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Three Scenarios if Time Runs Out on Transportation Negotiations

Posted on June 25, 2012 by Larry Ehl

There are three scenarios if Congress cannot enact a transportation bill by Friday night when SAFETEA-LU expires, and Congress departs for a July 4 in-state work period). The scenarios depend almost exclusively on the answer to one



Three paths to continuing federal transportation programs. Image – Corey Hines, corey.projectrethink.org

question: how close are negotiators to a deal? We'll know the answer by Tuesday night or Wednesday morning.

Scenario One: Negotiators are really, really close to a deal, or strike a deal that will garner enough votes for passage.

Negotiators need just a few more days to work out one or two issues. Or, they have a deal but don't have enough legislative time this week to print the bill, enable Members to review it, and then vote. Time is the only hurdle here. House Speaker John Boehner strongly supports a six-month extension, but probably would

support a shorter extension if negotiators are oh-so-close. The same is true of Senator Boxer, who has expressed opposition to any extension.

Outcome: Short term extension of two to four weeks. (An extension of a few days is possible if the Senate and House agree to work one or two more days before recessing, but we think this outcome is unlikely.)

Scenario Two: Negotiators aren't that close to a deal, or lack votes for final passage. It could be the Keystone XL language. Or it could be that too many Members, after learning the details of the proposal, would vote against the bill.

Outcome: Longer term extension of six months. (An extension into early 2013 is possible but unlikely in our view.)

Scenario Three: Negotiators are far apart on only one or two issues, but both sides really want to pass a bill. Each side holds out, and is willing to "no nuclear" to force the other side to compromise. Remember last year's Federal Aviation Authorization negotiations? See FAA Shutdown Likely to Continue for Days for a refresher.

Outcome: No extension of SAFETEA-LU. USDOT shuts down, little federal funds can be spent, very little federal transportation taxes and fee revenue can be collected. Construction projects across the country are halted.

SAFETEA-LU has been extended nine times to date, ranging from 1 month to 9 ½ months.

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