

112TH CONGRESS
2D SESSION

H. R. 3807

To provide for funding of the Low-Income Home Energy Assistance Program (LIHEAP) with a dedicated revenue source consisting of a tax on offshore oil production.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2012

Mr. MURPHY of Connecticut introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for funding of the Low-Income Home Energy Assistance Program (LIHEAP) with a dedicated revenue source consisting of a tax on offshore oil production.

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 “Guaranteed Energy
5 Assistance Act of 2011”.

1 **SEC. 2. TAX ON OFFSHORE OIL PRODUCTION DEDICATED**
 2 **TO FUNDING OF LOW-INCOME HOME ENERGY**
 3 **ASSISTANCE PROGRAM.**

4 (a) TAX ON OFFSHORE OIL PRODUCTION.—Part III
 5 of subchapter A of chapter 32 of the Internal Revenue
 6 Code of 1986 is amended by adding at the end the fol-
 7 lowing new subpart:

8 **“Subpart C—Offshore Oil Production**

“Sec. 4111. Offshore oil production.

9 **“SEC. 4111. OFFSHORE OIL PRODUCTION.**

10 “(a) IN GENERAL.—There is hereby imposed a tax
 11 of the applicable amount per barrel of oil extracted pursu-
 12 ant to—

13 “(1) any lease of Federal onshore lands under
 14 the Mineral Leasing Act (30 U.S.C. 181 et seq.), the
 15 Mineral Leasing Act for Acquired Lands (30 U.S.C.
 16 351 et seq.), or any other Federal law, or

17 “(2) any lease under the Outer Continental
 18 Shelf Lands Act (43 U.S.C. 1331 et seq.).

19 “(b) APPLICABLE AMOUNT.—

20 “(1) IN GENERAL.—For purposes of this sec-
 21 tion, the ‘applicable amount’ means, with respect to
 22 any barrel of oil extracted during a fiscal year, the
 23 lesser of—

24 “(A) 50 cents, or

“(B) such amount as the Secretary estimates would result in an aggregate revenue to the Treasury under this section for such fiscal year equal to the excess of—

“(i) \$5,100,000,000, over

“(ii) the amount appropriated for such fiscal year for providing assistance under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.).

“(2) DETERMINATION OF APPLICABLE AMOUNT.—

“(A) IN GENERAL.—The applicable amount shall be determined under paragraph (1) for a fiscal year only if amounts are provided for assistance under such Act in a general appropriations bill for such fiscal year and such bill is enacted before the beginning of such fiscal year. If such a bill is not so enacted, then the applicable amount shall be—

“(i) in the case of the first fiscal year beginning after the date of the enactment of this section, 50 cents, and

1 “(ii) in the case of any subsequent fis-
 2 cal year, the amount determined for the
 3 preceding fiscal year.

4 “(B) ROUNDING.—Any amount determined
 5 under this subsection which is not a multiple of
 6 1 cent shall be rounded to the nearest whole
 7 cent.

8 “(c) BY WHOM PAID.—The tax imposed under sub-
 9 section (a) with respect to any oil shall be paid by the
 10 holder of the lease pursuant to which such oil is ex-
 11 tracted.”.

12 (b) REVENUES FROM TAX ON OFFSHORE OIL PRO-
 13 Duction DEDICATED TO LIHEAP FUNDING.—Sub-
 14 chapter A of chapter 98 of such Code is amended by add-
 15 ing at the end the following new section:

16 **“SEC. 9512. LIHEAP TRUST FUND.**

17 “(a) CREATION OF TRUST FUND.—There is estab-
 18 lished in the Treasury of the United States a trust fund
 19 to be known as the ‘LIHEAP Trust Fund’, consisting of
 20 such amounts as may be appropriated or credited to such
 21 fund as provided in this section or section 9602(b).

22 “(b) TRANSFERS TO TRUST FUND.—There are here-
 23 by appropriated to the LIHEAP Trust Fund amounts
 24 equivalent to the taxes received in the Treasury under sec-
 25 tion 4111.

1 “(c) EXPENDITURES.—Amounts in the LIHEAP
 2 Trust Fund shall be available, as provided in appropria-
 3 tion Acts, only for the purpose of providing assistance
 4 under the Low-Income Home Energy Assistance Act of
 5 1981 (42 U.S.C. 8621 et seq.) in an amount not to exceed
 6 \$5,100,000,000 for each fiscal year.”.

7 (c) CLERICAL AMENDMENTS.—

8 (1) The table of subparts for part III of sub-
 9 chapter A of chapter 32 of such Code is amended by
 10 adding at the end the following new item:

“SUBPART C. OFFSHORE OIL PRODUCTION.”.

11 (2) The table of sections for subchapter A of
 12 chapter 98 of such Code is amended by adding at
 13 the end the following new item:

“Sec. 9512. LIHEAP Trust Fund.”.

14 (d) EFFECTIVE DATES.—

15 (1) TAX ON OFFSHORE OIL PRODUCTION.—The
 16 amendments made by subsections (a) and (c)(1)
 17 shall apply to oil extracted in fiscal years beginning
 18 after the date of the enactment of this Act.

19 (2) LIHEAP TRUST FUND.—The amendments
 20 made by subsections (b) and (c)(2) shall take effect
 21 on the date of the enactment of this Act.

○