

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION
*“Nominations of Max Vekich, to be a Commissioner of the Federal Maritime Commission;
Christopher Coes, to be Assistant Secretary for Transportation Policy, DOT; and Laurie E.
Locascio, to be Under Secretary of Commerce for Standards and Technology, DOC”*

253 Russell Senate Office Building
10:00 AM, October 20, 2021

Questions for the Record from the Honorable Maria Cantwell to Christopher Coes

National Culvert Removal, Replacement, and Restoration Grant Program. The Infrastructure Investment and Jobs Act includes a number of new programs that will take time and resources to establish. One key program is the bipartisan National Culvert Removal, Replacement, and Restoration Grant Program. This program would fund \$1 billion dollars in competitive grants to address culverts that are blocking fish migration. In the Pacific Northwest, these funds will be crucial to addressing salmon migration and help us make real progress on endangered salmon recovery.

Question. If confirmed, how will you work to ensure the National Culvert Removal, Replacement, and Restoration Grant program is implemented quickly?

Answer. **The National Culvert Removal, Replacement, and Restoration Grant Program included in the Infrastructure Investment and Jobs Act (IIJA) would provide funding for the Department of Transportation (DOT) to create a new program aimed at removing, replacing or restoring culverts, which will enable the recovery of salmon passage and habitats. DOT is already laying the groundwork to stand up this program quickly once the IIJA is passed and signed into law. In anticipation of IIJA’s enactment, DOT is planning and identifying the resources required to implement the National Culvert Removal, Replacement and Restoration Grant Program. DOT will make this program a priority and seek to accomplish the important steps necessary to get it up and running as quickly as possible, including seeking out collaborative opportunities with the other relevant Federal agencies. If confirmed, I look forward to keeping you and your team apprised of developments and making this program a success.**

Purpose. The FAST Act required Department of Transportation (DOT) to finalize the multimodal freight network within one year of the passage of the FAST Act, or December 2016. The Department is nearly five years late completing this requirement. This question is intended to increase pressure within DOT to finalize the network.

National Multimodal Freight Network. The FAST Act required the Department of Transportation to publish a National Multimodal Freight Network by December 2016. The Surface Transportation Investment Act of 2021 (S.2016), which was included in the Infrastructure Investment and Jobs Act, provided significant additional resources dedicated to freight projects. The National Multimodal Freight Network will be critical for ensuring that these funds are prioritized to best enhance the efficient and timely movement of freight across our country.

Question. When can we expect the Department to finalize the National Multimodal Freight Network?

Answer. **Safe, reliable, and efficient freight transportation boosts exports, enhances commerce, and powers economic growth. Our robust national multimodal freight system consists of millions of miles of highways, railways, inland waterways and pipelines, as well as hundreds of ports, airports, border crossing, and intermodal facilities. This system is experiencing significant congestion related to increased consumer demand and highlights the need for identifying critical freight assets and infrastructure.**

DOT released the National Freight Strategic Plan (NFSP) in 2020, which includes a vision and strategic goals to inform infrastructure planning, coordinate investments, and improve the safety and efficiency of the entire freight system. Following the completion of the NFSP, DOT has turned its attention to finalizing the National Multimodal Freight Network (NMFN). We have also noted that section 21103 of the IIJA legislation passed by the Senate and currently under consideration in the House would modify the statutory requirements for finalizing the NMFN, including by providing States an opportunity to submit additional proposed designations, which must then be reviewed and accepted by DOT. If confirmed, I look forward to keeping you and your team apprised of our progress as we implement these additional requirements and work to finalize the NMFN.

Offshore Oil Pipelines. Washington's \$30 billion-dollar maritime economy supports over 146,000 jobs from fisheries, trade, tourism and recreation—but it could all be devastated in an instant by an oil spill. Earlier this month California faced that exact scenario – a pipeline off the Southern California Coast leaked over 125,000 gallons of crude oil.

While the investigation is still ongoing, reports have indicated the pipeline was likely struck by an anchor and damaged months – possibly even a year – prior to the leak. Current safety regulations only require inspections for offshore oil pipelines in high consequence once every two years. Given the current congestion our ports are facing and the potential for similar incidents, this sporadic oversight is concerning.

Question. Will you commit to reviewing this and other regulations in light of this California spill to ensure that DOT's pipeline safety enforcement program is truly keeping our shores and our economy safe?

Answer. **The Department of Transportation's Pipeline and Hazardous Materials Safety Administration (PHMSA) is committed to continuous improvement of its safety oversight program, which includes training, inspection, enforcement, and guidance, among other activities. As part of its investigation into the Beta Offshore (a subsidiary of Amplify Energy Corp.) release, if confirmed, I will work with PHMSA to look for opportunities to apply lessons learned and review regulations. PHMSA regulations require pipeline operators to provide continuous surveillance of pipeline facilities and internally inspect pipelines in high consequence areas as frequently as necessary to address identified threats. PHMSA will also continue to work with state and Federal partners to ensure**

coordination and cooperation in ongoing inspection and enforcement programs within the scope of our authority.

Aviation Manufacturing Jobs Protection Program. The Department of Transportation's (DOT) first round of Aviation Manufacturing Jobs Protection program (AMJP) awards totaling \$482 million to 313 aerospace supply chain companies, with \$41 million in awards to 32 Washington state companies, will be critical to supporting aerospace jobs. I understand there are at least 191 additional applicants for the second round of AMJP. Applicants from 41 states plus Puerto Rico have applied for AMJP funds. This continued and broad interest in the program demonstrates the value of a second round, and could suggest that additional rounds of awards could be administered to eligible supply chain companies who have experienced difficulty applying for the program or those who have yet to file their applications for consideration.

