



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Sam Graves
Chairman

Rick Larsen
Ranking Member

Jack Ruddy, Staff Director

November 14, 2023

Katherine W. Dedrick, Democratic Staff Director

The Honorable Pete Buttigieg
Secretary
United States Department of Transportation
1200 New Jersey Ave., SE
Washington, DC 20590

Dear Secretary Buttigieg:

The *Infrastructure Investment and Jobs Act (IIJA)* (P.L. 117-58) authorized and appropriated approximately \$660 billion in funding for fiscal year (FY) 2022 through FY 2026, for the Department of Transportation (DOT).¹ This is more than twice the amount of funds authorized in the previous five-year authorization law.² DOT's Office of Inspector General (OIG) has repeatedly highlighted the risks of waste, fraud, and abuse associated with this influx of funding.³ The Committee on Transportation and Infrastructure (T&I or Committee) is continuing its oversight of DOT's efforts to ensure effective, efficient use of taxpayer dollars.

In recognition of the risk of fraud occurring, DOT committed that every program receiving *IIJA* funding would complete an improper payment and fraud risk assessment by the end of FY 2023.⁴ On September 30, 2023, FY 2023 came to an end. During the September 20, 2023, Full Committee hearing on "*Oversight of the Department of Transportation's Programs and Policies*," Chairman Sam Graves indicated he looked forward to receiving the results of

¹ See Pub. L. No. 117-58, 135 Stat. 429; DEP'T OF TRANSP., INFRASTRUCTURE INVESTMENT AND JOBS ACT, AUTHORIZED FUNDING TABLE (calculations by H. Comm. on Transp. and Infrastructure Staff), available at https://www.transportation.gov/sites/dot.gov/files/2022-01/DOT_Infrastructure_Investment_and_Jobs_Act_Authorization_Table_%28IIJA%29.pdf.

² DEP'T OF TRANSP., OFFICE OF INSPECTOR GENERAL, DOT SHOULD ENHANCE ITS FRAUD RISK ASSESSMENT PROCESSES FOR IIJA-FUNDED SURFACE TRANSP. PROGRAMS, REP. ST2023023, (June 20, 2023), available at https://www.oig.dot.gov/sites/default/files/DOT%20Fraud%20Risk%20Assessment_Final%20Report_06-20-23.pdf.

³ See e.g. *id.*; Memorandum from The Hon. Eric Soskin, Inspector General, Office of Inspector General, Dep't of Transp., to the Hon. Pete Buttigieg, Secretary, Dep't of Transp. (Oct. 5, 2022), available at <https://www.oig.dot.gov/sites/default/files/OIG%20Correspondence%20-%20Challenges%20Facing%20DOT%20in%20Implementing%20IIJA.pdf>.

⁴ DEP'T OF TRANSP., BUDGET HIGHLIGHTS 2023, at 19, (Mar. 28, 2022), available at https://www.transportation.gov/sites/dot.gov/files/2022-03/Budget_Highlights_FY2023.pdf.

these risk assessments.⁵ As the Committee monitors the use of *IJJA* funds and examines opportunities to prevent the misuse of these dollars, these assessments represent a critical data point for evaluating DOT's ability to effectively manage the influx of *IJJA* funds.

Copies of the risk assessments will inform the Committee on DOT's current risk assessment processes, and assist the Committee in examining ways to improve current processes to prevent the waste of taxpayer funds. In a June 2023 report, the OIG determined that DOT should implement changes to improve the effectiveness of its fraud risk assessment process.⁶ The OIG noted there is an "increased risk of fraud when [Federal programs] experience unusually rapid growth or when new or changing laws significantly affect them."⁷ This heightened risk led the OIG to initiate an audit of DOT's fraud risk assessments for surface transportation programs that received *IJJA* funding.⁸ Ultimately, the OIG issued two recommendations for DOT to improve its fraud risk assessment processes for *IJJA*-funded surface transportation programs.⁹ The OIG's website indicates their recommendations to improve DOT's risk assessments remain open.¹⁰ While many of the risk assessment reports would likely have been initiated prior to the publication of the OIG's report, both the risk assessments and the OIG's findings will serve to inform the Committee's understanding of DOT's fraud prevention measures.

