

[H.R. 2353, Highway and Transportation Funding Act of 2015](#)

FLOOR SITUATION

On Tuesday, May 19, 2015, the House will consider [H.R. 2353](#), *the Highway and Transportation Funding Act of 2015*, under a [closed rule](#). H.R. 2353 was introduced on May 15, 2015, by Rep. Bill Shuster (R-PA) and was referred to the Committee on Transportation and Infrastructure, and in addition, to the Committees on: Ways and Means; Natural Resources; Science, Space, and Technology; and, Energy and Commerce.

SUMMARY

H.R. 2353 extends the programmatic and expenditure authority of the Highway Trust Fund (HTF) through July 31, 2015. The HTF currently has sufficient resources to fund its obligations through this period.¹ The bill authorizes appropriations for Federal-aid highway, highway safety, and public transportation programs and subjects funding for these programs generally to the same manner of distribution, administration, limitation, and availability for obligation, but at a specified pro rata of the total amount as funds authorized for appropriation out of the HTF for such programs and activities for the current fiscal year.

BACKGROUND

Under current law, the federal government levies an excise tax of 18.4 cents per gallon on gasoline and 24.4 cents per gallon on diesel fuel for highway use.² Federal motor fuels excise tax collections are credited to the Highway Trust Fund (HTF), with the exception of 0.1 cent per-gallon of the fuel taxes deposited in the Leaking Underground Storage Tank (LUST) Trust Fund.³ The HTF, the primary federal fund for surface transportation, is divided into two accounts: the highway account, and the mass transit account.⁴ Fuel taxes have historically provided approximately 90 percent of the

¹ See Press Release—“[Shuster-Ryan Statement on Surface Transportation Extension](#),” May 15, 2015.

² Sean Lowry, “[The Federal Excise Tax on Motor Fuels and the Highway Trust Fund: Current Law and Legislative History](#),” Congressional Research Service (Feb. 28, 2014), at 1.

³ Id. at 1.

⁴ Id.

receipts to the HTF.⁵ In recent years, tax collections have not kept pace with spending on federally-funded transportation projects due to the effect of inflation on both project costs and the real value of non-indexed tax rates; reductions in vehicle miles travelled; and improved corporate average fuel economy (CAFE) standards.⁶

These developments have imperiled the sustainability of the fund. According to CBO estimates, spending from the HTF is projected to be roughly \$53 billion per year after FY 2014 (growing to \$59 billion in 2024), while receipts coming into the HTF are projected to be approximately \$39 billion per year after FY 2014.⁷ HTF outlays will exceed revenues by \$167 billion over the 2015 to 2024 period if obligations from the fund continue at the 2014 rate.⁸ Since 2008, Congress has prevented projected HTF shortfalls by transferring \$63 billion from the Treasury's General Fund to the HTF.⁹

In 2012, President Obama signed into law H.R. 4348 ([Public Law 112-141](#)), the Moving Ahead for Progress in the 21st Century Act, or MAP-21. MAP-21 authorized Federal surface transportation programs through September 30, 2014 and tax collection authority through September 30, 2016.¹⁰ To offset the cost of reauthorization, the bill transferred \$18.8 billion for fiscal years 2013 and 2014 from the Treasury General Fund to the HTF, and \$2.4 billion from the LUST Trust Fund to the HTF.¹¹

In the 113th Congress, the House passed legislation (H.R. 5021) that extended the programmatic authority and expenditure authority of the Highway Trust Fund through May 31, 2015. Additionally, H.R. 5021 transferred \$7.8 billion from the General Fund of the Treasury Department to the Highway Account of the Highway Trust Fund and \$2 billion to the Mass Transit Account of the Highway Trust Fund. H.R. 5021 also transferred \$1 billion in gas-tax-funded monies in the LUST Trust Fund to the HTF. The House approved H.R. 5021 by a vote of [367 to 55](#) on July 15, 2014. The bill was enacted into law on August 8, 2014. ([Public Law 113-159](#)).

Transportation and Infrastructure Committee Chairman Bill Shuster, and Ways and Means Committee Chairman Paul Ryan, issued a [joint statement](#) on May 15, 2015, noting that “the Highway Trust Fund has sufficient resources to fund its obligations through the end of July.” Consequently, since the Fund will remain solvent through the extension period, there is no funding shortfall for which offsets are required. The extension, however, permits States to be reimbursed for expenditures on Federal surface transportation projects.

COST

A cost estimate from the Congressional Budget Office (CBO) is currently unavailable.

STAFF CONTACT

⁵ U.S. Government Accountability Office, Highway Trust Fund: Options for Improving Sustainability and Mechanisms to Manage Solvency, GAO-09-845T, June 25, 2009, p. 4, at <http://www.gao.gov/new.items/d09845t.pdf>; and CRS Report R42877, Funding and Financing Highways and Public Transportation, by Robert S. Kirk and William J. Mallett.

⁶ Sean Lowry, “The Federal Excise Tax on Motor Fuels and the Highway Trust Fund: Current Law and Legislative History,” Congressional Research Service (Feb. 28, 2014), at 2.

⁷ [The Highway Trust Fund and the Treatment of Surface Transportation Programs in the Federal Budget](#), Congressional Budget Office (Jun. 11, 2014).

⁸ Id.

⁹ Id. at 2.

¹⁰ Id. at 5.

¹¹ See Id., Table 3.

For questions or further information please contact [Jerry White](#) with the House Republican Policy Committee by email or at 5-0190.