

105TH CONGRESS
1ST SESSION

S. 265

To provide off-budget treatment for the Highway Trust Fund.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 1997

Mr. REID introduced the following bill; which was read twice and referred jointly pursuant to the order of August 4, 1977, to the Committees on the Budget and Governmental Affairs, with instructions that if one committee reports, the other committee have 30 days to report or be discharged

A BILL

To provide off-budget treatment for the Highway Trust Fund.

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 “Highway Trust Fund
5 Protection Act of 1997”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act, the term “Highway Trust Fund” means
8 the Highway Trust Fund established by section 9503 of
9 the Internal Revenue Code of 1986.

1 **SEC. 3. BUDGETARY TREATMENT OF HIGHWAY TRUST**
2 **FUND.**

3 (a) IN GENERAL.—The receipts and disbursements
4 of the Highway Trust Fund—

5 (1) shall not be included in the totals of—

6 (A) the budget of the United States Gov-
7 ernment as submitted by the President under
8 section 1105 of title 31, United States Code; or

9 (B) the congressional budget (including al-
10 locations of budget authority and outlays pro-
11 vided in the congressional budget);

12 (2) shall not be—

13 (A) considered to be part of any category
14 (as defined in section 250(c)(4) of the Balanced
15 Budget and Emergency Deficit Control Act of
16 1985 (2 U.S.C. 900(c)(4))) of discretionary ap-
17 propriations; or

18 (B) subject to the discretionary spending
19 limits established under section 251(b) of the
20 Act (2 U.S.C. 901(b));

21 (3) shall not be subject to sequestration under
22 section 251(a) of the Act (2 U.S.C. 901(a)); and

23 (4) shall be exempt from any general budget
24 limitation imposed by statute on expenditures and
25 net lending (budget outlays) of the United States
26 Government.

1 (b) DISBURSEMENTS SUBJECT TO APPROPRIA-
2 TIONS.—The disbursements referred to in subsection (a)
3 shall be subject to appropriations.

4 **SEC. 4. ENFORCEMENT.**

5 An officer or employee of the United States Govern-
6 ment who fails to comply with this Act and the amend-
7 ments made by this Act shall be subject to the penalties
8 specified in section 1350 of title 31, United States Code.

9 **SEC. 5. APPLICABILITY.**

10 This Act and the amendments made by this Act shall
11 apply to authorizations and obligations made for fiscal
12 years 1998 and thereafter.

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