

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Full Committee

Nomination of Mr. Sean Duffy to be Secretary of the Department of Transportation
Wednesday, January 15, 2025, at 10:00 A.M.

REPUBLICAN QUESTIONS FOR THE RECORD

COVER PAGE

CHAIRMAN TED CRUZ (R-TX)

1. Section 2209 of the FAA Extension, Safety, and Security Act of 2016 required the FAA to create a process by which applicants could apply to be designated as critical infrastructure for the purposes of restricting the operation of an unmanned aircraft in close proximity to a fixed site facility. The importance of section 2209 was reiterated in both the 2018 and 2024 FAA reauthorizations, yet, despite almost a decade passing since the 2016 bill, the requirements have not been fulfilled by the FAA. Recent reported sightings of drones in New Jersey and at Joint Base Langley in Virginia drives home the importance of finalizing this rule. The current notice of proposed rulemaking for section 2209 has been languishing at the Department. Will you commit to expeditiously finalizing this rulemaking?

Answer: If confirmed, I will review this rulemaking with the FAA to ensure that it is advanced consistent with the law.

SENATOR JOHN THUNE (R-SD)

1. As the next surface transportation reauthorization approaches, rural connectivity must remain a major factor in decision making. The FAST Act (P.L. 114-94) sought to ensure that freight corridors in rural America were accounted for in national policymaking.

Unfortunately, the Department of Transportation under President Biden's Administration rolled out a national multimodal freight network on Monday, January 13, 2025 that fails to consider the full National Highway System, disregarding crucial freight corridors across rural America.

Do you agree that rural connectivity benefits the entire country and, if confirmed, will you ensure that the Department revisits this unfortunate action?

Answer: Yes. My understanding is that the public comment period runs through the end of February.

2. South Dakota and the nation depend on a safe, efficient, and robust national aviation system. Programs like the Essential Air Service and Small Community Air Service Development Program provide crucial aviation access to communities across South Dakota. Additionally, air service in my home state has been impacted by a shortage of qualified airline pilots. The FAA Reauthorization Act of 2024 (P.L. 118-63) passed last Congress included my Enhanced Qualification Program, which will improve training quality and accessibility for prospective airline pilots.

If confirmed, will you commit to implementing the Enhanced Qualification Program in a manner consistent with congressional intent?

Answer: Yes.

SENATOR ROGER WICKER (R-MS)

1. The Infrastructure Investment and Jobs Act provided my state, Mississippi, with a historic amount of funding for our infrastructure. When Congress crafted the legislation, many Senators wanted to ensure that rural states were not left behind. The funding from the law that has flowed to Mississippi has been very impactful and welcomed. Around 75 percent of the IIJA dollars were distributed through discretionary grant programs. More members would have liked to see funding flow through formula-based programs. We both know that states best know how to prioritize projects and what needs to be done. Can you confirm that this administration and your office will ensure that rural grant applicants are not overlooked for more mainstream projects?

Answer: Yes.

1a. Also, can you briefly discuss the importance of providing states with formula-based funding?

Answer: Formula funding is a critical part of how our nation funds infrastructure, allowing the states to set their own priorities.

2. In 2022, the National Highway Traffic Safety Association's (NHTSA) Fatal Analysis Reporting System (FARS) data indicated that 5,947 people died in large truck crashes on our roads—a 50.8% increase since 2012.¹ While preliminary 2023 numbers show a slight decline, I think we would all agree that there are far too many fatalities on our roads. We also know study after study has shown that a heavier truck is a more dangerous truck. Knowing these facts, along with widespread law enforcement disapproval of truck size and weight increases, would you agree that longer and heavier trucks should not be allowed on our roads until it is definitively proven that they are not a safety risk to motorists?

Answer: I will work to ensure that truck weight limit regulations incorporate comprehensive safety analysis and will not increase the danger to all roadway users.

3. When it comes to the state of our infrastructure, we know that there are over 42,000 bridges rated in “poor” condition according to the FHWA². The USDOT truck size and weight study found thousands of interstate bridges that would not be able to accommodate the proposed 91,000-pound truck configurations—11,000 pounds above the current gross vehicle weight limit. Even more troubling is the damage these heavier trucks will do to our local bridges. As you know, no truck trip starts and stops on an interstate. A recent study showed over 70,000 local bridges would be put at risk by 91,000-pound trucks and the cost to replace and repair these bridges would be over \$60 billion.³ This cost burden is an unfunded federal mandate that, in the end, local taxpayers will have to pay for. As Secretary, will you oppose any federal exemptions or pilot projects that allow trucks to exceed the 80,000-pound limit?

