

**NOMINATION TO THE DEPARTMENT
OF TRANSPORTATION, FEDERAL RAILROAD
ADMINISTRATION, AND THE FEDERAL
MOTOR CARRIER SAFETY ADMINISTRATION**

HEARING

BEFORE THE

**COMMITTEE ON COMMERCE,
SCIENCE, AND TRANSPORTATION
UNITED STATES SENATE**

ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

SEPTEMBER 22, 2021

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

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**NOMINATION TO THE DEPARTMENT
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WEDNESDAY, SEPTEMBER 22, 2021

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The Committee met, pursuant to notice, at 10:28 a.m. in room SR-253, Russell Senate Office Building, Hon. Maria Cantwell, Chairwoman of the Committee, presiding.

Present: Senators Cantwell [presiding], Klobuchar, Schatz, Markey, Peters, Baldwin, Tester, Rosen, Warnock, Wicker, Thune, Blunt, Fischer, Sullivan, Blackburn, Scott, and Lummis.

**OPENING STATEMENT OF HON. MARIA CANTWELL,
U.S. SENATOR FROM WASHINGTON**

The CHAIRWOMAN. We have a distinguished list of nominees before our committee today that will touch all parts of our Nation's transportation system. We welcome the nominees and their families.

We live in an increasingly global economy where more than 95 percent of consumers live outside our borders. Americans and businesses need world-class infrastructure to reach their customers. So the Investment and Infrastructure Jobs Act, \$567 billion investment, will help just do that.

We will invest in historic building and rail, including significant funding to address the longstanding repair backlog at Amtrak's Northeast Corridor and across the National Network, three billion in dedicated funding to address blocked grade crossings, and in my state, this is a very big issue as we have at least 50 rail crossings that are blocked by trains for an average of 2 hours every day.

The congestion they cause keep goods from getting to their market, not to mention the frustration it causes workers and consumers. So it's critical that we address this congestion issue.

The movement of freight is in the news today and it's a key economic driver for our country. More efficient movement of goods to and from ports helps increase jobs and spurs economic growth.

The Infrastructure Bill also includes investment to address environmental impacts of our highways, railroads, and other infrastructure. For example, the bill would create a new fund grant program aimed at restoring helping the other infrastructure and replacing old culverts and fish passage.

This is a huge priority for the Pacific Northwest and many other parts of the country where Federal transportation infrastructure has challenged some of our other environmental impacts. So we have an opportunity to work with our local and regional partners to solve these issues, to bolster our economy, and help America recover.

Today we will consider nominees that will play an important role in addressing these infrastructure issues.

First, we will consider the nomination of Amitabha Bose to be the Administrator of the Federal Railroad Administration. Mr. Bose currently serves as Deputy Administrator for FRA and brings nearly two decades of public service on transportation rail issues. This includes serving in the senior level at the Department of Transportation and FRA.

As the Administrator, Mr. Bose will be a principal advisor to the Secretary on railroad affairs and will lead the FRA in developing rail policy, including safety regulations and initiatives.

The experience that Mr. Bose has gained in his years of service at FRA and the Department of Transportation make him uniquely qualified to fill this important role. I look forward to his confirmation.

Next, we will consider the nomination of Meera Joshi to be the Administrator of Federal Motor Carrier Safety Administration. Mr. Joshi currently serves as the Deputy Administrator and senior official at the organization and brings to the position more than 16 years of experience leading government oversight agencies and primarily to prevent commercial motor vehicle-related fatalities and injuries.

If confirmed, Mr. Joshi will be responsible for directing the agency's National Safety and Enforcement Program for Motor Carrier Safety and Mr. Joshi's experience regulating and ensuring the safety for hire of transportation in New York will provide valuable perspectives as the Administrator. I look forward to the confirmation.

Next, we will consider the nomination of Victoria Wassmer to be the Chief Financial Officer of the Department of Transportation. Ms. Wassmer currently served as the Deputy Assistant Secretary for Finance and Budget of the Department of Transportation.

Ms. Wassmer has a long history of public service, including at the FAA where she has held several senior positions, including serving as the Acting Deputy Administrator, Chief Next Gen Officer, and Chief Financial Officer.

As CFO of the department, she brings considerable experience in managing the budget and I hope we'll have a chance to ask questions on those issues.

And finally, we will consider the nomination of Mohsin Syed to be the Assistant Secretary of Government Affairs of the Department of Transportation. Mr. Syed's career in public service includes positions at the Department of Transportation, the Majority Chief Counsel for the House Committee on Transportation and Infrastructure, and Minority Staff Director for the Subcommittee on Aviation Safety and Security. So I look forward to working with him and ensuring this committee's priorities are communicated to the department and that we can achieve our shared goals of improving safety and fostering innovation.

So thank you to the nominees for your willingness to serve.
 Senator WICKER, I don't know if you want to do likewise and make your statement.

Senator WICKER. Yes, that would be fine.

The CHAIRWOMAN. I would say to members at the end of that, if we don't have our quorum, I don't know if staff can give us an update on whether we're likely to see two more of our colleagues. If not, then we will have to consider moving the Executive Session to—off the Floor at some point in time.

Senator Wicker.

**STATEMENT OF HON. ROGER WICKER,
 U.S. SENATOR FROM MISSISSIPPI**

Senator WICKER. Thank you, Madam Chair, for holding this hearing to consider four important nominations to posts within the Department of Transportation.

Ms. Victoria Wassmer to be Assistant Secretary for Budget and Programs and Chief Financial Officer; Mr. Mohsin Syed to be the Assistant Secretary for Governmental Affairs; Mr. Amitabha Bose to be Administrator of the Federal Railroad Administration; and Ms. Meera Joshi to be the Administrator of the Federal Motor Carrier Safety Administration.

I want to welcome Mr. Syed back to our committee where he once served as Professional Staff Member handling aviation issues, and I note for the Committee his further experience on transportation issues as the Chief Counsel on the House Committee on Transportation and Infrastructure.

Additionally, he has been handling the job responsibilities of the Assistant Secretary for Governmental Affairs in an acting capacity since January of this year.

These credentials are indicative of Mr. Syed's experience working with Congress and he should be prepared for the demands of this position.

I also want to extend a welcome to Mr. Syed's wife, Sehar, and thank her for attending today's hearing.

Ms. Wassmer has served in a number of financial and administrative positions in government and the private sector, including her current role as Deputy Assistant Secretary for Finance and Budget at the Department of Transportation.

I look forward to hearing her testimony regarding her goals and plans if she is confirmed as an Assistant Secretary and the Chief Financial Officer at DOT.

Mr. Bose has held numerous posts at the Federal Railroad Administration, including Senior Advisor, Chief Counsel, and Deputy Administrator, during the Obama Administration. The work he performed in these positions, along with his current service as Acting Administrator and Deputy Administrator, has been invaluable preparation for the Senate-confirmed position of FRA Administrator.

I'm grateful for Mr. Bose's interest in restoring the passenger rail service of the Gulf Coast. After a 16-year interruption to service following Hurricane Katrina, I appreciate that he understands the vital economic impact that would result from restarting the passenger rail line on the Gulf Coast.

Ms. Joshi is currently serving as Deputy Administrator at the Federal Motor Carrier Safety Administration and she has worked for many years as General Counsel and then Chair and CEO of the New York City Taxi and Limousine Commission.

I look forward to hearing from her today about how her experience has prepared her to lead the important safety initiatives that she would oversee if confirmed to be Administrator.

I want to thank all the nominees for their willingness to serve and for their appearance before the Committee today and I yield back to you, Madam Chair.

The CHAIRWOMAN. Thank you, Senator Wicker.

I think we're just moments away from having the ability to mark up these nominees. So I would ask my colleagues for their indulgence here and turn to our motion script. We are just awaiting one further colleague who's making their way hopefully down the hallway, not Senator Tester. He's already here, which we very much appreciate.

So I would say to our colleagues I know that, you know, we all are watching what's been going on with negotiations between our colleagues, but we clearly have a September 30 deadline on transportation infrastructure and hope that we can all work together on the good work that we were able to move out of this committee and continue to work together to meet those deadlines and pass infrastructure legislation.

I think the work that this committee did on making investments in key areas, some of the nominees will be able to answer questions about these today, but our new programs that are really targeted at helping our investment in moving product and people and this is critically important as we see ships off the coast in the Pacific waiting, trying to get product into docks, as we see shortages of truck drivers getting product moved across the country, and again stories of people about whether they're going to be even able to deliver supplies for the Christmas holidays, and the infrastructure needs that we need to continue to just move products and services.

So look forward very much for us to continuing to work together collectively to get that legislation over the goal line and get those new infrastructure investments helping our economy grow for the future and certainly hope that we can continue to address workforce issues as it relates to the transportation sector.

While this isn't the prime responsibility of this committee, I do think that there is some oversight role that we have on transportation workforce and clearly growing a workforce in these transportation sectors will be critical to meeting the demand when we come out of the pandemic.

So anyway, I just wanted to make that point because of our surface transportation deadlines of the end of this month.

Any further comments by any of the Committee members?

[No response.]

[Pause.]

