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## GOP: Let states handle road funds

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March 19, 2012 10:40 PM EDT

Congress may be on the road to re-upping the transportation bill, but there's still a cadre of lawmakers who say it's not too late to get the federal government out of the road-building and gas tax business.

If anything, some Republicans say they are excited about finally getting some votes on what has long been a conservative dream.

Sen. Jim DeMint (R-S.C.) got a vote last week on his amendment to the Senate-passed bill that would send many transportation policy and funding decisions back to the states. The amendment was the first time in years senators got a serious chance to weigh in on the issue, and 30 senators (all Republicans) supported the long-shot attempt. A second devolution offering from Sen. Rob Portman (R-Ohio) failed but also got 30 votes.

In the House, GOP Reps. Tom Graves of Georgia, and Jeb Hensarling and Kevin Brady, both of Texas, hope to vote on a similar amendment whenever the House takes up a highway bill.

"We're going to continue the debate in the House," Graves told POLITICO. "It's going to be a new debate about how you fund transportation. Do you continue [a program] that adds to the deficit or do you do one that empowers the states?"

Conservatives see DeMint's vote and Graves's offering as good starting points, reminiscent of the long-fought battle over earmarks, now banned for the 112th Congress.

Dan Holler, communications director of Heritage Action for America, said the conversation has been changed already. "A floor of 30 senators is a great place to start," he said.

Sen. Barbara Boxer (D-Calif.), who took the lead on both selling and writing the two-year Senate bill, acknowledged, "That vote was too close for my liking."

DeMint says his amendment would cut government redundancy while keeping services intact and efficiently returning spending to the states.

"Every time we have a bureaucracy and an administration [in Washington], every state duplicates that. Fifty state highway departments following federal rules and then their own," DeMint said in an interview. "We can begin to downsize that. So the point is, if we ever want to balance our budget, the way to do it is not to just cut a little, but off every federal function."

A financing expert described DeMint's amendment as only "half-devolution." It would have slowly lowered the current 18.4 cents per gallon gas tax to an eventual 3.7 cents within five years, also ending the federal redistribution among states.

To some, that simply hands the tough problem of raising the money to state legislatures that have been just as reluctant as Congress to increase gas taxes or other transport user

fees.

Case in point: Maryland, where Democratic Gov. Martin O'Malley and a Democratic Legislature are fighting a long slog to apply the state's 6 percent sales tax to gasoline. O'Malley's effort has been further bogged down by a push to increase taxes in a number of areas.

"They control everything, and they're having trouble getting it done. Politics just isn't that smooth," said Pete Ruane, president and CEO of the influential American Road and Transportation Builders Association.

States are not exactly rallying behind devolution either. Thanks to \$35 billion in Highway Trust Fund bailouts over the past few years, the Government Accountability Office recently found no state pays more than it gets back from the government. In short, there are no longer any "donor" states.

"I think the states would have some problems with that because they would really be taking a huge hit," said Robert Puentes, a senior fellow at the Brookings Institution. "You don't hear states calling for it, don't hear cities calling for it, don't hear metro areas calling for it.

"There's a disconnect between the rhetoric from folks in Washington to what's going on," he added.

It's also a tough battle when the votes just aren't on his side, DeMint concedes. It's hard to see an equation in the near future in which 60 senators would get behind something that would in effect decrease Congress's influence.

The federal program is one that "grew and grew and grew, and now its tentacles are throughout the government," Graves said, adding, "it is very difficult for members of Congress to give up power."

While Republicans in general support greater state autonomy, a number of sparsely populated, GOP-dominated states would stand to lose large chunks of funding. But a strong federal role in transportation is failing the country, DeMint said.

"It's not working. Our infrastructure's crumbling, and we're spending more than we ever have," he said, adding that for now he is trying to get his caucus in uniform support for his movement. "I've got to get some Republican colleagues who agree with that."

Fellow South Carolina Republican Sen. Lindsey Graham, who voted for DeMint's proposal, hopes it becomes an issue in the presidential race.

"I think our nominee should say, 'Listen, if I'm president, we're going to allow people to collect gas taxes in their own state, use the lion's share of the money to improve their road systems and give more flexibility to build roads outside of costly federal mandates that require Davis-Bacon contracts,'" Graham said, referring to a wage floor employed on all major projects that use federal funding.

Of the 22 Republican senators who ended up voting for the bill written by Boxer and Sen.

Jim Inhofe, 10 also supported DeMint's offering, including Inhofe.

The Oklahoma Republican said he was one of the first to make the devolution argument 20 years ago when he served in the House, and he also isn't shy about citing rankings from think tanks that show him as one of the most conservative senators. A vote for devolution would surely be scored as a positive for conservatives.

"Then I realized what some of the problems were, and consequently I made it very clear that this would not work," Inhofe said. "But I'm the guy who started the whole thing, and I can't very well turn around and say why I'm voting against the very thing I started."

Ed Rendell, the former Democratic governor of Pennsylvania and mayor of Philadelphia, called devolution efforts "insane" and amounting to "feeding the base" in order to show Republicans are serious about cutting spending.

Rendell is a co-chairman of Building America's Future, which is pushing for investment levels far above the two-year, \$109 billion bill. Like most Democrats and a good portion of Republicans, he believes a strong federal partner is essential to state investment in infrastructure.

"Frankly, it's hard to believe. They haven't looked at any of the state budgets recently," Rendell said of conservatives.

Asked why they push amendments sure to fail, Rendell waxed rhetorical: "Why do they do half the things they do in Washington?"

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