

The Port Authority Loses Its Way

By [THE EDITORIAL BOARD](#) FEB. 17, 2014

Gov. Chris Christie and his political allies have done the near-impossible. Their notorious traffic jam at the George Washington Bridge, engineered by Mr. Christie's colleagues, has succeeded in getting people to pay attention to the Port Authority of New York and New Jersey, the sprawling and secretive agency that runs not only that bridge but three other major bridges, two tunnels, five airports and port operations in the region. And, like many of those huge structures, the authority itself desperately needs fixing.

The authority is overseen jointly by Governor Christie and Gov. Andrew Cuomo of New York. It has an annual budget of \$8.2 billion, and there are plans to spend another \$27.6 billion in capital improvements over the next decade, making the authority the one of the most important government agencies in both states.

Over the years, the Port Authority has often served as a political candy jar, providing patronage jobs for political allies. Mr. Christie has been particularly skillful at doling out well-paid jobs at the authority to his supporters. By most counts, there are at least 50 agency employees who owe their jobs to the New Jersey governor.

The traffic scandal that has resulted in numerous investigations and two resignations of Christie appointees is just the latest example of how governance of the Port Authority is tainted by personal politics. And because two states share executive control, and thus responsibility, there is no meaningful oversight.

Major structural reforms would require legislative approval in Albany and Trenton, which would be hard but definitely worth a try. New Jersey, for instance, could help matters by enacting the equivalent of a reform law approved in New York that, among other things, required board members to pledge to uphold their fiduciary duties to their agency's mission, not to their patron in the governor's mansion. Short of that, the two governors should make changes that could make the authority less political and more professional.

The Port Authority's 12-member board of commissioners is appointed by the governors, six by each. They should be appointed on the basis of their professional qualifications, not political connections, as so often happens, and held to six-year term limits. Some holdovers have been there for more than 10 years.

Each commissioner should also publicly disclose potential conflicts of interest well before the authority makes its decisions. These potential conflicts should be regularly displayed on [the Port Authority's website](#). Commissioners have routinely been allowed to lobby for contracts that could affect personal businesses and, only later after the decision is made, would they formally recuse themselves in the official minutes. Their recusal in each case should be announced at the public board meeting.

Under the traditional power-sharing arrangement, New Jersey appoints the chairman of the board, New York the executive director. That worked well until 1995, when Gov. George Pataki of New York chose an incompetent executive. The move so angered New Jersey's governor at the time, Christine

Todd Whitman, that she demanded the right to appoint a deputy executive director as well. That change gives New Jersey more power over day-to-day decisions. It's time to allow the executive to pick his or her own deputy after consulting with the board.

The authority is notoriously secretive, despite some recent efforts to provide more information on its website. It is time to require more transparency, including clear public announcements of all items approved by the board while in public session. The authority should also have to answer to rigorous freedom of information laws in both states. There must be stronger protections for whistle-blowers, and the two state legislatures should not approve commissioners until they have been carefully vetted for conflicts of interest as well as professional qualifications.

Mr. Christie should want to make these changes, if only to show he's aware of the damage his people have done. Mr. Cuomo should embrace them as an expression of his interest in sound government.

One interesting aspect of the current mess is that the authority was created more than 90 years ago not only to address the shared needs of both states but also to wring out as much local patronage and politics as possible. Mr. Christie has shown how easy it is to turn back the clock.