The CHAIRWOMAN. I ask the nominees to come up to the witness table and take their seats.

Since Senator Wicker and I used our time effectively already to make opening statements, we'll just refer the record to that point

of the Executive Session and also file our comments for the hearing.

Again, we're very pleased to have the nominees before us today and thank you for your willingness to serve.

So, Ms. Wassmer, we're going to start with you.

**STATEMENT OF VICTORIA MARIA BAECHER WASSMER,
NOMINEE TO BE CHIEF FINANCIAL OFFICER,
DEPARTMENT OF TRANSPORTATION**

Ms. WASSMER. Chair Cantwell, Ranking Member Wicker, and Members of the Committee, I'm honored to appear before you today as President Biden's Nominee to be the Chief Financial Officer for the Department of Transportation.

If confirmed, I will work every day to support the work of our department in ensuring that all Americans have access to safe, reliable transportation systems that everyone deserves.

I'm joined today by my husband Franklin and my son Alexander. My son Christophe and my parents, along with other family members are watching remotely.

My family's steadfast support and commitment to community and public engagement grounds me every day in the work that I do on behalf of the American people.

Commitment to public service is what propelled me to spend the majority of my 30-year career in public service, including 20 years in management and leadership positions within the Federal Government.

Throughout my career I have been fortunate to serve in public and private sector positions that have focused on transportation programs. These experiences have grounded me in a solid understanding of the vital role that transportation plays in supporting our economy and in providing Americans with access to opportunities and services that enrich our lives.

Today our transportation systems are more connected than ever and are critical for our Nation's economic success and competitive positioning in a global economy.

New technologies deliver efficiencies, conveniences, and new transportation options that done well will reduce the transportation sector's impact on the environment and ensure transportation safety.

Transportation safety is a passion of mine and it remains the highest priority at the department. I look forward to working closely with the Secretary and the leadership team on new and innovative ways to make our current and future transportation systems more effective as well as safer for everyone.

I'm also keenly aware of the important responsibilities that public servants have in safeguarding Federal resources. If confirmed as the Chief Financial Officer, I will do my best to provide Secretary Buttigieg and our leadership team with the tools, talents, and systems needed for wise resource stewardship. These include a top-notch financial management system that is transparent and accountable, in addition to a financial and budget management team of professionals that are second to none.

In my previous roles I have learned the importance of establishing strong systems of enterprise risk management and internal

controls so that checks and balances are built into our programs and financial systems in order to manage risk, maximize effectiveness, and provide transparency. Together, these tools are invaluable to wise management of the department's resources.

They help ensure an effective control environment so that reliable information is available to assist all levels of the department in decisionmaking and project management.

Early on in my Federal career, I learned firsthand the importance of how the Federal budget can demonstrate the department's strategic goals and direction. Ideally, the priorities and choices made in the department's Federal budget allows resources to deliver on strategic priorities.

Likewise, a commitment to analyzing performance and program effectiveness and embedding a virtuous feedback loop are critical to any high-performing organization, especially public-serving institutions.

Through program evaluation and performance reviews we can learn important lessons that confirm if our programs are operating as envisioned and to make adaptive changes if they are not.

I believe by analyzing data and looking at spending trends we gain valuable insights that can help guide us in future planning. In my view, financial stewardship does not end when monies are spent.

I'm committed to working collaboratively and accountably as a team and creating an environment that brings out the best in everyone as we work together to take the department and our programs to new levels in the years to come.

Growing up my parents instilled in me the belief that public service is a noble calling and it's an honor to work in service of others.

If confirmed, I will do my very best to serve the Department of Transportation with excellence and to safeguard its financial resources to the best of my ability.

Thank you and I welcome any questions you may have.

[The prepared statement and biographical information of Ms. Wassmer follow:]

PREPARED STATEMENT OF VICTORIA BAECHER WASSMER,
NOMINEE FOR CHIEF FINANCIAL OFFICER AND ASSISTANT SECRETARY FOR BUDGET
PROGRAMS, U.S. DEPARTMENT OF TRANSPORTATION

Chair Cantwell, Ranking Member Wicker and members of the Committee, I am honored to appear before you today as President Biden's nominee to be the Chief Financial Officer at the Department of Transportation. If confirmed, I will work every day to support the work of our Department in ensuring that all Americans have access to safe and reliable transportation systems that everyone deserves.

I am joined today by my husband Franklin and my son Alexander. My son Christophe along with my parents and other family members are watching remotely. My family's steadfast support and commitment to community and public engagement grounds me every day in the work I do on behalf of the American people.

Commitment to public service is what propelled me to spend the majority of my 30-year professional career in public service, including twenty years in management and leadership positions within the Federal government. Throughout my career, I have been fortunate to serve in the public and private sector concentrating on transportation programs. These experiences have helped me gain a solid understanding of the vital role transportation plays in supporting our economy, and in providing Americans with access to opportunities and services that enrich our lives.

Today, our transportation systems are more connected than ever and are critical for our Nation's economic success and competitive positioning in a global economy.

New technologies deliver efficiencies, conveniences, and new transportation options that done well will reduce the transportation sector's impact on the environment and ensure transportation safety. Let me note that transportation safety is a passion of mine, and it remains the highest priority at the Department. I look forward to working closely with the Secretary and the leadership team on new and innovative ways to make our current and future transportation systems more effective as well as safer for everyone.

I am also keenly aware of the important responsibilities public servants have in safeguarding Federal resources. If confirmed as the Department's Chief Financial Officer, I will do my best to provide Secretary Buttigieg and our leadership team with the tools, talent and systems needed for wise resource stewardship. These include a top-notch financial management system that is transparent and accountable, in addition to a financial and budget management team of professionals that are second to none. In my previous roles, I have learned the importance of establishing strong systems of enterprise risk management and internal controls so that checks and balances are built into our programs and financial systems in order to manage risk, maximize effectiveness and provide transparency. Together, these tools are invaluable to wise management of the Department's resources—they help ensure an effective control environment so that reliable information is available to assist all levels of the Department in decision-making and project management.

Early on in my Federal career, I learned firsthand the importance of how the Federal budget can demonstrate the Department's strategic goals and direction. Indeed, done well, the priorities and choices made in a Department's Federal budget align resources to deliver on strategic priorities. Likewise, a commitment to analyzing performance and program effectiveness and embedding a virtuous feedback loop to future budget decisions are critical for any high performing organization, especially public serving institutions, to deliver on their goals and objectives.

Through program evaluations and performance reviews, we can learn important lessons that confirm if our programs are operating as envisioned and to make adaptive changes if they are not. I believe by analyzing data and looking at spending trends, we gain valuable insights that can help guide us in future planning. In my view, financial stewardship responsibilities don't end when monies are spent.

I am committed to working collaboratively and accountably as a team and creating an environment that brings out the best in everyone as we work together to take the Department and our programs to new levels in the years to come.

Growing up, my parents instilled in me the belief that public service is a noble calling, and it is an honor to work in service of others. If confirmed, I will do my very best to serve the Department of Transportation with excellence and to safeguard its financial resources to the best of my ability.

Thank you, and I welcome any questions you may have.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used):
Victoria Baecher Wassmer.
Former name: Victoria Baecher (maiden name).
2. Position to which nominated: Chief Financial Officer, Department of Transportation.
3. Date of Nomination: 4/12/2021.
4. Address (List current place of residence and office addresses):
Residence: Information not released to the public.
Office: 1200 New Jersey Ave, SE, Washington, DC 20590.
5. Date and Place of Birth: 05/06/1967; Chicago, IL.
6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).
 - Spouse—Franklin Wassmer, Director of Data, EL Haynes Public Charter School.
 - Child—Alexander Wassmer, 23.
 - Child—Christophe Wassmer, 21.
7. List all college and graduate degrees. Provide year and school attended.
 - Bryn Mawr College, BA, degree received in 1990
 - Harvard Kennedy School of Government, MPP, degree received in 1995.

