U.S. GOVERNMENT ACCOUNTABILITY OFFICE
441 G St. N.W.
Washington, DC 20548

Accessible Version

June 24, 2016

The Honorable James Inhofe
Chair
The Honorable Barbara Boxer
Ranking Member
Committee on Environment and Public Works
United States Senate

The Honorable Bill Shuster
Chair
The Honorable Peter A. DeFazio
Ranking Member
Committee on Transportation and Infrastructure
House of Representatives

Highway Trust Fund: Administrative Expenses of the Federal Highway Administration

Section 1433 of Public Law 114-94, Fixing America's Surface Transportation Act (FAST Act), included a provision for GAO to submit a report describing the administrative expenses of the Department of Transportation's (DOT) Federal Highway Administration (FHWA) funded from the Highway Trust Fund (HTF). Our objectives were to describe (1) the types and amounts of administrative expenses funded from HTF for FHWA programs and offices during the 3 most recent fiscal years (fiscal years 2013 through 2015); (2) the extent to which FHWA effectively designed tracking and monitoring internal controls over its administrative expenses as of September 30, 2015; and (3) the extent to which FHWA has the flexibility, under existing laws and regulations, to reallocate administrative monies funded from HTF between general operating expenses and other functions.

We briefed the House Committee on Transportation and Infrastructure and its Subcommittee on Highways and Transit on April 27, 2016, and the Senate Committee on Environment and Public Works on May 2, 2016, on the results of our work. This report formally transmits the briefing slides as of May 11, 2016, with the final results of our work in response to the provision in Section 1433 of the FAST Act (see enc. I).

To address our first objective, we reviewed relevant legislation, FHWA budget documents, and general ledger data to describe and present the types and amounts of administrative expenses of FHWA funded from HTF during the 3 most recent fiscal years (fiscal years 2013 through 2015).

To address our second objective, we (1) obtained and reviewed applicable policies and procedures used by FHWA; DOT's Office of Management and Budget (OMB) Circular A-123, *Management's Responsibility for Internal Control* Summary Report; relevant internal control risk assessments; and OMB Circular A-123 process documents to identify FHWA's tracking and monitoring internal controls over its administrative expenses; and (2) determined whether

FHWA effectively designed tracking and monitoring internal controls over its administrative expenses as of September 30, 2015, in accordance with *Standards for Internal Control in the Federal Government*.[1] We focused our review on the tracking and monitoring controls as they relate to general operating expenses because these expenses represented over 90 percent of administrative monies funded from HTF for fiscal year 2015.

To address our third objective, we reviewed existing laws and regulations and relevant budgetary guidance to describe the extent to which FHWA has the flexibility to reallocate administrative monies funded from HTF between general operating expenses and other functions. We assessed the reliability of the data we used by reviewing relevant documentation and interviewing knowledgeable FHWA officials. We found the data to be reliable for the purposes cited in this report.

We conducted this performance audit from January 2016 to May 2016 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

In summary, we found that FHWA functions funded by administrative monies from HTF include (1) general operating expenses (salaries and benefits, equipment, travel, and other expenses);[2] (2) transfers to the Appalachian Regional Commission; and (3) specific programs consisting of the Disadvantaged Business Enterprise, Highway Use Tax Evasion, On-the-Job Training Support Services, Consolidation of Programs (Operation Lifesaver, Public Road Safety Clearinghouse, Work Zone Safety Grants, and National Work Zone Safety Information Clearinghouse), and Air Quality and Congestion Mitigation Measure Outcomes Assessment Study. In our review of tracking and monitoring internal controls over general operating expenses, we found that FHWA had effectively designed these controls as of September 30, 2015, for the significant business processes related to general operating expenses. Furthermore, we found that FHWA has limited flexibility, under existing laws and regulations, to reallocate administrative monies funded from HTF between general operating expenses and certain other functions.

We are not making any recommendations in this report.

Agency Comments

We provided a draft of this report to DOT for review and comment. In its response to our report, DOT indicated that FHWA will continue to implement tracking and monitoring internal controls to effectively manage its funding for general operating expenses provided to the agency under the FAST Act. DOT's written comments are reprinted in enclosure II. Further, DOT provided technical comments that were incorporated, as appropriate.