¹ NHTSA; 2024. FARS Database

² FHWA; 2024. Bridge Condition by Highway System 2024

³ Bailey, Harvill et al; 2023. *The Impacts of Heavier Trucks on Local Bridges*

Answer: Similar to my answer to the previous question, I will work to ensure truck weight limit regulations will not pose significant risk or shorten the life span of highway bridges.

4. Short-line freight railroads are vital in Mississippi and crucial for numerous energy, agricultural, and industrial shippers nationwide, especially in small towns and rural areas. The DOT is critical to its success in multiple ways—especially through grants, which help it invest in infrastructure, and sensible regulations that small businesses such as short-line railroads can realistically comply with. Can you commit to supporting these small businesses so that they can continue to help shippers in Mississippi and across the country?

Answer: Yes.

5. The U.S. Merchant Marine Academy's (USMMA) facilities lag behind the other service academies. Many of the buildings date back to the 1940s and are unable to meet the needs of current and future midshipmen. Given these conditions and the lack of significant investment in campus infrastructure for decades, it is critical that the Maritime Administration and Academy leadership complete a long-term Facilities Master Plan to enable a phased rehabilitation and modernization of the campus. Will you commit to ensuring the Facilities Master Plan is complete by May of this year so current and future Midshipmen can receive the high-quality education they deserve?

Answer: I will work to ensure that a fundamentally sound USMMA Facilities Master Plan is prepared and completed in May of 2025. If a delay in the completion of the plan is anticipated, I will inform you of the reason.

6. We have all watched with horror over the last 16 months as we learn of repeated runway safety near misses at airports across the United States. Clearly, more must be done to ensure that the aviation industry and the FAA are using all the tools and technologies available such as cockpit alerting technologies recommended by the National Transportation Safety Board (NTSB) – to strengthen our strained aviation safety system and prevent future tragedies. What will you do as Secretary to re-evaluate the increase in runway safety incidents and to enhance safety?

Answer: As you point out, the U.S. has seen an unacceptable uptick in near-misses and runway incursions over the past two years. If I am confirmed, I will engage FAA's experts in the Offices of Aviation Safety, Airports, and Air Traffic to understand what is being implemented and what risks may still exist. These issues will take a system-wide approach to safety that involves pilots, manufacturers and technology companies, airport operators, and air traffic controllers.

6a. How will you work to evaluate the use of technology to improve safety going forward?

Answer: Airport and aircraft technology is critically important to providing additional situational awareness to pilots and controllers. The FAA should be open to evaluating any technology that promises to improve the safety of the national airspace system.

7. For over one century, the Merchant Marine Act of 1920 – commonly referred to as the Jones Act – has helped promote America’s domestic maritime industry and contribute to our national security. If confirmed as Secretary of Transportation, you would oversee the Maritime Administration (MARAD), an agency which promotes the use of waterborne transportation and helps to ensure a healthy merchant marine. What is your understanding of the responsibilities that the Secretary of Transportation has in terms of overseeing and implementing the Jones Act?

Answer: The Secretary of Transportation’s role includes overseeing MARAD’s efforts to uphold the Jones Act, promote the use of waterborne transportation, and support a strong and resilient merchant marine.

7a. Do you believe that the Jones Act plays an important role in securing America’s economic and national security objectives?

Answer: I supported the Jones Act when I was in the House.

7b. Do you commit to consulting with Congress if you are engaged in Jones Act-related matters as Secretary?

Answer: Yes.

8. Last year, the Biden Administration finalized a rule to require enhanced Automatic Emergency Braking (AEB) and Pedestrian Automatic Emergency Braking (PAEB) systems for new light-duty vehicles. While I support improving road safety, I am deeply concerned about the unintended consequences of this rule. These include potential increases in rear-end collisions due to overly sensitive AEB activations, a lack of harmonization with existing European standards, and the high costs associated with implementing these requirements. Furthermore, the National Highway Traffic Safety Administration (NHTSA) acknowledged challenges such as impractical stopping distance requirements, insufficient consideration of variability in test conditions, and the lack of clear definitions for terms like "malfunction" or "imminent crash." These issues raise questions about the rule's overall practicability and the potential confusion or safety risks for drivers and other road users. Given that these challenges could have been mitigated by aligning with existing European standards, which provide clearer, more objective requirements, are you open to revisiting this mandate to address these concerns?

Answer: If confirmed, I will review the finalized rule and review all relevant data on the matter.

8a. Additionally, should NHTSA engage stakeholders in a supplemental rulemaking process to ensure the final regulation is effective and practical, minimizing unintended safety risks while reducing costs for consumers and manufacturers?

Answer: If confirmed, we will seek input from all stakeholders in the rulemaking process.