8. List all post-undergraduate employment, and highlight all management level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

Nomination Position Related Management Level positions:

Deputy Assistant Secretary for Finance and Budget, Office of the Secretary, DEPARTMENT OF TRANSPORTATION, 1200 New Jersey Avenue, SE, Washington, DC, January 2021 to present

Managing Director, ERNST & YOUNG LLP, 1775 Tysons Blvd, Tysons, VA, May 2019–January 2021

Director of Agency Operations, Office of the City Administrator, GOVERNMENT OF THE DISTRICT OF COLUMBIA, 1350 Pennsylvania Ave, NW Washington, DC, February 2018–March 2019

Assistant Administrator, Office of Finance and Management, FEDERAL AVIATION ADMINISTRATION, 800 Independence Ave, SW, Washington DC, August 2011–February 2018

Acting Deputy Administrator & Chief NextGen Officer, Office of Administrator, FEDERAL AVIATION ADMINISTRATION, 800 Independence Ave, SW, Washington, DC, July 2016–June 2017

Vice President/CFO, Administration & Finance, MILLENNIUM CHALLENGE CORPORATION, 875 15th Street, NW, Washington, DC, May 2010–August 2011

FEDERAL AVIATION ADMINISTRATION, 800 Independence Ave, SW, Washington DC, November 2004–May 2010 (Manager to Executive roles listed below)

- *Manager, Performance & Cost Analysis Division, Office of Budget, November 2004 to September 2007*
- *Deputy Director, Office of Budget, September 2007 to February 2009*
- *Deputy Assistant Administrator/CFO, Office of Finance Services, February 2009 to May 2010*

Nomination Position Related non-managerial positions Post Graduate School:

Senior Associate, CARMEN GROUP, 1301 K Street, NW, Washington, DC, 20005, February 2003–November 2004

Capital Program Analyst, Office of Capital Programming and Oversight, WASHINGTON METROPOLITAN TRANSIT AUTHORITY, 600 5th St, NW, Washington, DC, 20001, March 2002–February 2003

OFFICE OF MANAGEMENT AND BUDGET, 725 17th St, NW, Washington, DC, 20503, January 1996–February 2002 (Listed in Chronological Order)

Policy Analyst/Special Assistant (GS 11, GS 12, GS 13), Office of Information and Regulatory Affairs, January 1996–November 1998

Program Examiner/Acting Branch Chief Transportation Branch (GS 13 & GS 14), Transportation Branch, November 1998–February 2002

Post Undergraduate Employment

Research Assistant, DEVELOPMENT BANK OF SOUTHERN AFRICA, 1685 Midrand, South Africa, summer June–August 1994

Research Assistant, INSTITUTE FOR POLICY STUDIES, Washington, DC, May–August 1993

Development Consultant, ALEXANDRA CIVIC ORGANIZATION, Alexandra Township, South Africa, January–June 1992

Project Manager, STEIN & COMPANY, Inc., Chicago, Illinois, October 1990–December 1991 & June–September 1992

Job Developer, CHICAGO WOMEN IN TRADES, Chicago, Illinois, August 1989–September 1990

9. Attach a copy of your résumé.

See attached.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years.

Commissioner (Alternate), Washington Metrorail Safety Commission (August 2020–January 2021)

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years.

Trustee, Maret School Board of Trustees, Washington, DC (June 2018 to present)

12. Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization. (For this question, you do not have to list your religious affiliation or membership in a religious house of worship or institution.) Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

Member, Bryn Mawr College, Presidential Advisory Committee (April 2012–October 2015)

13. Have you ever been a candidate for and/or held a public office (elected, non elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

No, I have not.

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

Not applicable.

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years.

Ernst & Young (EY) PAC, 2/29/2020, \$300

Kamala Harris for the People, 2/13/2019, \$500

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

- Federal Aviation Administration, Senior Executive Service Member, 2009
- Office of Management and Budget, Special Achievement Award, 2001
- Harvard Institute for International Development, Summer Travel Grant, 1994

Please list each book, article, column, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

- December, 2020, *Tracing My Roots*, <https://www.youtube.com/watch?v=WsSX29rlyw8>, I created this video last year that's been shared at work and with family.
- October, 2020, *Perry House Histories*, <https://digitalprojects.brynmawr.edu/perryhousehistories/acknowledgements/>, I participated in an oral history project for Perry House at Bryn Mawr College.
- April, 2020, *Government Matters: Transformation by Design*, <https://govmatters.tv/transformation-by-design/>, I appeared as a guest on the broadcast as part of my work at EY.
- April, 1995, *Managing organizational change in a quasi-public organization: implementation of organizational reform at Massport with labor as a partner*, https://hollis.harvard.edu/primo-explore/search?tab=everything&search_scope=everything&vid=HVD2lang=en_US&mode=basic&offset=0&query=lsr0l,contains.990056915350203941, I published a Policy Analysis Exercise with a partner for my graduate studies.

17. List all digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the name of an "alias" or "handle" you have used on each of the named platforms. Indicate

whether the account is active, deleted, or dormant. Include a link to each account if possible.

- LinkedIn: <https://www.linkedin.com/in/victoria-wassmer/>

19. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

- October 20, 2015, Senate Energy and Natural Resources Committee, Nomination as the Under Secretary at the Department of Energy: <https://www.energy.senate.gov/services/files/1D449CD1-33C8-43D3-A1E7-9B22110442E58>
- December 17, 2013, Senate Environment and Public Works Committee, Nomination as the Chief Financial Officer at the Environmental Protection Agency: https://www.epa.gov/sites/production/files/2015-08/documents/2013_12.17_wassmer_nomination.pdf

20. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

I am eager to bring my mix of leadership skills and management experience to the Department of Transportation as the nominee for CFO. I have served in senior executive financial management roles at the Federal Aviation Administration (Deputy CFO, Assistant Administrator for Finance and Management, acting Deputy Administrator) and at the Millennium Challenge Corporation (Vice President for Administration and Finance & CFO). Those executive positions provide me a strong foundation for the role for which I have the honor to be nominated. I have worked with C-suite Management teams and Boards, advising on Federal budgets, financial management concerns, internal controls, enterprise risk management and program performance.

And, I will also draw upon my first years of service in Federal government at the Office of Management and Budget, where I had oversight responsibilities for different surface transportation operating administrations, including the National Highway Traffic Safety Administration, the Federal Railroad Administration and the Federal Motor Carrier Safety Administration.

21. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

In the position that I am nominated for, I will be directly responsible for the management and accounting controls at the Department. My experience in Federal service, particularly at the FAA, where I was responsible for the Finance and Management organization, provide me with a strong foundation for this nomination. At the FAA, I was responsible for its \$16 billion annual budget and all financial management services of the agency. This included the Franchise Fund and the Federal financial shared service provider, the Enterprise Service Center, which serves as a provider for all of the Department's financial accounting along with other Federal customers, including the SEC and GAO. I have worked with senior teams and third party auditors, as they performed the financial statement audits. I have also worked to improve the internal controls and enterprise risk management practices, including updating agency practices based upon the latest Office of Management and Budget guidance.

22. What do you believe to be the top three challenges facing the department/agency, and why?

Three challenges at DOT that I am mindful of are:

- (1) Managing the significant emergency COVID-19 relief funds provided by Congress in response to the pandemic.
- (2) The structural imbalance of the Highway Trust Fund in relation to the receipts coming into the fund and the planned expenditures from the fund.
- (3) Succession planning of the Federal workforce, including in our safety, financial and program organizations.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

My arrangements are fully described in Part 3 of my Public Financial Disclosure Report.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain.

No, I do not.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of the Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of the Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

5. Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of the Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy. None.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group?

No, I have not.

If yes:

- a. Provide the name of agency, association, committee, or group;
- b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
- c. Describe the citation, disciplinary action, complaint, or personnel action;
- d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain.

No, I have not.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

No, I have not.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain.

No, I have not.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain.

No, I have not.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination. None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees, and that your department/agency endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority?

Yes, I commit to timely compliance.

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures?

Yes, I commit to doing so.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee?

Yes, I will cooperate with the Committee.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

Yes, I agree.

VICTORIA BAECHER WASSMER

[linkedin.com/in/victoria-wassmer](https://www.linkedin.com/in/victoria-wassmer)



PROFILE

Proven Executive of Transformative Change in complex organizations. **Possesses 25+ years of experience in financial management, shared service delivery, policy, and stakeholder engagement.** Brings deep knowledge of government operations and demonstrated commitment to improving public service.

Core Competencies: Innovative Leadership, Policy Analysis/Development/Execution, Strategy Formulation, Resource Optimization, Legislative and Regulatory Expertise, Federal Budgeting, Change Management

SELECTED EXPERIENCE

Department of Transportation, 1200 New Jersey Avenue, SE, Washington, DC 1/2021 – present

Deputy Assistant Secretary for Finance and Budget, Office of the Secretary

- Provide financial, budget and performance executive expertise for the Secretary and senior leadership team.
- Lead the Department's central budget and finance team in comprehensive, enterprise-wide key reporting and control functions for Covid-related emergency fund activities. This includes both immediate needs for distributing and tracking the supplemental funding and longer-term needs for establishing a consistent reporting structure and monitoring outcomes.
- Serve as the co-lead for implementation of the President's Executive Order on Economic Relief due to the Pandemic, ensuring the full tracking and reporting of the Department's implementation activities.
- Hold Top Secret Security Clearance.

