

104TH CONGRESS
2D SESSION

S. 2022

To amend title 23, United States Code, to modify the minimum allocation formula under the Federal-aid highway program, to provide reimbursement to each State with respect to which the highway users in the State paid into the Highway Trust Fund an amount in excess of the amount received by the State from the Highway Trust Fund, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 1996

Mr. THURMOND (for himself, Mr. FAIRCLOTH, Mr. HOLLINGS, Mr. COATS, and Mr. HELMS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Surface Transpor-
3 tation Equity Act of 1996”.

4 **SEC. 2. MINIMUM ALLOCATION.**

5 (a) FISCAL YEAR 1998 AND THEREAFTER.—Section
6 157(a) of title 23, United States Code, is amended by add-
7 ing at the end the following:

8 “(5) FISCAL YEAR 1998 AND THEREAFTER.—In
9 fiscal year 1998 and each fiscal year thereafter, on
10 October 1, or as soon as possible thereafter, the Sec-
11 retary, after making the allocations described in sec-
12 tion 3 of the Surface Transportation Equity Act of
13 1996, shall allocate among the States amounts suffi-
14 cient to ensure that a State’s percentage of the total
15 apportionments in each fiscal year and allocations
16 for the prior fiscal year from funds made available
17 out of the Highway Trust Fund is not less than 100
18 percent of the percentage of estimated tax payments
19 attributable to highway users in the State paid into
20 the Highway Trust Fund in the latest fiscal year for
21 which data are available.”.

22 (b) CONFORMING AMENDMENT.—Section 157(a)(4)
23 of title 23, United States Code, is amended by striking
24 the paragraph designation and all that follows before “on
25 October 1” and inserting the following:

1 “(4) FISCAL YEARS 1992–1997.—In each of fis-
2 cal years 1992 through 1997,”.

3 **SEC. 3. DONOR STATE REIMBURSEMENT.**

4 (a) ALLOCATION.—Over the period consisting of fis-
5 cal years 1998 through 2002, the Secretary of Transpor-
6 tation shall proportionally allocate to each eligible State
7 described in subsection (b) the total amount of the excess
8 described in subsection (b).

9 (b) ELIGIBLE STATES.—For the purpose of this sec-
10 tion, an eligible State is a State with respect to which the
11 highway users in the State paid into the Highway Trust
12 Fund, during the period consisting of July 1, 1957,
13 through the end of the latest fiscal year for which data
14 are available, an amount in excess of the amount received
15 by the State from the Highway Trust Fund during that
16 period.

17 (c) FORMULA.—For each fiscal year, the Secretary
18 of Transportation shall allocate the amounts made avail-
19 able under subsection (a) for the fiscal year in such a way
20 as to bring each successive eligible State, or eligible States,
21 with the lowest dollar return on dollar paid into the High-
22 way Trust Fund during the period described in subsection
23 (b) up to the highest common return on dollar paid that
24 can be funded with the amounts made available under sub-
25 section (a).

1 (d) APPLICABILITY OF CHAPTER 1 OF TITLE 23.—
2 Funds allocated under this section shall be available for
3 obligation in the same manner and for the same purposes
4 as if the funds were apportioned for the surface transpor-
5 tation program under chapter 1 of title 23, United States
6 Code, except that the funds shall remain available until
7 expended.

8 (e) ADMINISTRATIVE EXPENSES.—

9 (1) DEDUCTION.—For each fiscal year, prior to
10 making allocations under this section, the Secretary
11 of Transportation shall deduct such amount, not to
12 exceed $3\frac{3}{4}$ percent of the amount made available
13 under subsection (f) for the fiscal year, as the Sec-
14 retary determines is necessary to pay the adminis-
15 trative expenses of carrying out this section.
16 Amounts so deducted shall remain available until ex-
17 pended.

18 (2) CONSIDERATION OF PRIOR DEDUCTIONS.—
19 In determining each amount to be deducted under
20 paragraph (1), the Secretary of Transportation shall
21 take into consideration the unexpended balance of
22 any amounts deducted for prior fiscal years under
23 paragraph (1).

24 (f) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated out of the Highway

1 Trust Fund such sums as are necessary to carry out this
2 section.

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