9503 of the
4 Internal Revenue Code of 1986 is amended—

5 (1) by striking “July 1, 2012” in subsections
6 (b)(6)(B), (c)(1), and (e)(3) and inserting “October
7 1, 2012”; and

8 (2) by striking “Surface Transportation Exten-
9 sion Act of 2012” in subsections (c)(1) and (e)(3)
10 and inserting “Surface Transportation Extension
11 Act of 2012, Part II”.

12 (b) SPORT FISH RESTORATION AND BOATING TRUST
13 FUND.—Section 9504 of such Code is amended—

14 (1) by striking “Surface Transportation Exten-
15 sion Act of 2012” each place it appears in sub-
16 section (b)(2) and inserting “Surface Transportation
17 Extension Act of 2012, Part II”; and

18 (2) by striking “July 1, 2012” in subsection
19 (d)(2) and inserting “October 1, 2012”.

20 (c) LEAKING UNDERGROUND STORAGE TANK TRUST
21 FUND.—Paragraph (2) of section 9508(e) of such Code
22 is amended by striking “July 1, 2012” and inserting “Oc-
23 tober 1, 2012”.

24 (d) EFFECTIVE DATE.—The amendments made by
25 this section shall take effect on July 1, 2012.

1 **TITLE II—KEYSTONE XL**
2 **PIPELINE**

3 ~~SEC. 201. SHORT TITLE.~~

4 This title may be cited as the “North American En-
5 ergy Access Act”.

6 **SEC. 202. RESTRICTION.**

7 (a) IN GENERAL.—No person may construct, oper-
8 ate, or maintain the oil pipeline and related facilities de-
9 scribed in subsection (b) except in accordance with a per-
10 mit issued under this title.

11 (b) PIPELINE.—The pipeline and related facilities re-
12 ferred to in subsection (a) are those described in the Final
13 Environmental Impact Statement for the Keystone XL
14 Pipeline Project issued by the Department of State on Au-
15 gust 26, 2011, including any modified version of that pipe-
16 line and related facilities.

17 **SEC. 203. PERMIT.**

18 (a) ISSUANCE.—

19 (1) BY FERC.—The Federal Energy Regulatory
20 Commission shall, not later than 30 days after re-
21 ceipt of an application therefor, issue a permit with-
22 out additional conditions for the construction, oper-
23 ation, and maintenance of the oil pipeline and re-
24 lated facilities described in section 202(b), to be im-
25 plemented in accordance with the terms of the Final

1 Environmental Impact Statement described in sec-
2 tion 202(b). The Commission shall not be required
3 to prepare a Record of Decision under section
4 1505.2 of title 40 of the Code of Federal Regula-
5 tions with respect to issuance of the permit provided
6 for in this section.

7 (2) ISSUANCE IN ABSENCE OF FERC ACTION.—

8 If the Federal Energy Regulatory Commission has
9 not acted on an application for a permit described
10 in paragraph (1) within 30 days after receiving such
11 application, the permit shall be deemed to have been
12 issued under this title upon the expiration of such
13 30-day period.

14 (b) MODIFICATION.—

15 (1) IN GENERAL.—The applicant for or holder
16 of a permit described in subsection (a) may make a
17 substantial modification to the pipeline route or any
18 other term of the Final Environmental Impact
19 Statement described in section 202(b) only with the
20 approval of the Federal Energy Regulatory Commis-
21 sion. The Commission shall expedite consideration of
22 any such modification proposal.

23 (2) NEBRASKA MODIFICATION.—Within 30
24 days after the date of enactment of this Act, the
25 Federal Energy Regulatory Commission shall enter

1 into a memorandum of understanding with the State
2 of Nebraska for an effective and timely review under
3 the National Environmental Policy Act of 1969 of
4 any modification to the proposed pipeline route in
5 Nebraska as proposed by the applicant for the per-
6 mit described in subsection (a). Not later than 30
7 days after receiving approval of such proposed modi-
8 fication from the Governor of Nebraska, the Com-
9 mission shall complete consideration of and approve
10 such modification.

11 (3) ISSUANCE IN ABSENCE OF FERC ACTION.—
12 If the Federal Energy Regulatory Commission has
13 not acted on an application for approval of a modi-
14 fication described in paragraph (2) within 30 days
15 after receiving such application, such modification
16 shall be deemed to have been issued under this title
17 upon expiration of the 30-day period.

18 (4) CONSTRUCTION DURING CONSIDERATION OF
19 NEBRASKA MODIFICATION.—While any modification
20 of the proposed pipeline route in Nebraska is under
21 consideration pursuant to paragraph (2), the holder
22 of the permit issued under subsection (a) may com-
23 mence or continue with construction of any portion
24 of the pipeline and related facilities described in sec-
25 tion 202(b) that is not within the State of Nebraska.

