

Why GAO Did This Study

In 2017, hurricanes in Texas, Florida, and Puerto Rico caused \$1 billion in estimated damage. FHWA's Emergency Relief Program provides funding for states to repair or reconstruct federal-aid highways damaged or destroyed by natural disasters, including funding for emergency and permanent repairs. As of September 2019, FHWA has allocated \$634 million in federal funds to the two states and Puerto Rico. By statute, emergency repairs are undertaken during or immediately following a disaster to quickly restore essential traffic and minimize further damage. These repairs receive 100 percent federal reimbursement if accomplished within 180 days and may proceed under expedited contracting and environmental procedures.

GAO was asked to evaluate the federal response to the 2017 disasters. This report assesses how FHWA applied program guidance to classify selected emergency relief projects, among other objectives. GAO visited 33 out of approximately 2,500 projects in Texas, Florida, and Puerto Rico; analyzed 25 emergency repair project files; and interviewed FHWA, state, and local government officials.

What GAO Recommends

FHWA should (1) document decisions to classify projects as emergency repairs and more clearly define what constitutes restoration of essential traffic, and (2) identify a specific timeline for clarifying the policy on when expedited contracting and environmental procedures are permitted. DOT concurred with GAO's recommendations and provided technical comments that GAO incorporated as appropriate.

HIGHWAY EMERGENCY RELIEF

Federal Highway Administration Should Enhance Accountability over Project Decisions

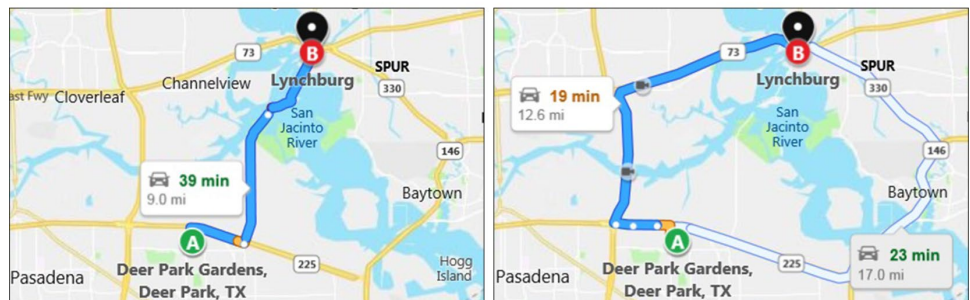
What GAO Found

GAO found that the Federal Highway Administration (FHWA) did not document the bases for decisions to classify projects as emergency repairs in 22 of the 25 project files reviewed. Without such documentation, it is not possible to definitively determine the justification for these decisions; GAO identified at least three projects that may have been inappropriately classified. For example, FHWA classified a \$10.7 million ferry project in Lynchburg, Texas as an emergency repair to restore essential traffic. Several highways, however, were available immediately following the disaster that service the same locations and result in faster travel times than the ferry. FHWA guidance does not require officials to document decisions to classify projects as emergency repairs or clearly define what constitutes restoration of essential traffic. Designating projects as emergency repairs can increase the federal fiscal exposure in disasters. Had FHWA classified the ferry project as a permanent repair—instead of an emergency repair—the state would have been responsible for paying approximately \$2.1 million in matching funds.

Travel Times Using The Lynchburg Ferry and Alternative Routes

Traveling by ferry takes about 40 minutes

Traveling by highway takes about 20 minutes
(up to 45 minutes during rush hour from 4:30 to 6pm)



Source: GAO and Bing, 22 July 2019; Web. | GAO-20-32

GAO also identified two temporary bridge projects in Puerto Rico classified as emergency repairs even though (1) work did not start within 180 days of a disaster, as generally required; (2) the bridges are not to be completed until late 2019 and early 2020; and (3) both are to be replaced by permanent bridges within a couple of years. Out of approximately 1,200 eligible projects in Puerto Rico, FHWA officials reported undertaking 34, including the two bridges GAO identified, after 180 days. Officials also stated they did not document the basis for continuing to classify these projects as emergency repairs. FHWA officials in Puerto Rico stated they were not required to complete repairs within the 180 day limit established in law because Congress exempted Puerto Rico from federal matching share requirements. Further, emergency repair projects are allowed to expedite contracting and environmental procedures. After GAO raised this issue with FHWA, the agency stated that emergency repair projects are only permitted to use these expedited procedures within the first 180 days. While officials stated they plan to update guidance to include this policy, there is no specific timeline for doing so.