9. The Military Sealift Command recently had to lay up 17 ships due to a shortage of qualified Merchant Mariners. During times of war, the U.S. Merchant Marine serves as an auxiliary to the Department of Defense, delivering troops and supplies, and plays a critical role in supporting the U.S. economy during peacetime. The need for qualified mariners is growing. What will you do as Secretary to support workforce development for the Merchant Marines, who are critical to domestic commerce and national security?

Answer: The maritime workforce is critical to America's economic strength and national security. To develop the workforce of the future, I will leverage DOT resources like MARAD's Maritime Centers of Excellence, the U.S. Merchant Marine Academy, and workforce training grants to expand access to maritime education and apprenticeships. Collaboration with agencies like the Department of Defense and the Department of Homeland Security will be essential, particularly in areas like mariner attraction for transitioning service members, licensing, and credentialing. By partnering with stakeholders and educational institutions, we can promote the maritime industry as a desirable and rewarding career path, highlighting its critical role in commerce, national security, and economic growth.

10. My home state of Mississippi is one of 25 states that has passed a statute authorizing autonomous vehicles on our roads. While action by Mississippi and other states is welcome, it is no substitute for strong policy setting by the federal government. I am hopeful that under your leadership we can put in place AV policy that creates safer roads, more resilient supply chains, and creates jobs in Mississippi and across the country. How will you lead the Department's efforts on AV policy?

Answer: If I am confirmed, the Department will prioritize safety when issuing rules and policies related to autonomous vehicles. We will review existing policies and orders with the goal of promoting innovation while protecting the traveling public.

11. American ports collectively handle the vast majority of the nation's trade, supporting millions of jobs and generating significant tax revenues. The Port of Gulfport is one of 17 strategic seaports in the United States designated to support the movement of deploying military forces and logistics. What are your plans to enhance the global competitiveness of all U.S. ports and avoid economic disruptions that could impact industries and workers nationwide?

Answer: Disruptions at major ports can ripple through the entire economy, impacting everything from small businesses to consumer prices. We can look at strengthening intermodal connections – like rail and trucking – that ensure goods keep moving even if one system faces delays. We must also look in investments to upgrade our ports.

12. With limited land available for expansion at many ports, the future success of the American maritime industry depends on its ability to modernize and densify operations to handle increasing trade volumes. How will you support the adoption of proven technologies that have significantly increased capacity without requiring new land?

Answer: The global supply chain is more competitive than ever, and the U.S. must remain a leader. A robust and reliable American maritime system is key to maintaining America's leadership in the global economy. If confirmed, I want to seek input from all stakeholders, including port officials, workers, and industry on how to adopt technologies that increase capacity and protect jobs.

13. One of DOT's most successful public-private partnerships is the FAA Contract Tower Program. 265 airports, including seven in Mississippi, currently participate in this critical program. Like many of my colleagues on both sides of the aisle, I am a strong proponent of the FCT program because it enhances aviation safety at smaller airports around the country in an exceptionally cost-effective way. Can you please give us your commitment that this program will continue to be a high priority for DOT and FAA?

Answer: Yes.

14. As you know, small communities and their citizens face many challenges accessing the air transportation system due to pilot shortages and regulatory barriers to expanding air service. As the Secretary of Transportation, will advancing policies that support the expansion of small community air service be a priority for the Department?

Answer: Yes.

14a. Can you share what you think the DOT and FAA can do to preserve and expand small community air service?

Answer: If I am confirmed, I will support the continued efforts of programs related to pilot training, including implementing provisions of the FAA Reauthorization Act of 2024 that are aimed at improving the pilot pipeline. These actions would include ensuring there are adequate numbers of pilot examiners, expanding the Department's workforce development grant program which includes supporting pilot training initiatives, and putting in place an enhanced qualification program that allows for restricted airline transport certificates that maintain or exceed current pilot proficiency. I would also support DOT's programs like EAS and the Small Community Air Service Development Program (SCASDP).

SENATOR DEB FISCHER (R-NE)

1. If confirmed as the next Secretary of Transportation, will you with work with us to support the FAA Contract Tower program?

Answer: Yes.

2. Fraud remains a complex threat that requires continuous adaptation across industry stakeholders. The Department of Transportation needs to be at the tip of the spear addressing this issue, including through more aggressive enforcement actions. Will you commit to working on broker and fraud issues at FMCSA?

Answer: Yes.