ERNST & YOUNG LLP 1775 Tysons Blvd, Tysons, VA

5/2019 – 1/2021

Managing Director, Government & Public Sector Practice

- Provided financial executive expertise on CARES Act stimulus execution for clients and EY teams.
- Led a team assisting the U.S. Department of Commerce and its Bureaus (EDA, NOAA, NIST, and MBDA) in developing a comprehensive, enterprise-wide, approach towards managing key reporting and control functions for CARES Act-related activities. This includes both immediate needs for distributing and tracking the supplemental funding and longer-term needs for establishing a consistent reporting structure and monitoring outcomes.
- Served as Quality Assurance Partner on State of TN Department of Human Services Transformation Program integrating major business operational changes with IT modernization to improve the delivery and quality of programs for residents of Tennessee.
- Led a team engaged by Consumer Financial Protection Board to evaluate the current operating model and provide recommendations on future state organizational models focused on best practices in Customer Experience and excellence in operational delivery.
- Served as Finance Competency Lead for sector ensuring optimal staffing, utilization, and quality.
- Held DOD Top Secret Clearance

Victoria Baecher Wassmer

GOVERNMENT OF THE DISTRICT OF COLUMBIA 1350 Pennsylvania Ave, NW Washington, DC **2/2018–3/2019*****Director of Agency Operations, Office of the City Administrator***

- Served as Chief Strategist of Government Operations Cluster, which included Human Resources, General Services, Motor Vehicles, Public Works, Risk Management, Technology, Contracting & Procurement.
- Partnered with Chief Technology Officer to develop cybersecurity strategy improvements and policies.
- Designed the Customer Experience framework for District Agencies to improve delivery of key services to residents and internal customers, including Department of General Services service level agreements.
- Key Architect of a new Capital Investment Review Board; piloted two investment review boards for information technology and facilities for 2020 budget.
- Oversaw the Office of Risk Management's successful launch of E-Risk, including Workman's Compensation conversion to in-house offering.
- Created the Labor Management Partnership Roundtable as a forum for senior management and labor leadership to promote mutual understanding of issues, challenges and opportunities facing District government and its employees.
- Improved governance of complex automation of enterprise resource planning with the Office of the CFO, including change management processes.
- Facilitated and Oversaw the IT assessment of the Department of Consumer and Regulatory Affairs (DCRA) systems to improve automation strategy through gap analysis of the current state and to-be state for the future.
- Oversaw Department of General Service School modernization, Small Cap and School Readiness operations.
- Worked with Snow Team agencies (Departments of Public Works, General Services, Homeland Security and Emergency Management Agency and Transportation) to improve Snow Program operations, communications and executive decision-making.

FEDERAL AVIATION ADMINISTRATION 800 Independence Ave, SW, Washington DC **8/2011 –2/2018*****Assistant Administrator, Office of Finance and Management***

- Championed and successfully built out innovative shared service organization comprised of Finance, Acquisitions and Procurement, Information Technology, and Region/Center Operations.
- Oversaw FAA's \$16.3 billion annual budget, directing a Finance & Management workforce of 47 executives and 3,500 employees in delivery of corporate support shared services. Recruited and secured top talent executives and centralized support functions.
- Delivered sustained cost savings of 8 percent over five years (\$65million) and improved efficiencies in new service model.
- Established service level agreements and customer commitments with internal customers across all shared service offerings. Instituted strong performance measures and accountability. Buttressed assessment of customer service through satisfaction survey instruments and established action plans to address results year over year. Instituted active communication strategy with customers as part of transformation to shared services, and sustained on-going collaborative business partner relationships
- Led FAA's strategic budget formulation and execution efforts for the agency. Designed innovative planning, budgeting, investment analysis and oversight processes. Served as the executive liaison with the Department of Transportation's senior management team, the Office of Management and Budget leadership, and financial auditors. Presented agency resource needs and programs to external stakeholders, including Congress and industry. Successfully navigated the agency through sequestrations cuts and secured additional resources in the agency's appropriation for critical needs.
- Built a strategic framework with Finance & Management executive team, with mission, vision, and values of the new shared services organization and used this to engage customers and employees. Tied outcome measures and initiatives to FAA's strategic initiatives and individual performance plans.

Victoria Baecher Wassmer

- Served as the Franchise Fund Council chair, overseeing the agency's multi-billion-dollar franchise operations. Successfully expanded to new customers business offerings in financial management as a federal shared service provider, IT, logistic services and international technical training.
- Held Top Secret/SCI Clearance.

Acting Deputy Administrator & Chief NextGen Officer, Office of Administrator (7/2016 – 6/2017)

- Led FAA's NextGen transformation, a multi-year effort to modernize national air traffic control system by shortening routes, traffic delay and fuel use reduction, and improving safety using emerging technologies.
- Oversaw senior executive team charged with delivery of NextGen goals and commitments.
- Served as Designated Federal Official for the NextGen Advisory Committee (NAC) ensuring smooth transition of industry committee chairs. Collaborated with NAC Chair on Northeast Corridor plans; presented key initiatives/progress to industry partners and stakeholders, including the A4A Board of Directors.
- Achieved deployment of DataComm digital communication of flight plans and routes 30 months ahead of schedule for 55 most active domestic air traffic control towers resulting in significant cost savings.
- Served as Designated Federal Official of the Drone Advisory Committee (DAC) for inaugural year; collaborated with members to prioritize strategic areas and guided governance structure formation.
- Advised and Collaborated with Administrator and Senior Management team on effective transition strategies to ensure the agency kept focus and momentum on the top strategic priorities and initiatives.
- Led the U.S. delegation to the Brazil International Air Show and International Air Transport Association (IATA) Wings of Change conference in Rio de Janeiro in March 2017. Presented the U.S. position in speeches and held bilateral and multilateral discussions with international partners and stakeholders.
- Presented keynote speeches and made agency presentations at a variety of national conferences, industry panels, agency forums and employee events.
- Held Top Secret/SCI Clearance.

MILLENNIUM CHALLENGE CORPORATION 875 15th Street, NW, Washington DC 5/2010 – 8/2011

Vice President/CFO, Administration & Finance

- Delivered financial management/oversight advisement on \$7.9B portfolio to CEO and Board of Directors.
- Led team of 65 in delivery of corporate support services in financial management, HR, acquisition/grant management, administrative service, overseas administration, IT, and security.
- Championed financial management best practices such as upgrade of financial management system, creation of Financial Integrity Task Force, and financial management policies.
- Traveled to compact countries in Africa and Central America on diplomatic mission to review projects, financial management systems, and risk management practices.
- Reconstituted Senior Assessment Board and served as Chair. Provided leadership and guidance on agency's internal controls, risk management, and closure of audit findings and recommendations.
- Conducted Baseline Customer Satisfaction Survey of internal customers. Action plans developed to improve metrics in communication, service delivery and quality of products.
- Championed improved financial management practices including acquisition of upgrade of financial management system; formation of Financial Integrity Task Force; and financial management policies.
- Spearheaded turnaround of critical agency IT system for integrated financial, performance and results reporting. Efforts included comprehensive internal verification and validation of existing system, business case development, and securing necessary funding for improvements.
- Oversaw improvements in agency Procurement and Acquisition activities. Met reduction targets for high-risk contracts, secured significant cost savings, and achieved small & disadvantaged business goals.
- Held Top Secret Clearance.

Victoria Baecher Wassmer

FEDERAL AVIATION ADMINISTRATION 800 Independence Ave, SW, Washington DC 11/2004 – 5/2010

Deputy Assistant Administrator/CFO, Office of Finance Services (2/2009 – 5/2010)

- Oversaw FAA's \$16 billion budget, leading an organization of executives, career staff and contractors in delivery of financial management services including financial reporting (award-winning), financial systems, internal controls, audit/accounting standards, budget formulation and execution, and cost control.
- Led FAA's integrated team in successful execution of \$ 1.3 billion received for airport grants and Air Traffic facilities and equipment under the American Recovery and Reinvestment Act. Worked with core team, Department, and external oversight organizations to ensure strong standards of risk management, transparency and accountability.
- Served on agency's Employee Engagement executive committee to address FAA's human resource policies in the area of recruitment, retention, training and compensation.
- Served as Advisor to FAA Administrator and Deputy Administrator on strategic policy, regulatory and financial matters while serving on detail assignment to the Administrator's Office (January-May 2010).

Deputy Director, Office of Budget (9/2007 – 2/2009)

- Navigated \$15B budget formulation and execution activities through Office of Management and Budget (OMB) and Congressional reviews. Prepared agency witnesses for Congressional Hearings; Conducted briefings for Congressional, Department of Transportation and OMB staff.
- Spearheaded reorganization of office and implemented new organizational design resulting in improved alignment of functions and operating efficiencies.
- Navigated agency through challenging legislative and financial terrain of expiring programmatic and financing authorizations. Developed FAA's strategic response to lapse of Reauthorization Trust Fund authorities, activities included: analysis of statutory authorities; briefed executives; collaborated with key agency staff to create strategic response; provided on-going updates of budget and funding status to C-suite; prepared strategic communication materials; represented agency at OMB, Department & Congressional briefings; provided technical assistance to legislative staff on bill draft.

Manager, Performance & Cost Analysis Division, Office of Budget (11/2004 – 9/2007)

- Led Reauthorization Funding Work Group to develop five-year funding baseline and needs-based forecasts. Designed and effected corporate cost control program producing agency savings of \$240M.
- Formulated agency's \$14 billion+ Performance Budgets; Supported budget requests through Departmental, OMB and Congressional reviews; Wrote Administrator's appropriation testimony; shepherded agency's requests through appropriations process, including Congressional appeals.
- Managed corporate Business Plan process for agency; Improved alignment of performance and budgetary information in organizations' plans; Instituted rigorous process of resource reviews of organizations' business plans at key points in the appropriations cycle.
- Designed and implemented agency's corporate cost control program, resulting in cost efficiencies of over \$240 million.
- Led performance team's development of award-winning Performance & Accountability Reports; Worked with Audit team in its review of agency's performance result documentation; Created improved internal verification processes of performance information in response to audit findings.
- Facilitated OMB's Program Assessment Rating Tool review of FAA's Air Traffic Organization over a three-year period that resulted in the organization's higher ratings.

