

Harbor Maintenance Trust Fund Reform Act of 2017

Section 1: Short Title

Section 2: Reform of Spending from the Harbor Maintenance Trust Fund (HMTF)

Section 2 establishes guaranteed full use of annual HMTF collections by amending the underlying IRS code to provide for the full spending of the amount equal to the amount of taxes received with interest in the Treasury to the HMTF in the immediately preceding fiscal year (page 3 lines 1-3) “without appropriation” (page 2 line 8) beginning in Fiscal Year 2018.

Section 2 then authorizes expenditures from the HMTF according to the following limitations:

- \$5 million for the payment of all applicable administrative expenses incurred by the federal government;
- \$40 million for expenses affiliated with the St. Lawrence Seaway and Development Corporation; and
- All remaining amounts are available to carry out the uses authorized by Section 210 of the Water Resources Development Act of 1986.

The balance of the HMTF, which is currently estimated at \$8.8 billion, remains available for expenditure subject to appropriations.

Section 3: Additional Measures at Donor Ports and Energy Transfer Ports

Section 3 amends Section 2106 of the Water Resources Reform and Development Act of 2017 (WRRDA). Section 3 strikes the \$50 million cap on 2106 funds included in WRRDA and maintains the 50/50 funding split between donor and energy transfer ports.

Section 4: Expenditures from the Harbor Maintenance Trust Fund

Section 4 amends Section 210(c) of the Water Resources Development Act of 1986 to include Section 2106 funds as part of the HMTF as originally passed by the U.S. Senate in the Water Resources Development Act of 2013 and establishes a 20 percent set-aside to eligible 2106 ports of the funds provided to Section 210(c) under Section 2 of the bill.

Section 4 establishes Fiscal Year 2016 as the new baseline for the 10 percent set-aside for Emerging Harbor Projects. Under the current baseline of Fiscal Year 2012 small ports and harbors receive approximately \$89.8 million from the HMTF (10 percent of \$898 million in FY12). Changes in Section 4 would provide approximately \$126.3 million from the HMTF (10 percent of \$1.263 billion in FY16), about \$36.5 million in additional funding for small ports and harbors.

Section 4 expands authorized uses of the HMTF for two in water improvements.