

Congress of the United States
Washington, DC 20515

October 12, 2011

Secretary Ray LaHood
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary LaHood:

One of the wonderful things about working on building the nation's infrastructure is its non-partisan, bi-partisan nature. We have always found the spirit of 'there's no such thing as a Republican bridge or a Democratic road' embraced by the House Transportation and Infrastructure Committee refreshing, as we are sure you did earlier in your service in the House. That is why we are stunned by the decision, in response to a letter from our Ohio Democratic colleagues, regarding the use of State Planning and Research (SPR) funds by ODOT relative to future use of Ohio's assets. It is remarkable that, after granting approval on September 2, 2011, DOT reversed course on October 7, 2011, less than 48 hours after receiving the letter from Ohio's Democrats in Congress. We write today to express our disappointment and hope that it was just a bad day at the office for FHWA.

A quick review of how Ohio, and other States have found themselves scrambling for transportation resources might be in order. The last federal highway bill, SAFETELU, was enacted in 2005 during President Bush's second term. It expired at the end of September 2009. That year was a heady one for the Democratic Party, as the country celebrated the election of President Obama, and the Democrats controlled working majorities in both Houses of Congress. Massive pieces of legislation moved at breakneck speed, covering health care reform, cap and trade and financial reform. Sadly, however, despite having the greatest Chairman, Jim Oberstar, in modern history at the helm of the T&I Committee, no action occurred on the highway bill. Everyone conversant with the issue was aware that the Highway Trust Fund revenues were insufficient to keep our nation's infrastructure in good repair. However, the current Administration continued to indicate that all traditional funding options were 'off the table', and Chairman Oberstar was handcuffed in his attempt to write a bill.

States, like Ohio, were urged by your Department to seek alternative and innovative funding solutions to their transportation woes. We have been advised that a number of States have made application and received approval for studies similar to Ohio's request. Interestingly, Kentucky appears to be one such State. A fascinating nugget of information is that Kentucky and Ohio are connected near Cincinnati by the Brent Spence Bridge, a deteriorating structure recently visited by the President. What the President may not have realized is that funds were approved for the initial stages of replacing the Brent Spence Bridge in Section 1702 of SAFETELU, passed during the Bush Administration. However, additional funding to complete the project has been hampered by the lack of a highway bill during the current Administration. Hence, Ohio, like Kentucky, is attempting to follow DOT's guidance by exploring all options to repair infrastructure and put people back to work. As you are well aware, although the unemployment

rate in the U.S. hovers around 9%, the construction trades are suffering unemployment figures over 20%.

We do not agree with the assessment outlined in a recent letter by other members of Ohio's Congressional delegation that ODOT's use of these funds is unjustified and that a particular policy with respect to the Ohio Turnpike has already been decided.

A potential lease of the Ohio Turnpike is one of many alternatives under consideration in this exploratory process. ODOT is seeking an independent third party to fully investigate all options that may be considered as the state pursues leveraging the Turnpike in a way that benefits all Ohio taxpayers. Research carried out under the SPR program may indicate that a private, contractual maintenance agreement would be in the best interest for the Ohio Turnpike or that the operations, maintenance, revenue collection, and other aspects of the Ohio Turnpike would be better managed under ODOT. The federal SPR program was created to provide states with the necessary resources to assist with this type of research and we strongly believe Ohio should have the opportunity to fully explore all possibilities. It is indeed puzzling that the FHWA would now deny Ohio the resources to study the best alternative for its assets.

We continue to be optimistic that DOT will see its way clear to permit Ohio to find ways to keep its roads in good repair and allow people desperately desiring to build roads, produce stone, asphalt and concrete to find work. In the spirit of cooperation, we have asked ODOT to resubmit its RFP, in accordance with FHWA's advice of October 7, 2011. We trust it will receive the same speedy consideration of our colleagues' letter of last week.

Sincerely,



Steven C. LaTourette
Member of Congress



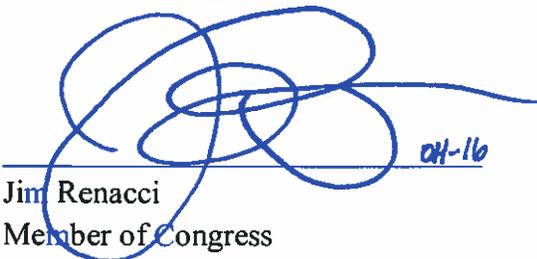
Pat Tiberi
Member of Congress



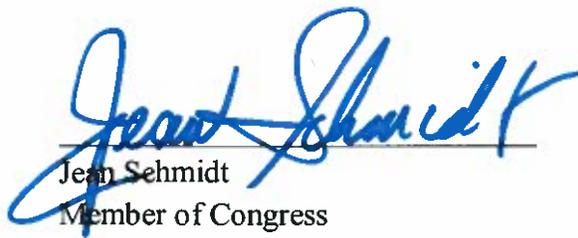
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Member of Congress



Steve Stivers
Member of Congress



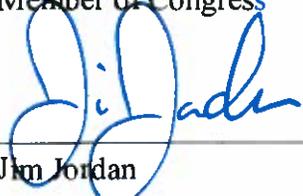
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