

# United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

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May 29, 2014

Honorable Anthony Foxx  
U.S. Transportation Secretary  
1200 New Jersey Ave, SE  
Washington, DC 20590

Dear Secretary Foxx:

Infrastructure is a critical component of our nation's economy and our quality of life. As such, consistent and transparent investments play a critical role in this nation's ability to grow our economy at home and stay competitive abroad. The Transportation Investment Generating Economy Recovery (TIGER) Program, which was created with money from the 2009 "stimulus" funding, was designed to provide competitive grants to key infrastructure projects based on objective merit-based criteria. However, yesterday's Government Accountability Office (GAO) report reaffirms concerns I've had that the TIGER program's lack of merit-based structure is only working to meet political need and not the country's infrastructure needs. The program continues to operate under an absence of proper administration and a serious lack of transparency in the decision making process. Proper controls and oversight measures need to be put into place immediately.

The GAO report on the Department of Transportation's (DOT) administration of the TIGER program is extremely concerning. GAO has determined through oversight and analysis of the management of the program, four key findings which highlight a clear lack of transparency in the decision making process and a mishandling of the management of the program.

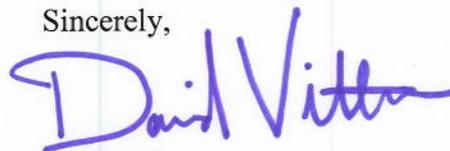
1. DOT allowed certain applicants to submit applications up to four weeks after the Notice of Funding Availability (NOFA) deadline without providing any public notification.
2. DOT policy office ranked projects based on objective criteria but routinely advanced lower ranked projects over ones ranked much higher with no justification as to why this decision was made.
3. Lower rated projects were also added back after the competitive process and DOT could not account for or justify this decision.
4. DOT went back and changed the rating for low rated projects to higher ratings after the competitive evaluation but again could not provide documentation or sufficient rationale to justify such a decision.

The Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21) enacted new performance standard requirements for states to follow in order to direct rational and accountable

decision-making when it comes to investing in this nation's infrastructure. It is only reasonable to expect the federal government be held to similar standards. It is of the utmost importance and urgency that we that we bring trust back into how we invest in this nation's infrastructure.

While the DOT comments in response to the GAO report accept the need for reforms to the program, I urge you to investigate decision-making from previous TIGER rounds and take further action to make the necessary reforms to the TIGER program. In order to show progress towards such reform, such actions should include providing Congress with thorough documentation of the TIGER VI selection process for each selected project at the time of the grant awards and the Congressional district of each awarded project. Thank you for your attention to this matter and I look forward to hearing from you.

Sincerely,

A handwritten signature in blue ink that reads "David Vitter". The signature is written in a cursive style with a large, stylized "D" and "V".

David Vitter  
United States Senator