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9TH DISTRICT, NEW YORK

COMMITTEE ON THE JUDICIARY

COMMITTEE ON
ENERGY AND COMMERCE

DEMOCRATIC WHIP

Congress of the United States
House of Representatives
Washington, DC 20515-3209

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Honorable Calvin L. Scovel III
Inspector General
U.S. Department of Transportation
1200 New Jersey Ave., S.E.
Washington, DC 20590

Inspector General Scovel:

I am writing to request that your office investigate the U.S. Department of Transportation's management and administration of the Transportation Technology Innovation and Demonstration (TTID) program created by Section 5508 of SAFETEA-LU. This program provides up to \$2 million for each participating metropolitan area to address national, local, and commercial data needs through enhanced surveillance (traffic sensing) and data management.

As you may be aware, TTID program has long been controversial because it has supported a monopoly for a single company, Traffic.com. Because of that monopoly, the TTID program has failed to achieve its stated objectives in some very important areas:

1. While the TTID program was largely promoted as a way to increase the availability of real-time information about traffic conditions to travelers in many of our nation's most traffic congested cities and to help grow the commercial market for traveler information in those cities, it has done just the opposite.
2. Local agency partners who signed up for this program are discovering that they cannot provide information like travel times on their own changeable message signs or 511 systems without paying significant additional annual fees to Traffic.com.

In 2005 during the reauthorization process, I and a number of my House colleagues worked closely with Senator Orrin Hatch to support a new provision for the TTID program (called Part II) designed to open up the program to competition, and to remedy the monopoly for Traffic.com that had been in place for several years. We fully expected that the USDOT would embrace this new provision.

Unfortunately, the USDOT chose to continue to pursue agreements under the old Traffic.com monopoly provisions and to virtually ignore the new provision in SAFETEA-LU. All 11 TTID agreements signed since the passage of SAFETEA-LU were awarded Traffic.com on a sole-source basis. Only recently has the USDOT solicited bids for the first "open source" procurement. The RFP was blatantly wired for Traffic.com. Many firms refused to make a proposal.

Senator Hatch has written to USDOT Secretary Peters twice this year asking why the USDOT has continued to support Traffic.com's monopoly. The responses that he has received have been very unsatisfactory, to the point of actually containing falsehoods. For example, the second response to Senator Hatch, from Acting USDOT General Counsel Rosalind

Knapp, claims that the majority of the funding in the TTID program was provided for the Traffic.com monopoly provision in SAFETEA-LU because “the statute expressly required the Department to compete the original contract.” A careful reading of the language in Section 5508 shows that assertion to be false. However, even if it were true, the majority of agreements that have been awarded to Traffic.com since the passage of SAFETEA-LU were for cities that were not mentioned at all in the original contract.

Clearly, the USDOT has chosen to bias its management of this program to sustain Traffic.com's monopoly, even in the face of new bipartisan legislative language designed to eliminate it. The Congress, taxpayers, and the traveling public need to know why.

The OIG's very detailed investigation into the real reasons why the USDOT has sustained Traffic.com's monopoly can greatly help me, Senator Hatch, and other legislators devise a legislative remedy to this ongoing monopoly. This remedy will be vital to ensure that accurate and comprehensive information about traffic conditions is widely available to travelers in many of our nation's most traffic-congested cities.

Thank you for your attention to this matter, I look forward to working with you further on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Weiner', with a stylized flourish at the end.

ANTHONY D. WEINER
Member of Congress