- - - - -

[1]See GAO, *Standards for Internal Control in the Federal Government*, GAO/AIMD-00-21.3.1 (Washington, D.C.: November 1999).

[2]Other expenses consisted of utilities, supplies, rent, printing, transportation, and other services, including reimbursement to DOT's Office of Inspector General for conducting annual financial statements audits.

We are sending copies of this report to the appropriate congressional committees and the Assistant Secretary for Administration at the Department of Transportation. In addition, the report is available at no charge on the GAO website at http://www.gao.gov.

If you or your staff have questions concerning this report, please contact me at (202) 512-9377 or clarkce@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report include Lynda Downing (Assistant Director), Steven Cohen (Assistant Director), Patrick Frey, Diana Lee, Vivian Ly, Erika Szatmari, and Estelle Tsay-Huang.

Cheryl E. Clark
Director
Financial Management and Assurance

Enclosures

Enclosure I: Briefing for Congressional Committees

See Enclosure PDF in PDF Portfolio.

Enclosure II: Comments from the Department of Transportation

U.S. Department of Transportation
Office of the Secretary of Transportation

Assistant Secretary for Administration

1200 New Jersey Avenue, SE
Washington, DC 20590

JUN 8 2016

Ms. Cheryl E. Clark,
Director, Financial Management and Assurance
U.S. Government Accountability Office
441 G Street, NW.
Washington, DC 20548

Dear Ms. Clark:

We appreciate the Government Accountability Office's (GAO) finding that the Federal Highway Administration (FHWA) effectively designed tracking and monitoring internal controls for significant business processes related to general operating expenses (GOE). The FHWA closely monitors, manages and controls its administrative expenses funding to ensure that the agency can efficiently and effectively oversee the Federal-aid program while protecting the funds that are entrusted to us by the public. The Agency's strong internal controls allowed it to continue to carry out mission essential operations despite a significant reduction to its Fiscal Years 2013 – 2015 GOE funding under the Moving Ahead for Progress in the 21st Century Act (MAP-21). The Fixing America's Surface Transportation (FAST) Act provided FHWA with additional GOE funding and the Agency continues to implement tracking and monitoring internal controls to effectively manage these limited resources to include the following:

- Annual assessments of business procedures;
- Issuance of annual A-123 financial summary reports.
- Continued review and updates of Standard Operating Procedures
- Executive Director approval of office budget requests;
- Adherence to agency travel caps; and
- Continued vigilance and rigorous approval process on conferences;

We appreciate the opportunity to respond to the GAO draft report. Please contact Madeline M. Chulumovich, Director, Audit Relations and Program Improvement, at (202) 366-6512 with any question or if you would like to obtain additional details.

Sincerely,

Jeff Marootian
Assistant Secretary for Administration

Text of Department of Transportation Comment Letter

Dear Ms. Clark:

We appreciate the Government Accountability Office's (GAO) finding that the Federal Highway Administration (FHWA) effectively designed tracking and monitoring internal controls for significant business processes related to general operating expenses (GOE). The FHWA closely monitors, manages and controls its administrative expenses funding to ensure that the agency can efficiently and effectively oversee the Federal-aid program while protecting the funds that are entrusted to us by the public. The Agency's strong internal controls allowed it to continue to carry out mission essential operations despite a significant reduction to its Fiscal Years 2013 – 2015 GOE funding under the Moving Ahead for Progress in the 21st Century Act (MAP-21). The Fixing America's Surface Transportation (FAST) Act provided FHWA with additional GOE funding and the Agency continues to implement tracking and monitoring internal controls to effectively manage these limited resources to include the following:

- Annual assessments of business procedures;
- Issuance of annual A-123 financial summary reports.
- Continued review and updates of Standard Operating Procedures
- Executive Director approval of office budget requests;
- Adherence to agency travel caps; and
- Continued vigilance and rigorous approval process on conferences;

We appreciate the opportunity to respond to the GAO draft report. Please contact Madeline M. Chulumovich, Director, Audit Relations and Program Improvement, at (202) 366-6512 with any question or if you would like to obtain additional details.

Sincerely,

Assistant Secretary for Administration

Jeff Marootian

(100544)