Question. With over approximately \$2.2 billion in remaining funds available out of \$3 billion in total appropriations for the AMJP program, can you please explain the Department's plans for making additional awards and spending these remaining funds to support the aerospace supply chain? How will the Department work with additional applicants to ensure robust participation in the program moving forward?

Answer. **DOT conducted extensive public outreach about the AMJP program, including a public website, press releases, social media postings, and mass-distribution emails to more than 14,000 representatives of potentially eligible businesses. DOT also hosted two public webinars and continued to make the recordings of those webinars publicly available and promoted the program through trade associations and DOT's Office of Small and Disadvantaged Business Utilization (OSDBU). DOT was very pleased to announce initial awards to 315 businesses in 37 states plus Puerto Rico, totaling more than \$482 million. Of those 315 eligible businesses, 60 percent have fewer than 100 employees, and 80 percent have fewer than 250 employees.**

Due to statutory provisions governing the administration of the AMJP program, DOT originally planned to conduct only a single round of applications. When DOT became aware that some businesses might have decided not to apply because of a misunderstanding about the Employee Retention Tax Credit (ERTC), DOT reopened the application process and received another 191 applications—roughly half the number in the initial round. DOT is in the final stages of evaluating those second-round applications and plans to announce the additional recipients soon. The Department looks forward to keeping you and your team apprised of its AMJP-related efforts.

Questions for the Record from Senator Klobuchar to Mr. Christopher A. Coes, Nominated to be Assistant Secretary for Transportation Policy, U.S. Department of Transportation

Investing in Public Transit. Investments in public transit systems are critical to getting people back to work. We worked hard to secure a \$929 million U.S. Federal Transit Administration (FTA) grant for the Southwest Light Rail—a 14.5-mile, 16 station extension of the METRO Green Line connecting Minneapolis to Eden Prairie, the largest in Minnesota state’s history.

Question. In your testimony, you highlighted your work on USDOT’s Transit-Oriented Development Technical Assistance to help local communities apply for transit funding. If confirmed, how do plan to continue to help small and local communities leverage federal transit funds?

Answer. **I have had the privilege to work with this Committee and Congress in a bipartisan manner to ensure local communities have access to funding and financing tools to rebuild their rail infrastructure, promote road safety and encourage greater private investment to build transit-oriented development (TOD). This type of development is critical to ensuring housing and transportation options are affordable to the average American.**

The Biden-Harris Administration’s goals on equity are part of building a transportation system that works for all Americans. That means ensuring that in discretionary grant programs, all communities, especially those that have historically been left behind or suffered from underinvestment, have a fair shot. This Administration has put a priority on ensuring that its discretionary programs, consider equity when making project selections. For example, the Federal Transit Administration (FTA) announced the availability of approximately \$10 million in competitive grant funds through a Notice of Funding Opportunity (NOFO) for TOD planning. If confirmed, I am committed to supporting comprehensive planning and capacity building efforts that help connect communities, improve access to public transportation and affordable housing, and support President Biden’s call to combat climate change, advance environmental justice, and promote equitable delivery of benefits to underserved communities.

Questions for the Record from Hon. Sinema to Mr. Coes

Infrastructure Investment and Jobs Act (IIJA). The bipartisan Infrastructure Investment and Jobs Act provides a significant investment of \$550 billion additional dollars over five years in America's transportation infrastructure. The Department of Transportation (DOT) will oversee the distribution of many the funds authorized by the IIJA, should be it become law.

Question 1. If confirmed, how will you in your role as assistant secretary for transportation policy ensure these funds are expended in a fair and efficient manner according to Congressional intent?

Answer. The bipartisan Infrastructure Investment and Jobs Act (IIJA) is a once-in-a-generation investment in our infrastructure. The legislation includes around \$550 billion in new federal investment in America's roads and bridges, water infrastructure, resilience, internet, and more. The IIJA will grow the economy, enhance our competitiveness, create good jobs, and make our economy more sustainable, resilient, and just. If confirmed as Assistant Secretary for Transportation Policy, I would have significant responsibility for the overall policy direction and coordination of the Department's implementation efforts to ensure that IIJA is completed in accordance with the Administration's priorities and congressional mandates and intent. I will provide regular updates to the Secretary, to our external partners, and to Congress in coordination with the Office of Governmental Affairs. I am committed to ensuring IIJA funds are expended in a fair and efficient manner according to Congressional intent.

Question 2. Should the IIJA become law, how would its investments revitalize America's transportation infrastructure?

Answer. As mentioned above, the bipartisan Infrastructure Investment and Jobs Act (IIJA) is a once-in-a-generation investment in our infrastructure. The legislation includes around \$550 billion in new federal investment in America's roads and bridges, water infrastructure, resilience, internet, and more. The IIJA will grow the economy, enhance our competitiveness, create good jobs, and make our economy more sustainable, resilient, and just. In particular, the IIJA includes:

- The largest federal investment in public transit ever.
- The largest federal investment in passenger rail since the creation of Amtrak.
- The single largest dedicated bridge investment since the construction of the interstate highway system.
- The largest investment in clean energy transmission and EV infrastructure in history.