



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

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Chairman

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Ranking Member

Paul J. Sass
Republican Staff Director

January 24, 2022

The Honorable Mitchell J. Landrieu
Senior Advisor and Infrastructure Coordinator
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. Landrieu:

Today, I write to request that you brief the Committee on Transportation and Infrastructure no later than Wednesday, February 9, 2022, about your role, the Infrastructure Implementation Task Force (Task Force), and implementation of the *Infrastructure Investment and Jobs Act (IIJA)*, P.L. 117-58).

As you know, Executive Order 14052, “Implementation of the Infrastructure Investment and Jobs Act,” charges you and the Task Force with one mission – to coordinate effective implementation of the *IIJA* and other related significant infrastructure programs within the executive branch.¹ While I am aware that your Task Force has engaged in various media events and outreach to governors and mayors, you have yet to fully engage all relevant Members of Congress on these matters. In particular, I am most concerned about how the United States Department of Transportation (DOT) plans to work with the Task Force to properly implement the law.

For example, the Federal Highway Administration’s (FHWA’s) December 16, 2021, letter encourages Title 23 recipients to “prioritize the repair, rehabilitation, reconstruction, replacement, and maintenance of existing transportation infrastructure, especially the incorporation of safety, accessibility, multimodal, and resilience features. Projects to be prioritized include those that maximize the existing right-of-way for accommodation of non-motorized modes and transit options that increase safety, accessibility, and/or connectivity.”² Based on this letter, which clearly prioritizes certain types of investment over others, DOT may not be respecting recipients’ decisions on how to best use their federal transportation funding or

¹ Exec. Order No. 14052, 86 Fed. Reg. 64,335 (Nov. 15, 2021), *available at* <https://www.govinfo.gov/content/pkg/FR-2021-11-18/pdf/2021-25286.pdf>.

² Memorandum from Stephanie Pollack, Deputy Administrator, FHWA, to Associate Administrators et. al., FHWA, (Dec. 16, 2021), *available at* https://www.fhwa.dot.gov/bipartisan-infrastructure-law/building_a_better_america-policy_framework.cfm.

may not be following Congressional intent as *IJA* programs are implemented. We must ensure that eligible projects are evaluated on statutory criteria and are not penalized merely because they add capacity to our transportation network. Therefore, we need insight into how the Task Force, the DOT, and other agencies plan to adhere to congressional intent and meet the deadlines mandated within *IJA*. This will be essential to ensuring the responsible stewardship of taxpayer dollars and protecting this substantial funding increase from waste, fraud, and abuse.

Communication is critical to effective implementation of *IJA*, and key members on the Committee on Transportation and Infrastructure have not received information on any of the Task Force's efforts. This includes information on *IJA* program priorities, stakeholder outreach, timelines, job creation data, and how we will avoid pitfalls encountered in implementation of the *American Recovery and Reinvestment Act of 2009* (P.L. 111-5), among other issues.

In light of the above, this briefing is imperative, and I look forward to hearing from you about scheduling the *IJA* implementation briefing by February 9, 2022. In order to expedite and assist with scheduling, please contact my Staff Director, Paul Sass, at [REDACTED] 202-225-9446.

Sincerely,



Sam Graves
Ranking Member

Cc: The Honorable Peter A. DeFazio, Chair
Committee on Transportation and Infrastructure