3. Short line freight railroads like the Nebraska, Kansas & Colorado Railway and the Cornhusker Railway are important small business transportation companies important to communities and employers, particularly in smaller towns and rural America. US DOT's CRISI grants have helped these small businesses invest in infrastructure to improve safety, efficiency and reliability. The previous administration devoted sizable amounts of CRISI resources to passenger rail projects, sometimes to the detriment of small freight railroads. What will be your position on the appropriate use of CRISI funds, and will you recognize the

importance small business, entrepreneurial railroads, and their vital role in the rural economy?

Answer: If I am confirmed, the Department will emphasize the importance of rural infrastructure, including via CRISI grants. Small businesses and entrepreneurial railroads are indeed a vital part of this, in my opinion.

4. As DOT secretary, how will you address the concerns over Amtrak's fiscal responsibility and ensure they work well with their state rail partners?

Answer: If I am confirmed, I look forward to working with your office on any concerns, with the hope of addressing them in service of a stronger, safer, more efficient system of transportation for America.

5. How do you propose to create an organizational structure and culture at the agency that prioritizes innovative aviation safety-enhancing technologies?

Answer: It is an exciting time in transportation because of the innovation in this space, especially because new technology can lead to more safety. That means we need to be exploring options with stakeholders, and if confirmed, I will reinforce this idea throughout the Department, including FAA.

6. Will you also work to implement the regulatory reforms of the recent FAA Reauthorization Act to support safety and innovation?

Answer: Yes.

SENATOR JERRY MORAN (R-KS)

1. In 2022, the Advanced Air Mobility Coordination and Leadership Act that I sponsored in the U.S. Senate passed and was signed into law. The law requires the Department to report to Congress on the strategy recommended to deploy this technology. Congress intends for this report to be the framework for government-wide collaboration to help support the activities of this exciting and innovative industry as it seeks to compete with global competitors – including China in its efforts to make AAM a national priority. AAM will transform the way we move people and goods, connecting rural communities to urban centers and revolutionizing travel. Will you take a leadership role in making certain the report is released on a timely basis?

Answer: Yes.

2. The Federal Motor Carrier Safety Administration (FMCSA) operates the Preemployment Screening Program (PSP), a database that has allowed motor carriers access to data on serious driver-related safety and inspection violations in a digestible format prior to hiring

since 2009. The PSP has shown a proven reduction in crashes, though current statute does not permit access to this data for current employees, creating a gap in data accessibility.

Allowing access to the safety record of both prospective and current drivers will enable motor carriers to strengthen their driver safety programs, facilitate ongoing training, and improve long-term driver success. I intend to introduce legislation this Congress to permit motor carrier employers access to this safety data beyond the hiring process to include current employees. Do you agree adjusting this data access would empower the motor carrier industry to improve its safety culture and aid in promoting long-term driver success?

Answer: I would welcome the opportunity to work with your office and learn more as you draft this legislation.

3. Three sectors in my home state of Kansas contribute extensively to our economy: aviation, agriculture, and energy production. For that reason, I was proud to introduce last year – and will soon again – the *Farm to Fly Act*, and launched the Senate Sustainable Aviation Caucus, a bipartisan and bicameral coalition. Both efforts promote the longevity of the aviation industry and the renewable fuels industry – creating new markets for America’s farmers. As Secretary of Transportation, how will you approach this innovative technology that will drive the creation of jobs all while making our nation more energy secure?

Answer: My view is that if the new technology is safe, reliable and cost-effective, then aircraft and engine manufacturers, as well as fuel producers, should be able to innovate and scale production. President Trump has prioritized establishing American energy dominance and all forms of reliable and affordable energy can play a role in achieving that goal.

4. Under the Biden Administration, NHTSA has taken requirements in the Infrastructure Investment and Jobs Act (IIJA) and expanded them beyond the Congressional intent. For example, the IIJA changed how State Highway Safety Offices (SHSOs) plan and report on their use of federal grant funds. IIJA required SHSOs to submit a plan for their activities every three years and an annual update on changes and grant activity for the fiscal year.

The intent behind doing this was to facilitate longer-term planning and reduce the amount of paperwork required.

Instead, what was intended as a brief report on the state’s activities has turned into a massive document the state is required to submit. For example, Kansas' Annual Grant Application for FY24 ended up being 493 pages to provide all the information required by NHTSA.

Under your leadership, how will you work with the states to find ways to reduce administrative red tape so that more of the money intended for safety programs can be put to work improving safety on our roadways?

Answer: If I am confirmed, I will convene efforts at the Department to identify areas where red tape can be reduced, and I will also work with our key stakeholders, led by the states, to identify ways we can take these efforts even further.