ADDITIONAL CAREER EXPERIENCE

CARMEN GROUP 1301 K Street, NW, Washington, DC

2/2003-11/2004

Senior Associate

- Formulated and implemented strategic government relations programs for public and private clients, with special emphasis on transportation, environment and water related policy issues.

Victoria Baecher Wassmer

- Successfully navigated important legislative efforts to final passage and awards of local, state and federal funding.
- Analyzed and synthesized legislation and regulatory issues for clients to improve their business strategies.
- Created community outreach program for new city government development to revitalize local neighborhood; Coordinated and presented at public meetings; Designed and wrote project newsletter for local residents.

WASHINGTON METROPOLITAN TRANSIT AUTHORITY 600 5th St, NW Washington, DC **3/2002- 2/2003**
Program Analyst, Office of Capital Programs & Oversight

- Developed Capital Program Prioritization Process designed to maximize capital resources.
- Established new capital budget criteria to improve executive management decision making.
- Facilitated changes in capital project management for improved transparency and enhanced stakeholder information.
- Worked on legislative proposals for Surface Transportation Act reauthorization related to transit and innovative financing solutions.

OFFICE OF MANAGEMENT AND BUDGET 725 17th St, NW, Washington, DC **1/1996 – 2/2002**
Program Examiner/Acting Branch Chief, Transportation Branch (11/1998- 2/2002)

- Analyzed budget submissions; Worked to align agency funds with President's policy priorities; Presented analysis to senior policy officials; Finalized President's Budget; Helped implement Administration's appropriations agenda.
- Coordinated with Department and senior White House policy officials to develop legislative proposals in highway and rail safety, intercity passenger rail service, agency reauthorization, and economic development.
- Oversaw review and implementation of new rail credit program; Established standard procedures for review of credit subsidy calculations using industry benchmarks of finance and operations; Ensured credit program goals were consistent with statute and Administration's policy objectives.
- Provided leadership in Branch; Served as Acting Branch Chief; Presented transportation funding priorities and legislative agenda to senior management; Coordinated staff in production of quality work products; Worked with Department, Congressional staff, local and state governments, and non-profit organizations.

Policy Analyst/Special Assistant, Office of Information and Regulatory Affairs (1/1996- 11/1998)

- Analyzed significant federal regulations; Presented findings and recommendations to senior policy officials; Facilitated interagency review of controversial rulemakings in international trade, highway safety, technology, and drug policy.
- Served as Special Assistant to OIRA Administrator; Coordinated Division workload; Drafted weekly reports and special memorandums for senior White House management; Supported Administrator in implementation of office-wide policies targeted to improve internal and external communication.

EDUCATION

HARVARD UNIVERSITY, John F. Kennedy School of Government, Cambridge, MA **1995**
 Master of Public Policy Concentration: **Business and Government**

BRYN MAWR COLLEGE, Bryn Mawr, PA **1990**
 Bachelor of Arts in Political Science

Aspen Institute Seminar *Fellow* (2015); FAA Senior Leadership Development Program *Graduate* (2009)

HONORS & ACTIVITIES

- **Commissioner** (Alternate), Washington Metrorail Safety Commission (August 2020-January 2021)
- **Trustee**, Maret School Board of Trustees, Washington, DC (June 2018-present)
- **Co-Chair**, Maret School Scholarship Auction (2016-2017 School Year)
- **Presidential Nominee, Undersecretary of Management and Performance**, Department of Energy, approved Unanimously by Senate Energy Committee, (2015)
- **Member**, Bryn Mawr College, Presidential Advisory Committee (April 2012- October 2015)

The CHAIRWOMAN. Thank you, Ms. Wassmer. Thank you so much.

Mr. Syed, thank you for being here.

**STATEMENT OF MOHSIN RAZA SYED, NOMINEE TO BE
ASSISTANT SECRETARY OF GOVERNMENTAL AFFAIRS,
DEPARTMENT OF TRANSPORTATION**

Mr. SYED. Thank you, Chair Cantwell, Ranking Member Wicker, and Members of the Committee.

It is an honor to appear before you today as the Nominee for Assistant Secretary of Governmental Affairs at the U.S. Department of Transportation.

I am grateful to President Biden for the nomination and to Secretary Buttigieg for his trust in me to fulfill the duties of this position.

Here with me today is my wife Sehar Siddiqi whose love and support means everything. Sehar keeps me grounded and is a wonderful mother to our two young boys, Jafar and Babur. Jafar had a birthday on Monday, so Happy Birthday, Jafar, and Babur has a birthday coming up next week, so Happy Birthday, Babur, and we have another boy on the way this fall, so it's going to be a very busy couple of weeks.

I'm also here today because of the love, hard work, and sacrifices of my parents, Shaukat and Ruby Syed, who left their loved ones in Pakistan to seek a better life in America. Together they raised three children, including my brother Hassan and sister Fatima, who are both physicians and like me are doing their best to give back to the country that has given our family so much.

As a former congressional staffer, I am indebted to the opportunities provided to me by Senator Bill Nelson, Congressman Peter DeFazio, Senator Brian Schatz, and their leadership staffers, including Kim Lipsky, Susie Perez Quinn, Kathy Dedrick, and Arun Revana.

Assisting me in my current role as the Principal Deputy Assistant Secretary for Governmental Affairs at the department has been a truly talented team of career and non-career professionals. Thank you for being such wonderful teammates.

As a veterinarian trained in Pakistan, my father's professional background led to a 42-year career with the U.S. Department of Agriculture. Having been raised in the

Washington, D.C., suburbs, my neighbors, like my father, worked for agencies across the Federal Government. This was my community, a community in which working in government was a meaningful way to serve our country and provide for our families.

Growing up in a family and community grounded in public service has greatly influenced the opportunities I have pursued throughout my career, including serving as a civilian intelligence officer with the Defense Intelligence Agency, a career attorney at the U.S. Department of Transportation, and a staffer in the U.S. Senate and U.S. House of Representatives.

These are the public service values and experiences I will bring to the position of Assistant Secretary of Governmental Affairs if confirmed.

As a career attorney in the Office of the General Counsel, I learned about the many different aspects of the work done within the department and its operating administrations. I subsequently had the honor of working for two of the department's congressional authorizing committees, the Senate Commerce Committee and it's great to be home and the House Committee on Transportation and Infrastructure.

In both positions I worked on key legislative and oversight priorities for then Ranking Member Bill Nelson and Chair Peter DeFazio, respectively. I cherish the bipartisan relationships that I developed during my tenure on both committees, our collective accomplishments, and the opportunity to work on every aspect of the department's mission.

Working previously at the department and later for its key congressional authorizing committees helped me to understand how important it is for the Administration and Congress to have a close working relationship. I recognize that Congress has a constitutional duty to conduct oversight and legislate policy and it is my responsibility in the role for which I have been nominated to be available, responsive, and helpful to your efforts.

If confirmed, my experience will help me serve the needs of Congress at the department as well as those of states and local governments and tribal communities.

I also want to address the dedicated teams of staffers and public servants who help make Congress run, who serve Governors and mayors and local leaders and who support tribal communities across the country. I am one of you. I know what it is like to need timely information from a government agency to inform a principal, to assist constituents, conduct agency oversight, and enact good policy.

If confirmed, my team and I will clearly communicate department wide, meeting statutory deadlines, responding robustly to oversight requests, and implementing laws passed by Congress is essential to achieving the department's mission of ensuring the safety and efficiency of the country's transportation system.

In closing, thank you again for this opportunity to appear before you today. If confirmed, I look forward to continuing my work with this committee and being your direct link to the U.S. Department of Transportation. Thank you and I'm happy to answer your questions.

[The prepared statement and biographical information of Mr. Syed follow:]

PREPARED STATEMENT OF MOHSIN RAZA SYED, NOMINEE TO BE ASSISTANT SECRETARY FOR GOVERNMENTAL AFFAIRS, U.S. DEPARTMENT OF TRANSPORTATION

Chair Cantwell, Ranking Member Wicker, and Members of the Committee. It is an honor to appear before you today as the nominee for Assistant Secretary of Governmental Affairs at the U.S. Department of Transportation. I am grateful to President Biden for the nomination and to Secretary Buttigieg for his trust in me to fulfill the duties of this position.

Here with me today is my wife, Sehar Siddiqi, whose love and support means everything. Sehar keeps me grounded and is a wonderful mother to our two young boys—Jafar and Babur. And we have another boy on the way this fall.

I am also here today because of the love, hard work, and sacrifices of my parents, Shaukat and Ruby Syed, who left their loved ones in Pakistan to seek a better life in America. Together they raised three children, including my brother Hasan and

sister Fatima, who are both physicians and like me are doing their best to give back to the country that has given our family so much.

