

112TH CONGRESS
1ST SESSION

S. 412

To ensure that amounts credited to the Harbor Maintenance Trust Fund
are used for harbor maintenance.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2011

Mr. LEVIN (for himself, Mrs. HUTCHISON, Mr. VITTER, Ms. LANDRIEU, Mr. SHELBY, Ms. STABENOW, Mrs. BOXER, Ms. KLOBUCHAR, Mr. WYDEN, Mr. FRANKEN, Mr. LIEBERMAN, Mr. BROWN of Ohio, Mrs. GILLIBRAND, and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To ensure that amounts credited to the Harbor Maintenance
Trust Fund are used for harbor maintenance.

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 “Harbor Maintenance
5 Act of 2011”.

6 **SEC. 2. FUNDING FOR HARBOR MAINTENANCE PROGRAMS.**

7 (a) HARBOR MAINTENANCE TRUST FUND GUAR-
8 ANTEE.—

1 (1) IN GENERAL.—The total budget resources
2 made available from the Harbor Maintenance Trust
3 Fund each fiscal year pursuant to section 9505(c) of
4 the Internal Revenue Code of 1986 (relating to ex-
5 penditures from the Harbor Maintenance Trust
6 Fund) shall be equal to the level of receipts plus in-
7 terest credited to the Harbor Maintenance Trust
8 Fund for that fiscal year. Such amounts may be
9 used only for harbor maintenance programs de-
10 scribed in section 9505(c) of such Code.

11 (2) GUARANTEE.—No funds may be appro-
12 priated for harbor maintenance programs described
13 in such section unless the amount described in para-
14 graph (1) has been provided.

15 (b) DEFINITIONS.—In this section, the following defi-
16 nitions apply:

17 (1) TOTAL BUDGET RESOURCES.—The term
18 “total budget resources” means the total amount
19 made available by appropriations Acts from the Har-
20 bor Maintenance Trust Fund for a fiscal year for
21 making expenditures under section 9505(c) of the
22 Internal Revenue Code of 1986.

23 (2) LEVEL OF RECEIPTS PLUS INTEREST.—The
24 term “level of receipts plus interest” means the level
25 of taxes and interest credited to the Harbor Mainte-

1 nance Trust Fund under section 9505 of the Inter-
2 nal Revenue Code of 1986 for a fiscal year as set
3 forth in the President's budget baseline projection as
4 defined in section 257 of the Balanced Budget and
5 Emergency Deficit Control Act of 1985 (Public Law
6 99–177; 99 Stat. 1092) for that fiscal year sub-
7 mitted pursuant to section 1105 of title 31, United
8 States Code.

9 (c) ENFORCEMENT OF GUARANTEES.—It shall not be
10 in order in the House of Representatives or the Senate
11 to consider any bill, joint resolution, amendment, motion,
12 or conference report that would cause total budget re-
13 sources in a fiscal year for harbor maintenance programs
14 described in subsection (b)(1) for such fiscal year to be
15 less than the amount required by subsection (a)(1) for
16 such fiscal year.

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