The Committee is committed to rooting out fraud, waste, and abuse in the programs within its jurisdiction. It is our hope that DOT shares that sentiment and will engage as a willing partner to aid in the Committee's evaluation of *IJJA*'s implementation. In order to assist the Committee with its oversight, please provide responses to the following questions, as soon as possible, but no later than 5:00 p.m. ET on [*two weeks from letter send date*]:

1. A copy of the improper payment and fraud risk assessments for each program that received *IJJA* funding.
2. A document sufficient to describe the Department's progress in implementing the OIG's recommendations to improve its fraud risk assessment processes for *IJJA*-funded surface transportation programs.

Pursuant to House Rule X, clause 1(r), the Committee has jurisdiction over these issues and shall conduct appropriate oversight of these actions. This request and any documents created as a result of this request will be deemed Congressional documents of the Committee. An attachment contains additional instructions for responding to this request. When producing documents to the Committee, please deliver production sets to the Majority Staff in Room 2165

⁵ *Oversight of the Dep't of Transp. Programs and Policies: Hearing Before the H. Comm. on Transp. and Infrastructure*, 118th Cong. (2023) (Opening Statement of Chairman Sam Graves).

⁶ *Supra* note 2.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ DEP'T OF TRANSP., OFFICE OF INSPECTOR GENERAL, *Audit Report*, (last accessed Oct. 25, 2023), available at <https://www.oig.dot.gov/library-item/39529>.

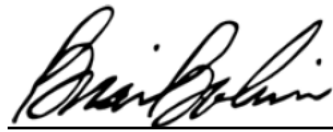
of the Rayburn House Office Building and the Minority Staff in Room 2164 of the Rayburn House Office Building.

If you have any questions about this request, please contact Meghan Holland, Republican Senior Counsel, [REDACTED]. Thank you for your prompt attention to this matter.

Sincerely,



Sam Graves
Chairman
Committee on Transportation
and Infrastructure



Brian Babin, D.D.S.
Member of Congress



Aaron Bean
Member of Congress



Mike Bost
Member of Congress



Tim Burchett
Member of Congress



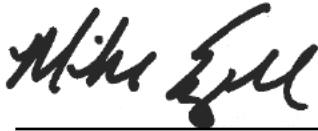
Mike Collins
Member of Congress



Eric A. "Rick" Crawford
Member of Congress



Chuck Edwards
Member of Congress



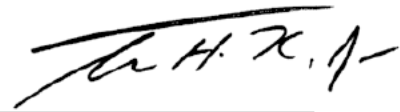
Mike Ezell
Member of Congress



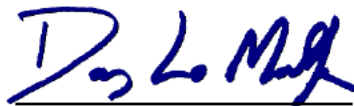
Lance Gooden
Member of Congress



Garret Graves
Member of Congress



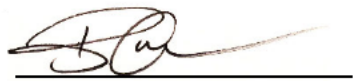
Thomas H. Kean, Jr.
Member of Congress



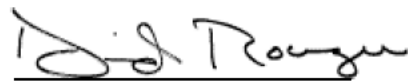
Doug LaMalfa
Member of Congress



Marcus J. Molinaro
Member of Congress



Burgess Owens
Member of Congress



David Rouzer
Member of Congress



Pete Stauber
Member of Congress



Jeff Van Drew
Member of Congress



Bruce Westerman
Member of Congress



Brandon Williams
Member of Congress

Secretary Buttigieg
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A handwritten signature in black ink, appearing to read "Rudy Yakym III", written over a light grey rectangular background.

Rudy Yakym III
Member of Congress

cc: The Honorable Rick Larsen, Ranking Member
Committee on Transportation and Infrastructure

Enclosure – Attachment A-Requirements for Responding to the House Committee on
Transportation and Infrastructure Records Requests in the 118th Congress.