As a former congressional staffer, I am indebted to the opportunities provided to me by Senator Bill Nelson, Congressman Peter DeFazio, Senator Brian Schatz, and their leadership staffers, including Kim Lipsky, Susie Perez Quinn, Kathy Dedrick, and Arun Revana.

Assisting me in my current role as Principal Deputy Assistant Secretary for Governmental Affairs at the Department has been a truly talented team of career and non-career professionals. Thank you for being such wonderful teammates.

As a veterinarian trained in Pakistan, my father's professional background led to a 42-year career with the U.S. Department of Agriculture. Having been raised in the Washington, D.C. suburbs, my neighbors, like my father, worked for agencies across the Federal government. This was my community—a community in which working in government was a meaningful way to serve our country and provide for our families. Growing up in a family and community grounded in public service has greatly influenced the opportunities I have pursued throughout my career, including serving as a civilian intelligence officer with the Defense Intelligence Agency, a career attorney at the U.S. Department of Transportation, and a staffer in the U.S. Senate and U.S. House of Representatives. These are the public service values and experiences I will bring to the position of Assistant Secretary for Governmental Affairs, if confirmed.

As a career attorney in the Office of the General Counsel, I learned about the many different aspects of the work done within the Department and its Operating Administrations. I subsequently had the honor of working for two of the Department's congressional authorizing committees—the Senate Committee on Commerce, Science, and Transportation (Senate Commerce) as well as the House Committee on Transportation and Infrastructure (House T&I). In both positions, I worked on key legislative and oversight priorities for then-Ranking Member Bill Nelson and Chair Peter DeFazio, respectively. I cherish the bipartisan relationships that I developed during my tenure on both committees, our collective accomplishments, and the opportunity to work on every aspect of the Department's mission—from aviation with Senate Commerce to aviation, surface, and maritime transportation matters with House T&I.

Working previously at the Department and later for its key congressional authorizing committees helped me to understand how important it is for the administration and Congress to have a close working relationship. I recognize that Congress has a constitutional duty to conduct oversight and legislate policy, and it is my responsibility in the role for which I have been nominated to be available, responsive, and helpful to your efforts. If confirmed, my experience will help me serve the needs of Congress at the Department, as well as those of states and local governments and Tribal communities.

I also want to address the dedicated teams of staffers and public servants who help make Congress run, who serve Governors, Mayors, and local leaders, and who support Tribal communities across the country. I am one of you—I know what it is like to need timely information from a government agency to inform a principal, assist constituents, conduct agency oversight, and enact good policy. If confirmed, my team and I will clearly communicate Department-wide that meeting statutory deadlines, responding robustly to oversight requests, and implementing laws passed by Congress is essential to achieving the Department's mission of ensuring the safety and efficiency of the country's transportation system.

In closing, thank you again for the opportunity to appear before you today. If confirmed, I look forward to continuing my work with this committee and being your direct link to the U.S. Department of Transportation. Thank you, and I am happy to answer your questions.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): Mohsin Raza Syed.
2. Position to which nominated: Assistant Secretary for Governmental Affairs, U.S. Department of Transportation.
3. Date of Nomination: April 12, 2021.
4. Address (List current place of residence and office addresses):
Residence: Information not released to the public.
Office: 1200 New Jersey Avenue, SE, Washington, DC 20590.
5. Date and Place of Birth: July 9, 1980; Morganton, NC.

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Wife—Sehar Siddiqi, Director, Fair Housing Policy and Valuation, National Association of Realtors.

7. List all college and graduate degrees. Provide year and school attended.

B.A., University of Virginia, 2002.

J.D., University of Virginia School of Law, 2008.

8. List all post-undergraduate employment, and highlight all management level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

Management-Level Jobs Related to Nominated Position

- January 2021 to present
 - Principal Deputy Assistant Secretary for Congressional Affairs (Acting Assistant Secretary for Governmental Affairs), U.S. Department of Transportation
- January 2019–January 2021
 - Chief Counsel, House Committee on Transportation and Infrastructure, Chair Peter DeFazio
- July 2016–January 2019
 - Staff Director/Senior Counsel, for the Senate Committee on Commerce, Science, and Transportation, Subcommittee on Aviation Operations, Safety, and Security, Ranking Member Bill Nelson

Non-Management-Level Jobs

- October 2014–July 2016; February 2018–March 2018
 - Legislative Counsel, U.S. Senator Bill Nelson
 - From February 2018 to March 2018, I briefly served as Legislative Counsel in addition to my duties on the Senate Committee on Commerce, Science, and Transportation as the previous Legislative Counsel had left and Senator Nelson's personal office needed assistance.
- February 2014–August 2014
 - Legislative Fellow, U.S. Senator Brian Schatz
 - During this time, I was employed and paid by the U.S. Department of Transportation (DOT). However, I was assigned as a Legislative Fellow to Senator Schatz's office for six months as part of a congressional detail assignment. Once that assignment ended in August 2014, I returned to DOT.
- October 2011–October 2014
 - Attorney Advisor, U.S. Department of Transportation, Office of the General Counsel, Office of Operations
- January 2011–October 2011
 - Associate, Akin Gump Strauss Hauer & Feld LLP
- September 2008–December 2010
 - Associate, Arnold & Porter LLP
- May 2007–August 2007
 - Summer Associate, Arnold & Porter LLP
- May 2006–August 2006
 - Legal Intern, U.S. Department of Justice, Counterterrorism Section
- July 2003–July 2005
 - Intelligence Officer, Defense Intelligence Agency
- July 2002–July 2003
 - Honors Paralegal, Federal Trade Commission, Bureau of Competition

9. Attach a copy of your résumé.
See attached.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years. None.

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years. None.

12. Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fra-

ternal, benevolent or religiously affiliated organization, private club, or other membership organization. (For this question, you do not have to list your religious affiliation or membership in a religious house of worship or institution.) Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

- Member of Virginia Bar and District of Columbia Bar
- April 2013–April 2016—served on the board of the Allan and Asian Pacific American Alumni Network (AAPAAN) at the University of Virginia

13. Have you ever been a candidate for and/or held a public office (elected, non elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt. No.

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

- Biden-Harris Campaign Infrastructure Policy Committee, (battleground states subcommittee), 2020, Member/Volunteer
- Biden-Harris Campaign, GOTV volunteer, 2020
- Nelson for Senate Campaign, Voter Protection volunteer, 2018
- Clinton-Kaine Campaign, Voter Protection volunteer, 2016
- McAuliffe Virginia Gubernatorial Campaign, GOTV volunteer, 2013

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years.

No individual or aggregate political contributions of \$200 or more

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements. None.

17. Please list each book, article, column, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

- *Articles*—I have a memory of submitting a *letter to the editor* in the fall of 2007 while attending the University of Virginia School of Law to the school’s newspaper, *The Cavalier Daily*. However, no such *letter to the editor* is available in the online archives. I reached out to a UVA librarian for assistance, and the librarian could not find it either. I am unclear if it was published but mentioning here out of an abundance of caution.
- *Speeches*—As a Senate and House staffer, I had on occasion participated in panel discussions involving question-and-answer sessions. Because I lack access to my former Senate and House calendars, I do not recall the exact times and panel hosts but am happy to discuss further with the Committee.

18. List all digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the name of an “alias” or “handle” you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

- Facebook: <https://www.facebook.com/profile.php?id=1513142>
- LinkedIn: <https://www.linkedin.com/in/mohsin-syed-162299175/>
- Pinterest: @mrsyed.6865 (not active—0 followers and 0 following)
- Yelp: Mohsin S. (not active—0 friends and 0 reviews)

19. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony. None.

20. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for ap-

pointment to the position for which you have been nominated, and why do you wish to serve in that position?

My father immigrated to the United States in the 1970s. As a veterinarian trained in Pakistan, his professional background led to a 42-year career in public service with the U.S. Department of Agriculture and an inspirational life for his kids in the suburbs of Washington, D.C. Like my father, my neighbor worked for agencies across the Federal government. This was my community—a community in which public service was a meaningful way to serve our country and provide for our families.

This commitment to public service has been a constant theme throughout my professional career—whether as an intelligence officer with the Defense Intelligence Agency, a career attorney at the U.S. Department of Transportation (DOT), and over six years of service in the U.S. Senate and U.S. House of Representatives. This is the experience I will bring to the position of Assistant Secretary for Governmental Affairs at DOT.

Specifically, I served for over three years as an Attorney-Advisor within DOT, where I learned about the many different aspects of the work done within the Department and its Operating Administrations. I also served with dedicated public servants, many of whom are thankfully still with the Department and a source of help to me when I navigate my current position as Principal Deputy Assistant Secretary for Congressional Affairs.

I also had the good fortune of working for two of the Department's congressional authorizing committees—the Senate Committee on Commerce, Science, and Transportation as well as the House Committee on Transportation and Infrastructure. In both positions, I worked on key legislative and oversight priorities for then-Ranking Member Bill Nelson and Chair Peter DeFazio respectively specific to DOT. I cherish the bipartisan relationships that I developed during my tenure on both committees, our collective accomplishments, and the opportunity to work on every aspect of DOT's mission—from aviation to surface to maritime and everything in between. If confirmed, I am confident my Capitol Hill experience will help me serve the needs of Congress here at the Department.

