

103^D CONGRESS
1ST SESSION

H. R. 2094

To provide for the transfer of funds from the Harbor Maintenance Trust Fund to support nautical charting and marine navigational safety programs, and other activities of the National Oceanic and Atmospheric Administration related to commercial navigation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 1993

Mr. GIBBONS (for himself, Mr. SCHUMER, Ms. PELOSI, Mr. HOCHBRUECKNER, Mr. YOUNG of Alaska, and Mr. ACKERMAN) introduced the following bill; which was referred jointly to the Committees on Public Works and Transportation, Merchant Marine and Fisheries, and Ways and Means

A BILL

To provide for the transfer of funds from the Harbor Maintenance Trust Fund to support nautical charting and marine navigational safety programs, and other activities of the National Oceanic and Atmospheric Administration related to commercial 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 “Marine Navigation
5 Safety Improvement Act of 1993”.

1 **SEC. 2. ESTABLISHMENT OF MARINE NAVIGATION SAFETY**

2 **ACCOUNT.**

3 Section 9505 of the Internal Revenue Code of 1986
4 (relating to the Harbor Maintenance Trust Fund) is
5 amended—

6 (1) in subsection (c)—

7 (A) by inserting “except as provided in
8 paragraph (4),” before “to carry out” in para-
9 graph (1);

10 (B) by striking the period at the end of
11 paragraph (3) and inserting a comma; and

12 (C) by adding at the end the following new
13 paragraph:

14 “(4) to carry out subsections (a)(3) and (c) of
15 section 210 of the Water Resources Development
16 Act of 1986.”; and

17 (2) by adding at the end the following new sub-
18 section:

19 “(e) MARINE NAVIGATION SAFETY ACCOUNT.—

20 “(1) IN GENERAL.—There is hereby established
21 in the Harbor Maintenance Trust Fund a separate
22 account to be known as the ‘Marine Navigation
23 Safety Account’, consisting of such amounts as may
24 be transferred or credited to the account pursuant to
25 this subsection or section 9602(b).

26 “(2) TRANSFERS TO ACCOUNT.—

1 “(A) 1991 AND 1992.—Not later than 30
2 days after the date of the enactment of the Ma-
3 rine Navigation Safety Improvement Act of
4 1993, the Secretary shall transfer from the
5 Harbor Maintenance Trust Fund to the Marine
6 Navigation Safety Account an amount equal to
7 the sum of—

8 “(i) 8 percent of the amount of taxes
9 received in the Treasury under section
10 4461 during calendar years 1991 and
11 1992; and

12 “(ii) interest on the amount referred
13 to in clause (i) which was credited pursu-
14 ant to section 9602(b)(3) during such cal-
15 endar years.

16 “(B) AFTER 1992.—The Secretary shall
17 transfer from the Harbor Maintenance Trust
18 Fund to the Marine Navigation Safety Account
19 an amount equal to 8 percent of the amount of
20 taxes received in the Treasury under section
21 4461 after December 31, 1992.

22 “(3) EXPENDITURES FROM ACCOUNT.—
23 Amounts in the Marine Navigation Safety Account
24 shall be available, as provided in appropriations
25 Acts, to carry out the programs and activities of the

1 National Oceanic and Atmospheric Administration of
2 the Department of Commerce related to commercial
3 marine navigation described in section 210(c) of the
4 Water Resources Development Act of 1986.”.

5 **SEC. 3. AMENDMENT TO THE WATER RESOURCES DEVEL-**
6 **OPMENT ACT OF 1986.**

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

9 (1) in subsection (a)—

10 (A) by striking “and” at the end of para-
11 graph (1);

12 (B) by striking the period at the end of
13 paragraph (2) and inserting “; and”; and

14 (C) by adding at the end the following new
15 paragraph:

16 “(3) from the Marine Navigation Safety
17 Account established under section 9505(e) of the
18 Internal Revenue Code of 1986, to carry out the
19 programs and activities of the National Oceanic and
20 Atmospheric Administration of the Department of
21 Commerce related to commercial marine navigation
22 described in subsection (c).”; and

23 (2) by adding at the end the following new sub-
24 section:

25 “(c) COMMERCIAL MARINE NAVIGATION.—

1 “(1) AVAILABILITY TO SECRETARY OF COM-
2 MERCE.—The amounts authorized to be appro-
3 priated under subsection (a)(3) shall remain avail-
4 able until expended and shall be made available to
5 the Secretary of Commerce to support, either di-
6 rectly or by contract, the nautical charting and ma-
7 rine navigational safety programs and such other ac-
8 tivities of the National Oceanic and Atmospheric Ad-
9 ministration related to commercial marine naviga-
10 tion as the Secretary of Commerce determines to be
11 appropriate, including—

12 “(A) the nautical charting program;

13 “(B) marine tides and circulation pro-
14 grams;

15 “(C) charting survey ship support; and

16 “(D) marine weather services applicable to
17 commercial navigation safety in the waters of
18 the United States.

19 “(2) CONDITIONS.—Amounts appropriated pur-
20 suant to subsection (a)(3) may be used by the
21 Secretary of Commerce subject to the following
22 conditions:

23 “(A)(i) Funds transferred to the Marine
24 Navigation Safety Account pursuant to section
25 9505(e)(2)(A) of the Internal Revenue Code of

1 1986 shall be used only for the purposes of ena-
2 bling, modernizing, enhancing, or expanding the
3 capabilities of the National Oceanic and Atmos-
4 pheric Administration to conduct the programs
5 and activities referred to in paragraph (1).

6 “(ii) No portion of the funds referred to in
7 clause (i) may be used to offset funds made
8 available for the purposes referred to in clause
9 (i) through appropriations to the Operations,
10 Research, and Facilities account of the National
11 Oceanic and Atmospheric Administration.

12 “(B)(i) Funds transferred to the Marine
13 Navigation Safety Account pursuant to section
14 9505(e)(2)(B) of the Internal Revenue Code of
15 1986 may be used for the following purposes:

16 “(I) Conducting the operational as-
17 pects of the programs and activities re-
18 ferred to in paragraph (1).

19 “(II) Enabling, modernizing, enhanc-
20 ing, or expanding the capabilities of the
21 National Oceanic and Atmospheric Admin-
22 istration to conduct the programs and ac-
23 tivities referred to in paragraph (1).

24 “(ii) Not more than 50 percent of the
25 funds referred to in clause (i) may be used to

1 offset funds previously made available for the
2 purposes referred to in clause (i) through ap-
3 propriations to the Operations, Research and
4 Facilities account of the National Oceanic and
5 Atmospheric Administration.”.

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