1 (c) NATIONAL ENVIRONMENTAL POLICY ACT OF
2 1969.—Except for actions taken under subsection (b)(1),
3 the actions taken pursuant to this title shall be taken with-
4 out further action under the National Environmental Pol-
5 icy Act of 1969 (42 U.S.C. 4321 et seq.).

6 **SEC. 204. RELATION TO OTHER LAW.**

7 (a) GENERAL RULE.—Notwithstanding Executive
8 Order 13337 (3 U.S.C. 301 note), Executive Order 11423
9 (3 U.S.C. 301 note), section 301 of title 3, United States
10 Code, and any other Executive Order or provision of law,
11 no presidential permits shall be required for the construc-
12 tion, operation, and maintenance of the pipeline and re-
13 lated facilities described in section 202(b) of this Act.

14 (b) APPLICABILITY.—Nothing in this title shall affect
15 the application to the pipeline and related facilities de-
16 scribed in section 202(b) of—

17 (1) chapter 601 of title 49, United States Code;

18 or

19 (2) the authority of the Federal Energy Regu-
20 latory Commission to regulate oil pipeline rates and
21 services.

22 (c) FINAL ENVIRONMENTAL IMPACT STATEMENT.—
23 The final environmental impact statement issued by the
24 Secretary of State on August 26, 2011, shall be considered

1 to satisfy all requirements of the National Environmental
2 Policy Act of 1969 (42 U.S.C. 4321 et seq.).

3 **TITLE III—RESTORE ACT**

4 **SEC. 301. SHORT TITLE.**

5 This title may be cited as the “Resources and Eco-
6 systems Sustainability, Tourist Opportunities, and Re-
7 vived Economies of the Gulf Coast States Act of 2012”.

8 **SEC. 302. GULF COAST RESTORATION TRUST FUND.**

9 (a) **ESTABLISHMENT.**—There is established in the
10 Treasury of the United States a trust fund to be known
11 as the “Gulf Coast Restoration Trust Fund” (referred to
12 in this section as the “Trust Fund”), consisting of such
13 amounts as are deposited in the Trust Fund under this
14 section or any other provision of law.

15 (b) **TRANSFERS.**—The Secretary of the Treasury
16 shall deposit in the Trust Fund an amount equal to 80
17 percent of all administrative and civil penalties paid by
18 responsible parties after the date of enactment of this title
19 in connection with the explosion on, and sinking of, the
20 mobile offshore drilling unit Deepwater Horizon pursuant
21 to a court order, negotiated settlement, or other instru-
22 ment in accordance with section 311 of the Federal Water
23 Pollution Control Act (33 U.S.C. 1321).

24 (c) **EXPENDITURES.**—Amounts in the Trust Fund,
25 including interest earned on advances to the Trust Fund

1 and proceeds from investment under subsection (d), shall
2 be available, pursuant to a future Act of Congress enacted
3 after the date of enactment of this Act—

4 (1) for expenditure to restore the Gulf Coast re-
5 gion from the Deepwater Horizon oil spill for under-
6 taking projects and programs in the Gulf Coast re-
7 gion that would restore and protect the natural re-
8 sources, ecosystems, fisheries, marine and wildlife
9 habitats, beaches, coastal wetlands, and economy of
10 the Gulf Coast region; and

11 (2) solely to Gulf Coast States and coastal po-
12 litical subdivisions to restore the ecosystems and
13 economy of the Gulf Coast region.

14 (d) INVESTMENT.—Amounts in the Trust Fund shall
15 be invested in accordance with section 9702 of title 31,
16 United States Code, and any interest on, and proceeds
17 from, any such investment shall be available for expendi-
18 ture in accordance with this section.

19 (e) DEFINITIONS.—In this section:

20 (1) COASTAL POLITICAL SUBDIVISION.—The
21 term “coastal political subdivision” means any local
22 political jurisdiction that is immediately below the
23 State level of government, including a county, par-
24 ish, or borough, with a coastline that is contiguous

1 with any portion of the United States Gulf of Mex-
2 ico.

3 (2) DEEPWATER HORIZON OIL SPILL.—The
4 term “Deepwater Horizon oil spill” means the blow-
5 out and explosion of the mobile offshore drilling unit
6 Deepwater Horizon that occurred on April 20, 2010,
7 and resulting hydrocarbon releases into the environ-
8 ment.

9 (3) GULF COAST REGION.—The term “Gulf
10 Coast region” means—

11 (A) in the Gulf Coast States, the coastal
12 zones (as that term is defined in section 304 of
13 the Coastal Zone Management Act of 1972 (16
14 U.S.C. 1453)) that border the Gulf of Mexico;

15 (B) any adjacent land, water, and water-
16 sheds, that are within 25 miles of those coastal
17 zones of the Gulf Coast States; and

18 (C) all Federal waters in the Gulf of Mex-
19 ico.

20 (4) GULF COAST STATE.—The term “Gulf
21 Coast State” means any of the States of Alabama,
22 Florida, Louisiana, Mississippi, and Texas.

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