While I have not matched my father's 42 years of public service nor that of my neighbors growing up in Dale City, VA, I believe I am playing a small part on giving back to the country that has given so much to my family. If confirmed, I hope to continue this tradition of public service as Assistant Secretary for Governmental Affairs at DOT.

21. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

Having worked on legislative and oversight matters in the Senate and House on matters affecting DOT, I am mindful of the statutory deadlines and mandates Congress expects departments and agencies to meet in authorizing legislation. And especially with regards to congressional oversight, ensuring timely and complete responses from the Department is essential to developing and maintaining a trustful relationship. My team and I will clearly communicate Department-wide that meeting statutory deadlines, responding robustly to congressional oversight requests, and implementing laws passed by Congress is essential to meeting the Department's mission of ensuring the safety and efficiency of the country's transportation system. Having clarity with regards to goals and mission is how I previously managed teams on Capitol Hill—especially when working on legislation that have and continue to impact DOT.

22. What do you believe to be the top three challenges facing the department/agency, and why?

The Department's primary challenge and responsibility is ensuring the safety of the country's transportation system. No matter the strides made on safety in any mode of transportation, the challenge always remains. Remaining vigilant and one step ahead of the next safety crisis will maintain the Department's credibility, continue motivating its dedicated team, and more importantly keep Americans safe while preventing transportation-related tragedies.

Along with safety, integrating new entrants into the country's transportation system remains a challenge. Be it unmanned aircraft systems helping to survey damage caused by natural disasters or delivering needed medical supplies or autonomous vehicles navigating our roads and streets safely, it is essential for the Department to ensure a thorough and robust regulatory framework is in place. This will require effective cooperation and clear communication with congressional committees of jurisdiction and interested Members, consumer, safety, and labor groups, and industry stakeholders.

An overall challenge for the Department is managing over 55,000 employees working on a diverse array of issues cutting across different modes of transportation. While a welcome challenge given DOT's mission, ensuring seamless execution requires clear and precise direction from managers, feedback from DOT's employees, and clear lines of communication within and among the Office of the Secretary and Operating Administrations. I am grateful to already be working with a wonderful group of public servants on this and other challenges and look forward to continuing to do so if confirmed for this role.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts. None.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain. No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of the Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of the Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

5. Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of the Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy. None.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group? If yes:

No, I have not.

- a. Provide the name of agency, association, committee, or group;
- b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
- c. Describe the citation, disciplinary action, complaint, or personnel action;
- d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain.

No, I have not.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain. No.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain. No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain. No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination. None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees, and that your department/agency endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority? Yes.

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

Mohsin R. Syed

EXPERIENCE

U.S. Department of Transportation, Washington, DC

Principal Deputy Assistant Secretary for Congressional Affairs, January 2021 – Present
Acting Assistant Secretary for Governmental Affairs, January 2021 – April 2021

- Serve as the Secretary of Transportation's principal advisor on all matters pertaining to congressional, state, local, and Tribal affairs.

U.S. House Committee on Transportation and Infrastructure, Washington, DC

Chief Counsel, January 2019 – January 2021

- Assisted in managing a committee staff of attorneys and policy experts to implement the legislative priorities of Chair Peter DeFazio on all issues pertaining to transportation, infrastructure, federal emergency management, and public buildings.
- Strategized with and provide policy counsel to committee staff in developing and moving legislation through the committee, House Floor, and negotiations between the House and Senate.
- Provided counsel to the committee's oversight team, including a lead investigator and two attorneys, in conducting oversight of government agencies and industries within the committee's jurisdiction.
- Advised the Chair and committee staff on all rules and parliamentary procedures pertaining to legislation considered in committee and on the House Floor.
- Directed committee staff during House Floor consideration of committee-related legislation in coordination with House Leadership.

U.S. Senate Committee on Commerce, Science, and Transportation, Washington, DC

Staff Director (with TS clearance), Subcommittee on Aviation Operations, Safety, and Security, July 2016 – January 2019

- Advised Ranking Member Bill Nelson, Democratic committee members, and Democratic caucus on all issues pertaining to aviation consumer protection, operations, safety, and security.
- Managed subcommittee staff in providing policy counsel, developing legislative strategy, and drafting and negotiating bipartisan legislation on aviation-related matters, including the Federal Aviation Administration (FAA) Reauthorization Act of 2018 (P.L. 115-254) – a five-year reauthorization of the FAA and three-year reauthorization of the Transportation Security Administration (TSA).
- Directed committee oversight of the aviation industry through committee hearings and engagement with the FAA, TSA, and relevant stakeholders.

Office of U.S. Senator Bill Nelson, Washington, DC

Legislative Counsel, October 2014 – July 2016; February 2018 – March 2018

- Advised the Senator on all issues pertaining to judiciary, immigration, and child welfare.
- Managed the Senator's bipartisan process for recommending individuals to the White House for federal district court and U.S. Attorney vacancies in Florida.
- Led the Senator's legislative efforts in response to two mass shootings in Florida – Pulse nightclub in Orlando and Marjory Stoneman Douglas High School in Parkland.
- Assisted Senate Commerce Committee in drafting and negotiating the Senate-passed FAA Reauthorization Act of 2016 and FAA Extension, Safety, and Security Act of 2016 (P.L. 114-190).

U.S. Department of Transportation, Washington, DC

Attorney-Advisor (with Secret Clearance), October 2011 – October 2014

Legislative Fellow to U.S. Senator Brian Schatz, February 2014 – August 2014

- Detailed from the Department to provide legislative and policy counsel for the Senator's priorities in the areas of aviation, surface transportation, and homeland security.

Mohsin R. Syed

Office of the General Counsel, Operations

- Provided legal counsel to the Essential Air Service (EAS) program, including reviewing program orders, drafting responses to congressional requests, and facilitating a working group on enforcing statutory requirements and improving the program's administration.
- Provided legal counsel to a working group seeking to establish a medical countermeasures program to distribute antibiotics to personnel during a biological attack.
- Coordinated on privacy and security-related legal issues pertaining to the domestic use of unmanned aircraft systems.
- Served as the Department's legal contact for a White House-led interagency working group to improve chemical facility safety and security.
- Ensured regulatory compliance of documents containing Sensitive Security Information (SSI).

Akin Gump Strauss Hauer & Feld LLP, Washington, DC

Associate, January 2011 – October 2011

- Represented aerospace, defense, financial, industrial, and technology clients on internal investigations and compliance matters related to the Foreign Corrupt Practices Act, export control and antiboycott laws and regulations, and U.S.-administered sanctions programs.

Arnold & Porter LLP, Washington, DC

Associate, September 2008 – December 2010; Summer Associate, 2007

- Represented corporate clients on commercial and white collar litigation matters involving the Foreign Corrupt Practices Act, antitrust, and patent legal issues.

Defense Intelligence Agency, Washington, DC

Intelligence Officer (with TS/SCI clearance), July 2003 – July 2005

- Monitored, analyzed, and presented intelligence collected on transnational terrorist organization activities in Iraq, Afghanistan, Pakistan, and Central Asia to senior officials, deployed personnel, and the greater intelligence community as part of the Joint Intelligence Task Force – Combating Terrorism (JITF-CT).
- Served for one year as a CENTCOM Desk Watch Officer responsible for monitoring and sending all-source terrorism reporting while providing initial assessments and warnings of imminent threats to deployed personnel as part of 24-hour Warning and Fusion Center.
- Awarded JITF-CT Challenge Coin for distinguished service as an all-source analyst assessing terrorist trends in Iraq and twice recognized for outstanding contributions to defense intelligence.

Federal Trade Commission, Washington, DC

Honors Paralegal for Bureau of Competition, July 2002 – July 2003

- Assisted attorneys on antitrust cases, including conducting telephone interviews of potential witnesses, drafting interview reports, and reviewing documents requested through discovery.

EDUCATION

University of Virginia School of Law

J.D., May 2008

Member of Virginia State Bar (2008) and District of Columbia Bar (2009)

Interned at U.S. Department of Justice, Counterterrorism Section with TS/SCI clearance (summer of 2006)

University of Virginia

B.A., Foreign Affairs and History, May 2002

Interned at the White House Office of Public Liaison (summer of 2000)

The CHAIRWOMAN. Thank you, Mr. Syed. I should have mentioned that in our statement of your former time here. Thank you so much.

Mr. SYED. Thank you.

The CHAIRWOMAN. Mr. Bose, thank you. Welcome.

**STATEMENT OF AMITABHA BOSE, NOMINEE TO BE
ADMINISTRATOR, FEDERAL RAILROAD ADMINISTRATION**

Mr. BOSE. Chair Cantwell, Ranking Member Wicker, and Members of the Committee, I am honored to appear before you today as the Nominee for Administrator of the Federal Railroad Administration.

I am grateful to President Biden and Secretary Buttigieg for selecting me to fill this important role.

Allow me to thank my wife Gira Bose and our daughter Iliana. Without their support I would not be here today.