SENATOR DAN SULLIVAN (R-AK)

1. Alaska’s unique geography and lack of transportation infrastructure means that my constituents rely on maritime transportation as a lifeline. Alaska has 33,904 miles of shoreline, dwarfing the entire Lower 48. A majority of Alaskan communities are dependent on barge deliveries for food, building materials, and everyday household goods necessary to support life in the 21st Century. My question is about the Jones Act, which as you know is the fundamental law of the American maritime industry both in Alaska and across the nation. The Jones Act, I would argue, has been “making America great again” long before that term entered our lexicon. That is because the Jones Act is responsible for creating jobs—good, family wage jobs that gives an Alaskan with a high-school the opportunity to learn a lifelong trade, and earn a six-figure salary.

Based on everything I have seen from President Trump about putting America and American workers first, the Jones Act is something he could point to as a success story. Having said that, I would like to ask if you have a public position on the Jones Act?

Answer: I supported the Jones Act when I was in the House.

2. Alaska's unique geography and lack of transportation infrastructure means that my constituents rely on maritime transportation as a lifeline. Alaska has 33,904 miles of shoreline, dwarfing the entire Lower 48. Most Alaskan communities are dependent on barge deliveries for food, building materials, and everyday household goods necessary to support life in the 21st Century. In many parts of the state, these deliveries occur only two or three times per year. However, even today, many of our communities lack reliable marine access.

One of the biggest infrastructure gaps in the State of Alaska, in terms of lack of support for federal support mechanisms, is the lack of a waterfront program to support our rural communities. Through the Commerce Committee and the Infrastructure bill, we have made significant progress in supporting these communities and projects through the MARAD Port Grant program.

While the funds from MARAD have been flowing to some of our projects, MARAD has been particularly troublesome with environmental reviews by not adopting similar streamlining efforts of the rest of the US DOT agencies and often insisting on duplicative review processes. DOT needs to work to align the agency with the other modes within DOT. Will you commit to ensuring port projects have permit streamlining the same as other DOT agencies?

Answer: Yes.

3. Alaska is a critical state for the global aviation industry, particularly when it comes to air cargo. Ted Stevens Anchorage International Airport (ANC) is home to the fourth busiest cargo airport in the world. Because of agreements that have been long-sought after and secured by the U.S. with more than 130 nations, cargo carriers have been able to support the livelihoods of Alaskans and 1.4 million workers nationwide.

One of the most important economic and trade policies I worked on during my time as the U.S. State Department's Assistant Secretary for Economic, Energy and Business Affairs was Open Skies and securing air transport agreements with nations around the world. If confirmed, your office will be assisting the State Department in negotiating international aviation matters, such as Open Skies agreements. I was confident these agreements would spur innovation and jobs then and I am proud to see the results today, especially in terms of jobs generated and economic benefits to Alaska.

If you are to become the Assistant Secretary for Aviation and International Affairs, will you ensure the U.S. remains firmly committed to these agreements that support the cargo industry's ability to support good paying jobs and the timely transport of goods and other potentially lifesaving deliveries to our communities?

Answer: If I am confirmed as Secretary, I commit to ensuring the Department's Office of Aviation and International Policy upholds the commitments made in our Open Skies agreements.

4. There is a significant shortage of air traffic controllers. At the end of Fiscal Year (FY) 2024, the Federal Aviation Administration (FAA) had 1,020 fewer Certified Professional Controllers (CPCs) than at the end of FY 2012. The CPC shortage has negatively affected the efficiency of

the system, resulting in delays, affecting both our constituents who are flying to business meetings, vacations, and home to get together with their families. It also negatively affects our economy. Last year, this Committee and ultimately Congress passed an FAA Reauthorization Act that mandates maximum hiring of air traffic controller trainees for five years, the duration of the bill. The Appropriations Committees included in anomaly in the current Continuing Resolution to ensure that FAA can meet its hiring targets for Fiscal Year 2025.

Will you commit to supporting the funding for and implementation of those maximum hiring targets?

Answer: Yes.

5. The Harbor Maintenance Tax (HMT) was enacted in 1986. The HMT is a merchandise user fee assessed on imports entering the nation via US ports. Unfortunately, the HMT is not assessed on cargo with a foreign origin entering the United States via Canada or Mexico. Please note, I am not referring to imports of a Canadian or Mexican origin. My concern involves cargo of foreign origin entering the United States via Canada or Mexico that is currently avoiding the HMT. While users of U.S. ports pay HMT, importers utilizing Chinese and foreign flag ocean carrier, rail and truck services have avoided making contributions to support our transportation infrastructure despite steadily increasing use by routing cargo through Canadian or Mexican ports. This puts US ports at a distinct disadvantage. The merchandise fee on cargo bound for the US should be the same, whether it directly enters the United States, or comes in via Canada or Mexico. The Chinese and other foreign flag carriers should not get a free ride.

