111TH CONGRESS
1ST SESSION

S. ______

To amend the Internal Revenue Code of 1986 to repeal the provision prohibiting the crediting of interest to the Highway Trust Fund, to provide certain transfers to such Trust Fund, and to extend the expenditure authority for such Trust Fund, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. BAUCUS (for himself, Mr. ROCKEFELLER, and Mr. MENENDEZ) introduced the following bill; which was read twice and referred to the Committee on ____________________

A BILL

To amend the Internal Revenue Code of 1986 to repeal the provision prohibiting the crediting of interest to the Highway Trust Fund, to provide certain transfers to such Trust Fund, and to extend the expenditure authority for such Trust Fund, and for other purposes.

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

SECTION 1. REPEAL OF PROVISION PROHIBITING THE CREDITING OF INTEREST TO THE HIGHWAY TRUST FUND.

(a) IN GENERAL.—Paragraph (1) of section 9503(f) of the Internal Revenue Code of 1986 is amended by striking subparagraph (B).

(b) CONFORMING AMENDMENTS.—Such paragraph, as amended by paragraph (1), is further amended—

(1) by striking ‘‘, and’’ at the end of subparagraph (A) and inserting a period, and

(2) by striking ‘‘1998’’ in the matter preceding subparagraph (A) and all that follows through ‘‘the opening balance’’ and inserting ‘‘1998, the opening balance’’.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 2. RESTORATION OF CERTAIN FOREGONE INTEREST TO HIGHWAY TRUST FUND.

(a) IN GENERAL.—Paragraph (2) of section 9503(f) of the Internal Revenue Code of 1986 is amended to read as follows:

‘‘(2) RESTORATION OF FOREGONE INTEREST.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated—

"(A) $14,700,000,000 to the Highway Account (as defined in subsection (e)(5)(B)) in the Highway Trust Fund, and

"(B) $4,800,000 to the Mass Transit Account in the Highway Trust Fund.".

(b) CONFORMING AMENDMENT.—Paragraph (1) of section 9503(e) of the Internal Revenue Code of 1986 is amended by striking "this subsection" and inserting "this section".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 3. REPLENISHMENT OF EMERGENCY SPENDING FROM HIGHWAY TRUST FUND.

(a) IN GENERAL.—Section 9503(f) of the Internal Revenue Code of 1986, as amended by this Act, is amended by adding at the end the following new paragraph:

"(3) REPLENISHMENT OF EMERGENCY SPENDING.—Out of money in the Treasury not otherwise appropriated, there is hereby appropriated $7,300,000,000 to the Highway Trust Fund.".

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 4. TREATMENT OF CERTAIN AMOUNTS APPROPRIATED TO HIGHWAY TRUST FUND.

(a) IN GENERAL.—Section 9503(f) of the Internal Revenue Code of 1986, as amended by this Act, is amended by adding at the end the following new paragraph:

"(4) TREATMENT OF APPROPRIATED AMOUNTS.—Any amount appropriated under this subsection to the Highway Trust Fund shall remain available without fiscal year limitation.".

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 5. EXTENSION OF AUTHORITY FOR EXPENDITURES FROM HIGHWAY TRUST FUND.

(a) IN GENERAL.—Paragraph (1) of section 9503(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking "September 30, 2009 (October 1, 2009" and inserting "March 31, 2011 (April 1, 2011", and

(2) by striking "under" and all that follows and inserting "under the Surface Transportation Extension Act of 2009 or any other provision of law which was referred to in this paragraph before the date of the enactment of such Act (as such Act and provisions of law are in effect on the date of the enactment of such Act).".

(b) MASS TRANSIT ACCOUNT.—Paragraph (3) of section 9503(e) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''October 1, 2009'' and inserting ''April 1, 2011'', and

(2) by striking ''in accordance with'' and all that follows and inserting ''in accordance with the Surface Transportation Extension Act of 2009 or any other provision of law which was referred to in this paragraph before the date of the enactment of such Act (as such Act and provisions of law are in effect on the date of the enactment of such Act).''.

(c) EXCEPTION TO LIMITATION ON TRANSFERS.—Subparagraph (B) of section 9503(b)(6) of the Internal Revenue Code of 1986 is amended by striking ''September 30, 2009 (October 1, 2009'' and inserting ''March 31, 2011 (April 1, 2011''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.