

106TH CONGRESS
2D SESSION

H. R. 3566

To provide off-budget treatment for the Inland Waterways Trust Fund and the Harbor Maintenance Trust Fund.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 1, 2000

Mr. SHUSTER (for himself, Mr. OBERSTAR, Mr. BOEHLERT, and Mr. BORSKI) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, 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 off-budget treatment for the Inland Waterways Trust Fund and the Harbor Maintenance 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 “Truth in Budgeting

5 Act”.

1 **SEC. 2. BUDGETARY TREATMENT OF INLAND WATERWAYS**2 **TRUST FUND AND HARBOR MAINTENANCE**3 **TRUST FUND.**

4 Notwithstanding any other provision of law, the receipts and disbursements of the Inland Waterways Trust Fund and the Harbor Maintenance Trust Fund—

7 (1) shall not be counted as new budget authority, outlays, receipts, or deficit or surplus for purposes of—

10 (A) the budget of the United States Government as submitted by the President,

12 (B) the congressional budget (including allocations of budget authority and outlays provided therein), or

15 (C) the Balanced Budget and Emergency Deficit Control Act of 1985; and

17 (2) shall be exempt from any general budget limitation imposed by statute on expenditures and net lending (budget outlays) of the United States Government.

21 **SEC. 3. SAFEGUARDS AGAINST DEFICIT SPENDING OUT OF**
22 **THE INLAND WATERWAYS TRUST FUND AND**
23 **HARBOR MAINTENANCE TRUST FUND.**

24 (a) **ESTIMATES OF UNFUNDED AUTHORIZATIONS**
25 **AND NET RECEIPTS.**—Not later than March 31 of each

1 year, the Secretary of the Army, in consultation with the
2 Secretary of the Treasury, shall estimate—

3 (1) the amount which would (but for this sec-
4 tion) be the unfunded inland waterways authoriza-
5 tions and unfunded harbor maintenance authoriza-
6 tions at the close of the first fiscal year that begins
7 after that March 31; and

8 (2) the net inland waterways receipts and net
9 harbor maintenance receipts at the close of such fis-
10 cal year.

11 (b) PROCEDURE IF EXCESS AUTHORIZATIONS.—If
12 the Secretary of the Army determines with respect to the
13 Inland Waterways Trust Fund or the Harbor Maintenance
14 Trust Fund for any fiscal year that the amount described
15 in subsection (a)(1) exceeds the amount described in sub-
16 section (a)(2), the Secretary shall determine the amount
17 of such excess.

18 (c) ADJUSTMENT OF AUTHORIZATIONS IF UN-
19 FUNDED AUTHORIZATIONS EXCEED RECEIPTS.—

20 (1) DETERMINATION OF PERCENTAGE.—If the
21 Secretary of the Army determines that there is an
22 excess referred to in subsection (b) for a fiscal year,
23 the Secretary of the Army shall determine the per-
24 centage which—

25 (A) such excess, is of

(d) AVAILABILITY OF AMOUNTS PREVIOUSLY WITHHELD.—If, after an adjustment has been made under subsection (c)(2), the Secretary of the Army determines with respect to the Inland Waterways Trust Fund or the Harbor Maintenance Trust Fund that the amount described in subsection (a)(1) does not exceed the amount described in subsection (a)(2) or that the excess referred to in subsection (b) with respect to the Trust Fund is less than the amount previously determined, each amount authorized to be appropriated that was reduced under subsection (c)(2) with respect to the Trust Fund shall be increased, by an equal percentage, to the extent the Secretary of the Army determines that it may be so increased without causing the amount described in subsection (a)(1) to exceed with respect to the Trust Fund the amount described in

1 subsection (a)(2) (but not by more than the amount of
2 the reduction).

3 (e) REPORTS.—Any estimate under subsection (a)
4 and any determination under subsection (b), (c), or (d)
5 shall be reported by the Secretary of the Army to Con-
6 gress.

7 **SEC. 4. DEFINITIONS.**

8 For purposes of this Act, the following definitions
9 apply:

10 (1) HARBOR MAINTENANCE TRUST FUND.—The
11 term “Harbor Maintenance Trust Fund” means the
12 Harbor Maintenance Trust Fund established by sec-
13 tion 9505 of the Internal Revenue Code of 1986.

14 (2) INLAND WATERWAYS TRUST FUND.—The
15 term “Inland Waterways Trust Fund” means the
16 Inland Waterways Trust Fund established by section
17 9506 of the Internal Revenue Code of 1986.

18 (3) NET HARBOR MAINTENANCE RECEIPTS.—
19 The term “net harbor maintenance receipts” means,
20 with respect to any period, the receipts (including in-
21 terest) of the Harbor Maintenance Trust Fund dur-
22 ing such period.

23 (4) NET INLAND WATERWAYS RECEIPTS.—The
24 term “net inland waterways receipts” means, with
25 respect to any period, the receipts (including inter-

1 est) of the Inland Waterways Trust Fund during
2 such period.

10 (B) the amount available in the Inland
11 Waterways Trust Fund at such time to make
12 such appropriations.

17 (A) the total amount authorized to be ap-
18 propriated from the Harbor Maintenance Trust
19 Fund which has not been appropriated, over

20 (B) the amount available in the Harbor
21 Maintenance Trust Fund at such time to make
22 such appropriations.

1 **SEC. 5. APPLICABILITY.**

2 This Act (including the amendments made by this
3 Act) shall apply to fiscal years beginning after September
4 30, 2000.

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