

116TH CONGRESS  
1ST SESSION

# H. R. 2440

To provide for the use of funds in the Harbor Maintenance Trust Fund for the purposes for which the funds were collected and to ensure that funds credited to the Harbor Maintenance Trust Fund are used to support navigation, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2019

Mr. DEFAZIO (for himself, Mr. GRAVES of Missouri, Mrs. NAPOLITANO, Mr. WESTERMAN, and Mr. KELLY of Pennsylvania) 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

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## A BILL

To provide for the use of funds in the Harbor Maintenance Trust Fund for the purposes for which the funds were collected and to ensure that funds credited to the Harbor Maintenance Trust Fund are used to support navigation, 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 “Full Utilization of the  
5 Harbor Maintenance Trust Fund Act”.

1 **SEC. 2. USE OF HARBOR MAINTENANCE TRUST FUND TO**  
2 **SUPPORT NAVIGATION.**

3 Section 210 of the Water Resources Development Act  
4 of 1986 (33 U.S.C. 2238) is amended—

5 (1) in the section heading, by striking “**AU-**  
6 **THORIZATION OF APPROPRIATIONS**” and insert-  
7 ing “**FUNDING FOR NAVIGATION**”; and

8 (2) by adding at the end the following:

9 “(g) **ADJUSTMENTS TO DISCRETIONARY SPENDING**  
10 **LIMITS.**—Amounts made available from the Harbor Main-  
11 tenance Trust Fund under this section or section 9505  
12 of the Internal Revenue Code of 1986 shall be made avail-  
13 able in accordance with section 251(b)(2)(G) of the Bal-  
14 anced Budget and Emergency Deficit Control Act of  
15 1985.”.

16 **SEC. 3. ANNUAL REPORT TO CONGRESS.**

17 Section 330 of the Water Resources Development Act  
18 of 1992 (26 U.S.C. 9505 note; 106 Stat. 4851) is amend-  
19 ed—

20 (1) in subsection (a)—

21 (A) by striking “and annually thereafter,”  
22 and inserting “and annually thereafter concur-  
23 rent with the submission of the President’s an-  
24 nual budget request to Congress,”; and

1 (B) by striking “Public Works and Trans-  
2 portation” and inserting “Transportation and  
3 Infrastructure”; and

4 (2) in subsection (b)(1) by adding at the end  
5 the following:

6 “(D) A description of the expected expend-  
7 itures from the trust fund to meet the needs of  
8 navigation for the fiscal year of the budget re-  
9 quest.”.

10 **SEC. 4. HARBOR MAINTENANCE TRUST FUND DISCRE-**  
11 **TIONARY SPENDING LIMIT ADJUSTMENT.**

12 Section 251(b)(2) of the Balanced Budget and Emer-  
13 gency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2))  
14 is amended by adding at the end the following:

15 “(G) HARBOR MAINTENANCE TRUST  
16 FUND.—

17 “(i) IN GENERAL.—If a bill or joint  
18 resolution making appropriations for a fis-  
19 cal year is enacted that specifies an  
20 amount for harbor maintenance activities,  
21 then the adjustments for that fiscal year  
22 shall be the total of such amount in that  
23 Act for such purpose for that fiscal year,  
24 but may not exceed the total amount with-  
25 in the Harbor Maintenance Trust Fund

1 under subsection (a) of section 9505 of the  
2 Internal Revenue Code of 1986 on the last  
3 day of the fiscal year that is two years  
4 prior to that fiscal year.

5 “(ii) LIMITATION.—The adjustment  
6 under clause (i) with respect to an amount  
7 made available for harbor maintenance ac-  
8 tivities may only be made if such  
9 amount—

10 “(I) is derived solely from funds  
11 in such Trust Fund; and

12 “(II) is made available for ex-  
13 penditures described under subsection  
14 (c) of such section 9505.”.

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