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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To amend the Internal Revenue Code of 1986 to authorize the President to temporarily suspend the gas tax during certain national emergencies.

IN THE HOUSE OF REPRESENTATIVES

Mr. FRY introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend the Internal Revenue Code of 1986 to authorize the President to temporarily suspend the gas tax during certain national emergencies.

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 “Presidential Emer-
5 gency Action to Stabilize Energy Act” or the “EASE
6 Act”.

1 **SEC. 2. AUTHORITY TO TEMPORARILY SUSPEND THE GAS**
2 **TAX DURING CERTAIN NATIONAL EMER-**
3 **GENCIES.**

4 (a) IN GENERAL.—Section 4081 of the Internal Rev-
5 enue Code of 1986 is amended by adding at the end the
6 following new subsection:

7 “(f) AUTHORITY TO TEMPORARILY SUSPEND CER-
8 TAIN TAXES DURING NATIONAL EMERGENCIES.—

9 “(1) IN GENERAL.—In the case of any taxable
10 fuel removed, entered, or sold during a national
11 emergency gas tax suspension period—

12 “(A) the rate of tax under clauses (i) and
13 (iii) of subsection (a)(2)(A) shall be zero, and

14 “(B) the Leaking Underground Storage
15 Tank Trust Fund financing rate under sub-
16 section (a)(2)(B) shall not apply to taxable fuel
17 to which the rate under subparagraph (A) ap-
18 plies.

19 “(2) NATIONAL EMERGENCY GAS TAX SUSPEN-
20 SION PERIOD.—For purposes of this subsection—

21 “(A) IN GENERAL.—The term ‘national
22 emergency gas tax suspension period’ means
23 the 60-day period beginning on the date speci-
24 fied in the Presidential declaration described in
25 subparagraph (C).

1 “(B) EXTENSION.—Subparagraph (A)
2 shall be applied by substituting ‘120-day period’
3 for ‘60-day period’ if the President, not later
4 than 15 days before the expiration of the 60-
5 day period referred to in subparagraph (A),
6 transmits to Congress a written notification
7 that the President has determined that an ex-
8 tension of the period under this subparagraph
9 is warranted by reason of the continuation of
10 the national emergency described in subpara-
11 graph (C).

12 “(C) PRESIDENTIAL DECLARATION.—If
13 the President determines that there exists a na-
14 tional emergency which is causing, or threatens
15 to cause, a substantial disruption in the supply
16 or availability of taxable fuel, or a substantial
17 increase in the price of taxable fuel, in the
18 United States, the President may issue a dec-
19 laration identifying such national emergency
20 and specifying the date on which a national
21 emergency gas tax suspension period (as de-
22 fined in subparagraph (A)) begins.

23 “(D) LIMITATION.—Not more than 1 na-
24 tional emergency gas tax suspension period
25 shall be taken into account under this sub-

1 section with respect to any single national
2 emergency.

3 “(3) TRANSFERS TO TRUST FUNDS.—

4 “(A) IN GENERAL.—The Secretary shall
5 transfer from the general fund to the Highway
6 Trust Fund established under section 9503(a)
7 and the Leaking Underground Storage Tank
8 Trust Fund established under section 9508(a)
9 amounts equal to the reduction in amounts
10 credited (but for this subsection) to each such
11 Trust Fund by reason of subsection (a).

12 “(B) LEAKING UNDERGROUND STORAGE
13 TANK TRUST FUND.—Amounts transferred to
14 the Leaking Underground Storage Tank Trust
15 Fund under subparagraph (A) shall be treated
16 for purposes of sections 9503(b)(1) and
17 9508(b)(2) as taxes received in the Treasury
18 under section 4081 attributable to the Leaking
19 Underground Storage Tank Trust Fund financ-
20 ing rate.

21 “(C) HIGHWAY TRUST FUND.—Amounts
22 transferred to the Highway Trust Fund under
23 subparagraph (A) shall be treated for purposes
24 of section 9503(b)(1) as taxes received in the
25 Treasury under section 4081 which are not at-

1 tributable to the Leaking Underground Storage
2 Tank Trust Fund financing rate.

3 “(4) TERMINATION.—Paragraph (1) shall not
4 apply to any taxable fuel removed, entered, or sold
5 after December 31, 2028.”.

6 (b) EFFECTIVE DATE.—The amendments made by
7 this section shall apply to fuel removed, entered, or sold
8 after the date of the enactment of this Act.