

105TH CONGRESS
1ST SESSION

S. 1091

To amend title 23, United States Code, to provide for maintenance of public roads used by school buses serving certain Indian reservations.

IN THE SENATE OF THE UNITED STATES

JULY 30, 1997

Mr. BINGAMAN (for himself and Mr. DOMENICI) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend title 23, United States Code, to provide for maintenance of public roads used by school buses serving certain Indian reservations.

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. INDIAN RESERVATION SCHOOL ROADS.**

4 (a) FUNDING.—Section 1003(a)(6) of the Intermodal
5 Surface Transportation Efficiency Act of 1991 (Public
6 Law 102–240; 105 Stat. 1919) is amended by adding at
7 the end the following:

8 “(D) INDIAN RESERVATION SCHOOL
9 ROADS.—For maintenance of Indian reservation

1 school roads \$10,000,000 for each of fiscal
2 years 1998 through 2003.”.

3 (b) DEFINITION OF INDIAN RESERVATION SCHOOL
4 ROAD.—Section 101 of title 23, United States Code, is
5 amended by inserting after the undesignated paragraph
6 defining “Indian reservation roads” the following:

7 “The term ‘Indian reservation school road’ means a
8 public road that—

9 “(A) is within, is adjacent to, or provides access
10 to an Indian reservation (including associated trust
11 land and restricted Indian land) having a land area
12 of 10,000,000 acres or more; and

13 “(B) is used by a school bus to transport chil-
14 dren to or from a school or Headstart program.”.

15 (c) MAINTENANCE UNDER THE FEDERAL LANDS
16 HIGHWAYS PROGRAM.—Section 204 of title 23, United
17 States Code, is amended—

18 (1) in the first sentence of subsection (a), by
19 striking “and Indian reservation roads” and insert-
20 ing “Indian reservation roads, and Indian reserva-
21 tion school roads”;

22 (2) in subsection (b), by inserting after the sec-
23 ond sentence the following: “Funds available for In-
24 dian reservation school roads shall be used by the
25 Secretary to pay for the cost of maintenance of In-

1 dian reservation school roads in accordance with
2 subsection (k).”;

3 (3) in the last sentence of subsection (c), by
4 striking “The Bureau” and inserting “Subject to
5 subsection (k), the Bureau”; and

6 (4) by adding at the end the following:

7 “(k) INDIAN RESERVATION SCHOOL ROADS.—

8 “(1) FUNDING.—A State or county with an In-
9 dian reservation school road on its maintenance sys-
10 tem may apply for funding from the Secretary for
11 maintenance of the Indian reservation school road,
12 which the Secretary may grant if the Secretary de-
13 termines that funding for maintenance of the road
14 from other sources is not sufficient to provide main-
15 tenance that ensures the safety and welfare of chil-
16 dren being transported in a school bus to and from
17 a school or Headstart program.

18 “(2) METHOD OF CONTRACTING.— All mainte-
19 nance work funded under this subsection shall be
20 performed—

21 “(A) by contract awarded by competitive
22 bidding; or

23 “(B) by a State or county that the Sec-
24 retary has determined has the ability to admin-

1 ister efficiently funds granted for the mainte-
2 nance of Indian reservation school roads.

3 “(3) SUPPLEMENTARY FUNDING.—The Sec-
4 retary shall ensure that funding made available
5 under this subsection for maintenance of Indian res-
6 ervation school roads for each fiscal year is supple-
7 mentary to and not in lieu of any obligation of funds
8 by the Bureau of Indian Affairs for road mainte-
9 nance programs on Indian reservations.”.

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