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United States Senate

COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION

WASHINGTON, DC 20510-6125

WEBSITE: <https://commerce.senate.gov>

February 13, 2023

Rear Admiral Ann Phillips
Administrator, Maritime Administration
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Administrator Phillips,

As Ranking Member of the Senate Committee on Commerce, Science, and Transportation, I write to request information regarding the Maritime Administration's Deepwater Port Act licensing program. The timely and responsible administration of this program is essential to meeting the energy, environmental, and foreign policy goals outlined by Congress in the Deepwater Port Act of 1974. Congress established mandatory timelines of 240 days to conclude public hearings and 356 days total to reach a decision on a deepwater port application. These statutory timelines provide a reliable regulatory framework intended to spur private-sector investment in energy infrastructure.

Four out of the seven licenses and license applications for deepwater ports are off the coast of Texas. Together these projects will create or support thousands of jobs and generate billions of dollars in economic benefits. Once operational, these deepwater ports will increase our energy export capabilities, helping to establish greater energy security for our allies who are suffering from Russia's weaponization of its energy reserves. These ports will also support the environment by displacing less efficient export modes and foreign-produced sources of energy with higher levels of emissions and pollution.

I am concerned that these deepwater port projects, which contribute to the State of Texas and to the economic and energy security of the nation, are being delayed unnecessarily. The Maritime Administration is going more than three years on average before issuing a deepwater port licensing decision—almost three times as long as is statutorily permitted. While these projects are complex and require the review and input of the public and other state and federal agencies, applicants have complained of prolonged delays associated with the Maritime Administration's slow processing time and general lack of communication during the process.

I respectfully request that you provide me the planned timeline for issuing all pending deepwater port licenses by no later than February 27, 2023. In addition, I ask that you provide quarterly updates to my staff regarding the progress of any pending license or license application.

It is critical that the Maritime Administration administer the Deepwater Port Act licensing program in a manner that both transparently applies applicable laws and regulations as well as meets the statutory deadlines established by Congress. Thank you in advance for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ted Cruz', is positioned above a horizontal line.

Ted Cruz
Ranking Member

cc: Admiral Linda L. Fagan, Commandant of the United States Coast Guard