If confirmed by the Senate, will you look into the inequity that disadvantages the US?

Answer: Yes.

6. This country relies on an extensive pipeline and rail network to safely transport critical energy products. The Pipeline and Hazardous Materials Safety Agency (PHMSA) within the Department you are nominated to lead plays a vital role in ensuring those networks operate safely, yet President Biden never nominated an Administrator to lead this critical agency. Do you recognize the importance of PHMSA's mission and are you committed to encouraging President Trump to swiftly fill that position?

Answer: Yes.

7. Pipelines are the safest means of transporting critical energy products throughout this country thanks to robust safety regulations put in place by DOT. As technology and engineering best practices have advanced in recent years, the Department's Pipeline and Hazardous Materials Safety Agency (PHMSA) has struggled to update regulations accordingly. In fact, PHMSA has yet to complete many of the rulemakings Congress mandated in their 2011, 2016 and 2020 reauthorization bills.

Will you make completing these outstanding pipeline safety mandates a priority for the Department during your tenure?

Answer: If I am confirmed, it will be my responsibility to ensure that the Department prioritizes completing congressional mandates.

8. PHMSA's repair criteria have remained largely unchanged for decades, despite significant industry advances in technology and engineering. As a result, operators are required to make repairs that do not offer measurable safety benefits or that the process of repair causes significant risk to safety and environment. Innovations in inspection technology and engineering practices have vastly improved the industry's ability to identify, assess, and address pipeline integrity threats. Will you and your PHMSA Administrator work with the industry to update critical regulations that update repair criteria to ensure regulations align with modern capabilities?

Answer: Yes.

9. The Alaska Railroad is the last full-service freight and passenger railroad in the nation. It is very important to my state of Alaska. There's many shortline freight railroads in the nation, which are important to thousands of shippers. The Department of Transportation is important to small railroads in many ways, such as with Federal Railroad Administration infrastructure & safety grants, plus sensible regulation and permitting requirements for small railroads can realistically comply with. Will you commit to supporting small railroads, like Alaska Railroad?

Answer: Yes.

10. The Port of Alaska located in Anchorage is a statewide hub port through which 85% of the freight comes into my state. The Port is in the midst of a badly needed rehabilitation project. If the Port suffered a major earthquake, which we often have in Alaska, there's only a one-week supply of food for Anchorage, our largest city. Will you commit to supporting the Port of Alaska's rehabilitation project and other critical Alaska projects?

Answer: Yes.

11. You and President Trump share an interest in finding "big, durable projects" for our country. Alaska's North Slope is a hydrocarbon-rich and while it has produced tons of oil, its natural gas resources have largely been pumped back into the ground and never brought to market. Alaska's gas is proven and conventional, and the North Slope holds up to 235 trillion cubic feet of natural gas. The Alaska LNG Project would build an 800-mile pipeline, following the existing route of the Trans-Alaska Pipeline, to bring the product to market, supplying the US and America's allies in Asia and Europe. The project has completed environmental review and is fully permitted. Alaska LNG could create over 10,000 jobs. As President Trump implements an agenda to regain American energy dominance, the AKLNG project can be a cornerstone of that effort and serve as a legacy project for the Administration.

Will you commit to working with the Departments of Energy, Treasury, and Interior to make building this project a priority?

Answer: Yes, if confirmed, I commit to working both with your office and with the other agencies on the best path forward on this project and all LNG projects.

SENATOR TED BUDD (R-NC)

1. The FAA Reauthorization Act of 2024 includes several provisions to address the problem that not all aircraft in the airspace can detect other aircraft in the vicinity. This detection capability is also known as electronic conspicuity. While three provisions (sections 319, 808, and 810) direct the FAA to act, section 906 requires the Comptroller General study to feasibility and cost of various means of electronic conspicuity and report to this Committee within one year – that is in five months from today. Safety experts believe the best way to ensure the safety of the airspace in which various types of aircraft operate is to require all aircraft to be electronically conspicuous to all other aircraft. Will you prioritize the studies mandated by Congress, inquire as to the status of the GAO’s work, and report to this Committee following your confirmation?

Answer: Yes.

2. President-elect Trump has commented that “just as America led the automobile revolution in the last century, I want to ensure that America, not China, leads the

revolution in air mobility.” What steps will you take as Secretary of Transportation to follow through on this goal?

Answer: If I am confirmed, I will ensure that the Department, including FAA, prioritizes the safe integration of new aviation technologies into our economy.

2a. What do you see as the Department of Transportation’s (DOT) role in ensuring U.S. leadership in the Advanced Air Mobility (AAM) industry?

