

WALLOP-BREAUX AQUATIC RESOURCES TRUST FUND

BACKGROUND

The Aquatic Resources Trust Fund or *Wallop-Breaux*, named after former Senators Malcolm Wallop (R-WY) and John Breaux (D-LA), created a user-pay fund in 1984 to enhance the boating and fishing experience. Congress allocates funds generated directly by boaters through taxes on motorboat fuel and fishing tackle, along with other fees, to provide boaters with new and improved docks and piers, wetlands conservation and boating safety programs, among many other boating and fishing initiatives. More than \$4 billion has been collected and invested in the program since its inception. The *Wallop-Breaux* Aquatic Resources Trust Fund is up for congressional reauthorization.

ISSUE

Senators Herb Kohl (D-WI) and Trent Lott (R-MS), Co-Chairs of the Senate Boating Caucus, on Feb. 17, 2005 introduced S. 422, a bill to amend the Internal Revenue Code of 1986 to restore equity and complete the transfer of motor fuel excise taxes attributable to motorboat and small engine fuels into the Aquatic Resources Trust Fund. During the 108th Congress, the Senate included similar language during conference on the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2004. That bill, however, was not completed before the end of the 108th Congress. Senators Kohl and Lott also introduced a second bill (S. 421) that would recover approximately \$110 million per year of excise taxes currently being paid by anglers and boaters. Under current law, only 13.5 cents is sent to the Aquatic Resources Trust Fund, which is only a portion of the 18.3 cents that is collected on motorboat and small engine fuels. Restoring the remaining excise taxes will significantly boost funding for the important programs under the Sport Fish Restoration Act.

Wallop-Breaux nurtures a variety of boating programs that help millions of American boaters enjoy their favorite pastime. Initiatives and ALAB compromise funding levels include:

- **Boating Safety Programs** promote the use of personal floatation devices (life jackets), courses on basic navigation, weather signs and appropriate safety gear; and enforcement of responsible boater conduct and speed zones. 30% increase from \$64 to \$84 million.
- **Boating Infrastructure Grants** boost local tourism and economic development by creating new facilities for transient boaters needing a slip or dock. 25% increase from \$8 to \$10 million.
- **Clean Vessel Act** allows states to purchase and maintain pump-out facilities (for boat discharge) that are more accessible and reliable. \$10 million.
- **Coastal Wetlands Restoration** maintains our nation's wetlands.
- **Sport Fish Restoration** maintains fisheries and protects our natural resources.
- **Recreational Boating and Fishing Foundation** supports conservation of aquatic natural resources by increasing participation in and appreciation of water activities. \$10 million.
- **Boating Access Programs.** \$40 million.

NMMA RECOMMENDATION

It is critical to both boating safety and aquatic resource preservation that the *Wallop-Breaux* Trust Fund be reauthorized in the 109th Congress.

ACTION NEEDED

Please urge your Members of Congress to support S. 421 & S. 422 to restore equity and complete the transfer of motorboat fuel taxes into the *Wallop-Breaux* Trust Fund. NMMA supports both bills because they fully fund the *Wallop-Breaux* Trust Fund, which directs valuable financial resources to fishing and boating safety interests. In addition, urge the Members of Congress who will be chosen for the House-Senate Conference on the highway bill to adopt the language reflected in the Senate's version of that legislation (S. 732). For more information, contact NMMA Legislative Counsel Jeffrey Gabriel at jgabriel@nmma.org.