

**S.412 -- Harbor Maintenance Act of 2011 (Introduced in Senate - IS)**

S 412 IS

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

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**A BILL**

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

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the `Harbor Maintenance Act of 2011'.

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

(a) Harbor Maintenance Trust Fund Guarantee-

(1) IN GENERAL- The total budget resources made available from the Harbor Maintenance Trust Fund each fiscal year pursuant to section 9505(c) of the Internal Revenue Code of 1986 (relating to expenditures from the Harbor Maintenance Trust Fund) shall be equal to the level of receipts plus interest credited to the Harbor Maintenance Trust Fund for that fiscal year. Such amounts may be used only for harbor maintenance programs described in section 9505(c) of such Code.

(2) GUARANTEE- No funds may be appropriated for harbor maintenance programs described in such section unless the amount described in paragraph (1) has been provided.

(b) Definitions- In this section, the following definitions apply:

(1) TOTAL BUDGET RESOURCES- The term `total budget resources' means the total amount made available by appropriations Acts from the Harbor Maintenance Trust Fund for a fiscal year for making expenditures under section 9505(c) of the Internal Revenue Code of 1986.

(2) LEVEL OF RECEIPTS PLUS INTEREST- The term `level of receipts plus interest' means the level of taxes and interest credited to the Harbor Maintenance Trust Fund under section 9505 of the Internal Revenue Code of 1986 for a fiscal year as set forth in the President's budget baseline projection as defined in section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99-177; 99 Stat. 1092) for that fiscal year submitted pursuant to section 1105 of title 31, United States Code.

(c) Enforcement of Guarantees- It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that would cause total budget resources in a fiscal year for harbor maintenance programs described in subsection (b)(1) for such fiscal year to be less than the amount required by subsection (a)(1) for such fiscal year.