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TESTIMONY
ENVIRONMENT & PUBLIC WORK COMMITTEE HEARING**

**"Improving the Federal Bridge Program: Including an Assessment of S. 3338 and H.R. 3999."
September 10, 2008**

AS PREPARED

Madam Chairman, thank you for the opportunity to testify. This month marks a turning point of sorts. The new I-35 bridge will soon be opened across the Mississippi River and today this Committee takes up the task of re-examining federal bridge and infrastructure policy. I want to thank the Members of this Committee for both the way you responded to our community's needs as well as everything you do to help us all address future needs.

The collapse I-35W bridge in Minneapolis last year, while deemed a design flaw rather than a maintenance issue by the National Transportation Safety Board, highlighted for the nation our need to be more vigilant and proactive in maintaining our infrastructure. As public officials, it is imperative that we do everything we can to ensure that our infrastructure is effective and safe.

That's why Senator Levin and I, together with the Chairman and Ranking Member of this Committee, requested the GAO report we are looking at today. This report in many ways confirms what we already knew: that the federal Highway Bridge Program lacks focus and performance measures, and is unsustainable financially as currently constructed.

We have a lot of reforming to do, and lives and our economy depend on it. Going forward, I would suggest we need reform in five areas, which I'll touch on briefly.

1. *We need a better way to measure the condition of bridges.* In the aftermath of the I-35W collapse, people had a strong emotional reaction to the fact that the bridge had been rated "structurally deficient." While the GAO has pointed out that the term "structurally deficient" doesn't necessarily mean unsafe, the fact remains that 25% of U.S. bridges are "structurally deficient" or "functionally obsolete." I'm sure that makes folks wonder, "Is my bridge safe?" It's hard to know what to fix first without a good measuring stick for bridge quality.

Part of what we need to do in answering that question is take a critical look at the Bridge Inspection and Bridge Rating systems, which the Department of Transportation's Inspector General is working on right now. We're looking forward to the results of that review.

2. *We need a better funding source for infrastructure.* The current crisis in the highway trust fund is not an anomaly; it is the leading edge of a long-term problem. With high gas prices a permanent reality, people will drive less and they will utilize vehicles that use less gasoline. That means less funding going into the trust fund resulting in less money for transportation infrastructure projects.

I think one of the strengths of highway funding has been the "user fee" approach to revenue: if you drive you pay for the roads you use. But, as technology changes, we need to find new ways to get users to pay for the

transportation resources they use. This report doesn't prescribe a solution, but we know from last week's announcement by Secretary Peters that folks need to put their heads together and shore up the Highway Trust Fund over the long term.

3. *We need a better way to prioritize money for infrastructure work.* Our job is not just to authorize and appropriate money, but to set priorities and goals. Under the Highway Bridge Program, states get money based on the number of deficient bridges, but have no obligation to use that money on repairing these bridges. Any bridge, indeed just about anything a car drives on, could receive these funds. And the next year when funds are being doled out, a state would actually get more money if it had more deficient bridges than the previous year – so there is no incentive to use the money on troubled bridges. It is imperative that we take a step back and develop targeted goals for the rehabilitation of bridges.

The GAO report suggests that the expanded use of bridge management systems by states could be useful for prioritizing projects and I am hopeful that we can explore this further as we consider changes to this important infrastructure program. The legislation Chairman Oberstar has championed, which Senator Klobuchar and I have introduced in the Senate, also lays out some ideas worth considering (H.R. 3999 and S. 3338). For instance, this legislation requires that plans be developed to ensure that the bridges with the highest risk are replaced before those with lower risk factors.

4. *We need greater accountability.* States have great latitude in spending the dollars provided to them through the program, and none of us want to micro-manage our states. But without sufficient accountability, there is neither a carrot nor a stick for states to improve the condition of their bridges.

Indeed, the program as a whole needs to be more accountable to the American taxpayer. The GAO finds the program to be lacking a system to measure whether it is truly making a difference. While I'm glad that the number of deficient bridges has decreased by almost 12% since 1998, I am troubled that we can't measure whether the Highway Bridge Program has contributed to that decline. And finally,

5. *We need to engage the American people in this challenge.* This need is great, but if we just stick the taxpayer with a huge bill, our efforts at infrastructure reform will fail. Voters need to understand the scope and importance of the problem as we fashion solutions.

We should welcome the work being done by folks like Mayor Bloomberg and Governors Schwarzenegger and Rendell (an Independent, a Republican and a Democrat) because we need ideas outside of Washington to help get us through this crisis we're in, not to mention fiscal partners in the solution.

Madam Chairman, we all know change is a difficult thing. But the sooner and more broadly we attack our infrastructure problem, the sooner we reach the safe, more economically supportive system we all seek.

When I was mayor, I worked with community partners to plant thousands of trees along the Mississippi River. I learned a lesson then that the best time to plant a tree is ten years ago and the second best time is right now.

The Senate looks to this Committee for leadership and urge you take bold steps forward that will inspire the Senate, the House, the Administration and the American people to follow.

The solution isn't merely throwing money we don't have at the problem, or raising taxes. It starts with using the money we already have more effectively. And as Congress begins working on a new Highway Bill, this report should be our blueprint. Going forward, I look forward to working closely with you to implement the recommendations outlined in this report.

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