Answer: The Department, including FAA, has a crucial role in ensuring that new technologies are carefully studied to ensure safety, with an eye toward expanding the aviation economy and harnessing the potential of AAM.

2b. How will you work to re-establish the U.S. as the gold-standard in aviation and work with other civil aviation authorities to harmonize and create a global marketplace for U.S. AAM manufacturers?

Answer: It is extremely important that U.S. manufacturers can sell and/or operate their aircraft around the world. The FAA must continue to engage the other major certification authorities—Canada, Brazil, and Europe – as well as our other aviation partners like the U.K. and those throughout Asia – to ensure we clearly present the standards we have in place for AAM.

3. Autonomous Vehicles (AVs) and Advanced Driver Assistance Systems (ADAS) can play a critical role to keep the roads safe. In 2022, there were around 40,000 traffic deaths on the roads. While I strongly support accelerated and scaled deployment of AVs, I am deeply concerned that the National Highway Traffic Safety Administration (NHTSA) does not have the most efficient and modernized test infrastructure to ensure the safety of these systems, such as through modeling and simulation. Mr. Duffy, how will you work with the NHTSA Administrator to modernize its test infrastructure to ensure these systems are being scaled in a safe way?

Answer: Autonomous vehicles hold tremendous promise to make our roads safer. It is important that the Department has the necessary tools at its disposal to issue policies on transportation automation, including modeling and simulation technology. If confirmed, I will assess existing congressional directives on this topic and work with you to ensure NHTSA has the appropriate tools.

4. It is well known that there has been a shortage in the air traffic controllers needed to meet the needs of our nation’s airspace. Congress responded by providing increased resources to the FAA and last year, passed the FAA reauthorization which increased authorized

funding levels and directed maximum controller hiring. Will you commit to maximum air traffic controller hiring?

Answer: Yes.

4a. Will you commit to keeping this committee apprised of any resources needed to support our traffic system?

Answer: Yes.

5. With drone delivery operations, the FAA has taken a piecemeal approach to NEPA reviews, conducting environmental reviews on a market-by-market basis, with only one instance of a state-wide review. The process can take anywhere from 6 to 12, even up to 18 months. From talking to industry experts, it's clear to me that the environmental review process for drone operations moves too slowly and is hindering industry's ability to scale.

Congress addressed this issue in Section 909 of the FAA Reauthorization Act of 2024, which directs the FAA to develop guidance and implementation procedures focused on adoption of a higher-level, programmatic approach to environmental reviews for UAS operations, including consideration of a nationwide approach. Section 909 also directs the FAA to leverage prior environmental reviews to develop a categorical exclusion for certain specified commercial drone operations. Do you agree that a streamlined, more nationwide or programmatic approach makes sense for these drone operations?

Answer: Yes.

5a. As a follow up, given the delays caused by these environmental reviews in holding American companies back from providing benefits to communities across the country, can you commit today that, if confirmed, you will prioritize implementing Section 909 of the FAA Reauthorization Act of 2024 and streamline the environmental review process for this promising technology?

Answer: I will follow the law.

6. Two federal agencies (NHTSA and the Environmental Protection Agency) currently regulate vehicle emissions, which means vehicle manufacturers have compliance obligations to two different federal agencies for essentially the same thing. How would you ensure that there is alignment between these regulations and that automakers meeting one emissions regulation would also be complying with the other?

Answer: EPA regulates vehicle emissions, and NHTSA has exclusive authority to set fuel economy standards for new motor vehicles. If I am confirmed, I will ensure that NHTSA coordinates closely with EPA and other appropriate executive branch authorities to achieve alignment and eliminate unnecessary overlap in regulatory requirements.

7. The Infrastructure Investment and Jobs Act directed NHTSA and FMCSA to issue a number of rules requiring technologies on new vehicles. Many of these rules are still yet to be issued. If confirmed, will you work with industry on new technological safety regulations so that they are practical, feasible, and promote innovation?

Answer: Yes.

8. China is currently engaged in a concerted effort to infiltrate the U.S. transportation system from surveillance balloons to drones to intelligent sensors. One such risk comes from Chinese Light Detection and Ranging (LiDAR) sensors that can create a 3-D model of everything around the sensor and are deployed – often with DOT taxpayer funds – on street corners for “Smart City” applications, at the perimeter fences of secure transportation facilities for breach detection, and inside airports for human traffic flow monitoring.

Chinese LiDAR manufacturers are targeting sales to U.S. Federal, State and local governments for the installation of LiDAR sensors near critical infrastructure. In fact, the largest Chinese LiDAR manufacturer, Hesai, was recently named by the Department of Defense as a Chinese military company operating directly in the United States.

