

106TH CONGRESS
1ST SESSION

H. R. 132

To amend the Internal Revenue Code of 1986 to provide for designation of overpayments and contributions to the United States Textbook and Technology Trust Fund, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

Mr. ENGEL introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, 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 amend the Internal Revenue Code of 1986 to provide for designation of overpayments and contributions to the United States Textbook and Technology Trust Fund, 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. SHORT TITLE.**

4 This Act may be cited as the “United States Text-
5 book and Technology Trust Fund Act”.

1 **SEC. 2. UNITED STATES TEXTBOOK AND TECHNOLOGY**
 2 **TRUST FUND.**

3 (a) DESIGNATION OF OVERPAYMENTS AND CON-
 4 TRIBUTIONS FOR UNITED STATES TEXTBOOK AND TECH-
 5 NOLOGY TRUST FUND.—Subchapter A of chapter 61 of
 6 the Internal Revenue Code of 1986 is amended by adding
 7 at the end the following new part:

8 **“PART IX—DESIGNATION OF OVERPAY-**
 9 **MENTS AND CONTRIBUTIONS FOR**
 10 **UNITED STATES TEXTBOOK AND**
 11 **TECHNOLOGY TRUST FUND**

“Sec. 6097. Designation.

12 **“SEC. 6097. DESIGNATION.**

13 “(a) IN GENERAL.—In the case of an individual, with
 14 respect to each return of the taxpayer for the taxable year
 15 of the tax imposed by chapter 1, such taxpayer may des-
 16 ignate that—

17 “(1) \$1 of any overpayment of tax for such tax-
 18 able year, and

19 “(2) any cash contribution which the taxpayer
 20 includes with such return,

21 shall be paid over to the United States Textbook and
 22 Technology Trust Fund in accordance with the provisions
 23 of section 9512. In the case of a joint return with respect
 24 to which an overpayment of \$2 or more is due, each spouse
 25 may designate that \$1 shall be paid to such trust fund.

1 “(b) MANNER AND TIME OF DESIGNATION.—A des-
2 ignation under the subsection (a) may be made with re-
3 spect to any taxable year—

4 “(1) at the time of filing the return of the tax
5 imposed by chapter 1 for such taxable year, or

6 “(2) at any other time (after the time of filing
7 the return of the tax imposed by chapter 1 for such
8 taxable year) specified in regulations prescribed by
9 the Secretary.

10 Such designation shall be made in such manner as the
11 Secretary prescribes by regulations except that such des-
12 ignation shall be made either on the first page of the re-
13 turn or on the page bearing the taxpayer’s signature.

14 “(c) OVERPAYMENTS TREATED AS REFUNDED.—For
15 purposes of this title, any portion of an overpayment of
16 tax designated under subsection (a) shall be treated as
17 being refunded to the taxpayer as of the last date pre-
18 scribed for filing the return of tax imposed by chapter 1
19 (determined without regard to extension).”

20 (b) CREATION OF TRUST FUND.—Subchapter A of
21 chapter 98 of such Code is amended by adding at the end
22 the following new section:

1 **“SEC. 9512. UNITED STATES TEXTBOOK AND TECHNOLOGY**
2 **TRUST FUND.**

3 “(a) CREATION OF TRUST FUND.—There is estab-
4 lished in the Treasury of the United States a trust fund
5 to be known as the ‘United States Textbook and Tech-
6 nology Trust Fund’, consisting of such amounts as may
7 be credited or paid to such trust fund as provided in sec-
8 tion 6097 or section 9602(b).

9 “(b) TRANSFERS TO TRUST FUND.—There are here-
10 by appropriated to the United States Textbook and Tech-
11 nology Trust Fund amounts equivalent to—

12 “(1) the amounts of the overpayments of tax to
13 which designations under section 6097 apply, and

14 “(2) the amounts of contributions made under sec-
15 tion 6097 to such trust fund.

16 “(c) EXPENDITURES FROM TRUST FUND.—Amounts
17 in the United States Textbook and Technology Trust
18 Fund shall be available, as provided in appropriations
19 Acts, for purposes of making expenditures to carry out
20 section 3 of the United States Textbook and Technology
21 Trust Fund Act.”

22 (c) CLERICAL AMENDMENTS.—

23 (1) The table of parts for subchapter A of chap-
24 ter 61 of such Code is amended by adding at the
25 end the following new item:

“Part IX. Designation of overpayments and contributions for
United States Textbook and Technology Trust
Fund.”

1 (2) The table of sections for subchapter A of
2 chapter 98 of such Code is amended by adding at
3 the end the following new item:

“Sec. 9512. United States Textbook and Technology Trust
Fund.”

4 (d) **EFFECTIVE DATE.**—The amendments made by
5 this section shall apply to taxable years ending after the
6 date of the enactment of this Act.

7 **SEC. 3. GRANTS TO SCHOOLS.**

8 (a) **ELIGIBILITY OF PUBLIC SCHOOLS.**—A public ele-
9 mentary school (as such term is defined in section 14101
10 of the Elementary and Secondary Education Act of 1965)
11 or secondary school (as such term is defined in such sec-
12 tion) is eligible to receive a grant under this section from
13 the United States Textbook and Technology Trust Fund
14 established pursuant to section 9512 of the Internal Reve-
15 nue Code of 1986 for any fiscal year by submitting an
16 application to the Secretary of Education that includes—

17 (1) certification that the school does not have
18 the financial resources available to purchase new
19 textbooks or computer software containing textbook
20 content;

21 (2) assurances that funds received under this
22 section will be used only to purchase new textbooks

1 or computer software containing textbook content
2 for the school;

3 (3) assurances that funds received under this
4 section will be used to supplement, not supplant,
5 other funds received by such school; and

6 (4) an agreement to make available any finan-
7 cial records that the Secretary may need for audit
8 purposes.

9 (b) GRANT SELECTION.—The Secretary of Education
10 shall select the number of grant awards made under this
11 section and the amount of each such award based upon
12 economic need in accordance with regulations published by
13 the Secretary.

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