



THE SECRETARY OF TRANSPORTATION

WASHINGTON, D.C. 20590

February 5, 2002

The Honorable Don Young  
Chairman, Committee on Transportation  
and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515

  
Dear Mr. Chairman:

Thank you for your March 26 letter regarding Section 378 of The Department of Transportation and Related Agencies Appropriations Act, 2001 (P.L. 106-346). I apologize for the delay in responding, but the Department has received, formally as well as informally, various expressions of congressional intent relating to the expansion of this program. At the same time, the Department has been aware that additional clarifying language was being proposed as part of the FY 2002 appropriations process. I felt it best to delay responding to your letter while deliberating on our understanding of congressional intent and what authority we had to proceed with the program.

I, as well as the Intelligent Transportation Systems (ITS) Joint Program Office, respect your views regarding the intent of Section 378. I assure you I am seeking to comply with Section 378 and the various expressions of congressional intent that I received. I also assure you that contrary to information you received, it was never the Joint Program Office's plan to apply any portion of the additional funding to non-Section 5117(b) (3) projects. Our earlier position (which had been communicated to Mr. Darrell Wilson, Chairman Bud Shuster's former Chief of Staff) was that the plain wording of Section 378 directed the additional funding to the transportation infrastructure "program," not to any particular company or any particular U.S. Department of Transportation contract.

Since our communication with Mr. Wilson, new language has been introduced in the FY2002 Defense Appropriations Act that further clarifies congressional intent with regard to the follow-on deployment of the Intelligent Transportation Infrastructure program. Language contained in Section 1101 and on page 448 of the FY 2002 Defense Appropriations Act indicates that the Department has the authority to expand the program through a sole source expansion of the original procurement. I have decided to exercise this authority and facilitate the full expansion of the Intelligent Transportation Infrastructure Program by amending the existing Information Technology Omnibus Procurement contract with the team of Signal Corporation and Mobility Technologies (formerly Traffic.com).

This course of action would appear to address your specific concerns. I want to personally thank you for your support of the program and for your patience as the Department has carried out the deliberation of relevant issues related to expanding the program.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Norman Y. Mineta', written in a cursive style.

Norman Y. Mineta