If confirmed, will you immediately ensure that taxpayer funds at the Department of Transportation are not being spent on Chinese LiDAR sensors that create a homeland and national security risk and work with Congress to help pass legislation to ensure that such protections are added to U.S. law?

Answer: The threat posed by the Chinese Communist Party to national security is clear. If I am confirmed, the Department will review all funding opportunities and ensure that national security is protected.

SENATOR TIM SHEEHY (R-MT)

1. Insufficient ATC staffing levels at several Montana airports are jeopardizing safety and harming the state's economy. What steps will you take to hold companies staffing contract towers accountable when they neglect their contractual obligations, and will you work with Bozeman, Kalispell, and Missoula airports to transition them to federal FAA-operated towers?

Answer: If confirmed, I will work to better understand the needs of the tower operators and airports in the program, and work with them to address any concerns related to personnel, guidance, and equipment as appropriate.

2. Helena Regional Airport is one of two towers nationwide with non-radar approach control despite meeting FAA's standards for airport radar. Will you commit to working with Helena to design, fund, install, and maintain additional surveillance equipment in their ATC tower?

Answer: I will work with your office and the airport to learn about their funding needs.

3. TSA's aviation worker screening rule places an unfair and arbitrary burden on Montana airports. Will you work with Montana's airports to address their concerns about this mandate?

Answer: Yes.

4. Speed-limiting devices on large commercial motor vehicles decrease safety and increase congestion and crashes, but FMCSA continues to pursue a misguided mandate. Will you stop FMCSA's speed-limiter rulemaking?

Answer: If I am confirmed, I will examine this rulemaking closely and work with your office and all stakeholders.

5. Passenger rail service can be an important service for states like Montana. What steps will you take to support Empire Builder and passenger rail in rural communities?

Answer: Rural infrastructure is a critical area of need for our national transportation system. I would like to work closely with your office to look at ways support for these types of projects.

6. Montana is home to cutting-edge photonics companies, including leaders in autonomous technology. Will you support these companies and their innovations in safe transportation solutions?

Answer: If I am confirmed, support for innovative transportation technologies that support safety will be a top priority.

7. State departments of transportation can use reclaimed asphalt product as part of a shifting operations landscape. Will you provide these departments information and data on the use and effectiveness of these mixtures?

Answer: Yes, and I would welcome the opportunity to work with your office to ensure we are providing proper information to the states, most definitely including Montana.

SENATOR CYNTHIA LUMMIS (R-WY)

1. Federal bureaucrats too often focus on following rigid procedures rather than enabling breakthrough innovations and applications. We need to transform the federal government away from a culture of checking boxes to one where regulators work with innovators to “get to yes” if some degree of government approval is required. This means shifting government's role from gatekeeper to facilitator of American leadership in artificial intelligence, autonomous vehicles, experimental aircraft, drones, commercial space, and more. Will you work with me to identify meaningful ways for the federal government to embrace innovation so the United States can lead the next era in transportation?

Answer: Yes.

2. Proper risk evaluation is essential to innovation. We agree that public safety is a paramount concern when adopting new approaches in technologies and transportation. Yet the federal government is a poor evaluator of risk, frequently taking an all-or-nothing approach to safety. For the government, the safest rocket launch is no launch. In reality, the situation is more nuanced. Risk tolerances should account for impacts (or negligible impacts) on the public, location, and environment. Importantly, private entities and operators are generally best positioned to evaluate their own risk exposure. Will you pledge to implement a realistic, common-sense approach to risk for new transportation and technology solutions?

Answer: Yes.

3. Over three years after the Infrastructure Investment and Jobs Act, few major projects have been delivered to the American people. Bureaucratic delays, excessive regulation, and permitting processes based on antiquated technologies are largely to blame. During this time, I pushed hard for the Biden Administration to modernize environmental reviews from paper to 21st-century digital systems. My legislation, the Interactive Federal Review Act, incentivized interactive cloud-based NEPA documentation for highway projects, potentially cutting permitting times by 50 percent. The 2023 Fiscal Responsibility Act mandated a CEQ study on the E-NEPA process. The study confirmed E-NEPA's cost and time efficiency. While digital infrastructure planning and permitting isn't yet standard practice, it's essential for modernizing America's transportation infrastructure, requiring DOT leadership to implement.

During your confirmation hearing, I was pleased to hear your comments about making better use of technologies to accelerate permitting and infrastructure delivery. I stand ready to support you in this critical effort. Can you commit to working with me to make fast progress on moving toward digital-first processes for designing, permitting, and delivering our nation's transportation infrastructure?

Answer: Yes.