I would also like to recognize my friends, extended family, and my parents, Nripendra and Sabita Bose, watching virtually, who brought me to this country at the age of five to begin my American dream.

My thanks also go to the nearly 900 FRA employees. They are women and men who are passionate about their mission, keeping rail workers and the public safe while strengthening passenger and freight rail mobility now and in the future.

I'm also indebted to Secretary Ray LaHood, Secretary Anthony Foxx, Deputy Secretaries John Porcari, Victor Mendez, and FRA Administrators Joe Szabo and Sara Feinberg.

FRA's mission is one for which my over two decades of public service along with my private sector transportation experience have prepared me well.

In the Obama-Biden Administration I served as FRA Deputy Administrator, Chief Counsel, Senior Advisor, and Director of Governmental Affairs. During those years I guided the agency through the early stages of positive train control implementation and the establishment, management, and oversight of the \$10 billion Inner City Passenger Rail Program, among other issues.

I also served in the Office of the Secretary of Transportation as Associate General Counsel and Deputy Assistant Secretary for Governmental Affairs. I carry these experiences with me today.

Further, I bring a local perspective from my positions at New Jersey Transit and the New Jersey Department of Transportation as well as working as a land use attorney where I appeared before city councils, county commissions, and zoning boards, and I would be remiss not to mention my time serving on Senator Bob Menendez's staff in the Senate and the House. It is humbling now to return to the Senate as a nominee.

If confirmed, the safety of the national rail network will remain the center of my focus. The possibility and urgency for growth and investment makes that duty of safety even more critical.

I commit to strong collaboration with stakeholders and that includes the rail workers who are the backbone of our railroads, the companies, and the agencies that own and operate the system and the various other project sponsors that invest in the rail network. Communication is vital to carrying out the FRA's mission and en-

sure the safety of the rail network, and I am focused on reinvigorating the Railroad Safety Advisory Committee to ensure all affected stakeholders have an open forum to discuss challenges and opportunities.

I have heard continued concern from many of you about grade crossing safety and railroad trespass prevention. I want to assure the Committee that FRA will do everything possible to address these issues, including funding, education, enforcement, collaboration, technology, communication, and monitoring. This effort has to be addressed in partnership with our agencies, states, localities, law enforcement, and railroads.

It is with humility that I approach the path ahead of us. I reentered government service during the COVID-19 pandemic. Since then FRA took immediate action to disburse COVID-19 relief funding from Congress, including to Amtrak. In conjunction with the Centers for Disease Control and Prevention and the Transportation Security Administration, the department took several actions.

As we recover from the pandemic, the bipartisan Infrastructure Investment and Jobs Act outlines the investments needed to transform our Nation's infrastructure. Its proposed investments in rail would not only repair and replace aging infrastructure and achieve a state of good repair but also increase efficiency, expand capacity, and transportation options across the country.

From the Gulf Coast to the West Coast, from the Pacific Northwest to the Northeast Corridor, from where I grew up in Georgia to the Heartland, and all across this country, people are eager for expanded rail options. I hear from them regularly.

In closing, if this body honors me with confirmation I pledge to work with the Committee and Congress to strengthen America's rail network to ensure safety and build the future.

The leadership of Congress and the voices of your constituents are critical to our joint success.

Thank you again. I look forward to your questions.

[The prepared statement and biographical information of Mr. Bose follow:]

PREPARED STATEMENT OF AMITABHA BOSE, NOMINEE TO BE ADMINISTRATOR OF THE
FEDERAL RAILROAD ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION

Chair Cantwell, Ranking Member Wicker and Members of the Committee, I am honored to appear before you today as the nominee for Administrator of the Federal Railroad Administration (FRA). I am grateful to President Biden and Secretary Buttigieg for selecting me to fill this important role.

Allow me to introduce and thank my wife, Gira Bose, and our daughter, Iliana. Without their support, I would not be here today. I would also like to recognize my extended family and my parents, Nripendra and Sabita Bose, watching virtually, who brought me to this country at the age of five to begin my American Dream.

My thanks also go to the nearly 900 FRA employees. They are women and men who are passionate about our mission: keeping rail workers and the public safe, while strengthening passenger and freight rail mobility, now and in the future.

FRA's mission is one for which my over two decades of public service, along with my private sector transportation experience, have prepared me well. In the Obama-Biden Administration, I served as the FRA Deputy Administrator, Chief Counsel, Senior Advisor, and Director of Governmental Affairs. During those years, I guided the agency through the early stages of Positive Train Control implementation and the establishment, management and oversight of the \$10 billion intercity passenger rail program, among other issues. I also served in the Office of the Secretary of Transportation as Associate General Counsel and Deputy Assistant Secretary for Governmental Affairs.

I carry these experiences with me today. Further, I bring a local perspective from my positions at New Jersey Transit and the New Jersey Department of Transportation, as well working as a land use attorney. And, I would be remiss not to mention my time serving on Senator Bob Menendez’s staff in the Senate and House. It is humbling to now return to the Senate as a nominee.

If confirmed, the safety of the national rail network will remain the center of my focus. The possibility, and the urgency, for growth and investment makes that duty of safety even more critical. I commit to strong collaboration with stakeholders—that includes the rail workers who are the backbone of our railroads, the companies and agencies that own and operate the system, and the various other project sponsors that invest in the rail network. Communication is vital to carrying out the FRA’s mission and ensuring the safety of the rail network, and I am focused on reinvigorating the Railroad Safety Advisory Committee to ensure all affected stakeholders have an open forum to discuss challenges and opportunities.

I have heard continued concern from many of you about grade crossing safety and railroad trespass prevention. I want to assure the Committee that FRA will do everything possible to address these issues, including funding, education, enforcement, collaboration, technology, communication, and monitoring. This effort has to be addressed in partnership with other agencies, states, localities, law enforcement, and railroads.

It is with humility that I approach the path ahead of us. I reentered government service during the COVID–19 pandemic. Since then, FRA took immediate action to disperse COVID–19 relief funding from Congress, including funding to Amtrak. In conjunction with the Centers for Disease Control and Prevention and the Transportation Security Administration, the Department took several actions to ensure the health and safety of rail workers and the traveling public, including issuance of an FRA Emergency Order.

As we recover from the pandemic, the Bipartisan Infrastructure Investment and Jobs Act outlines investments needed to transform our Nation’s infrastructure. Its proposed investments in rail would not only repair and replace aging infrastructure and achieve a state of good repair, but also increase efficiency, expand capacity and transportation options across our country. It will enable safe, high quality, and reliable rail service with competitive travel times and increased frequencies.

From the Gulf Coast to the West Coast; from the Pacific Northwest to the Northeast Corridor; from where I grew up in Georgia to the heartland—and all across this country—people are eager for expanded rail options. I hear from them regularly. These efforts will create good-paying union jobs, promote economic growth, combat the climate crisis, and advance equity—including increased access for people with disabilities and opportunities for disadvantaged business enterprises.

In closing, if this body honors me with confirmation, I pledge to work with the Committee to strengthen America’s rail network—to ensure safety and build the future. The leadership of Congress and the voices of your constituents are critical to our joint success. Thank you again for your consideration and the opportunity to appear before you. I look forward to your questions.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): Amitabha Bose, Amit, Dabbu.
2. Position to which nominated: Federal Railroad Administration Administrator.
3. Date of Nomination: 04/27/2021.
4. Address (List current place of residence and office addresses):
 Residence: Information not released to the public.
 Office: 1200 New Jersey Avenue, SE, 3rd Floor, Washington, DC 20590.
5. Date and Place of Birth: 4/6/1972; Laheriasarai, Bihar, India.
6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).
 Gira Bose, Legislative Counsel, National Credit Union Administration
7. List all college and graduate degrees. Provide year and school attended.
 University of Georgia School of Law, 2001–2004
 Columbia University School of International and Public Affairs, 1994–1995
 Columbia College, AB, 1990–1994

8. List all post-undergraduate employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

See Attachment 1.

9. Attach a copy of your résumé.

See Attachment 2.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years.

Member, New Jersey Recovery and Restart Advisory Council

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years.

Associate Vice President, HNTB

Board Chair, Coalition for the Northeast Corridor

12. Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization. (For this question, you do not have to list your religious affiliation or membership in a religious house of worship or institution.). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

GA Bar Association, 2004 to present

American Bar Association, approximately 2014–2017

Asian-American Bar Association, approximately 2014–2017

American Society of Quality, 2018–2019

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt. No.

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

Biden-Harris GOTV 2020, made phone calls and sent text messages

Clinton-Kaine GOTV 2016, made phone calls and sent text messages

Obama-Biden GOTV 2012, made phone calls, sent text messages, went door to door

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years.

Please see below, which reflects the best of my recollection. Should any additional contributions be identified, I will promptly let the Committee know.

Biden for President 10/27/2020 \$1,001

2021 HNTB PAC \$150

2020 HNTB PAC \$1,350

2019 HNTB PAC \$1,300

2018 HNTB PAC \$1,300

2017 HNTB PAC \$600

Chaudhuri for New North Carolina 6/30/2016 \$301; 5/18/2015 \$1001

Hillary for America 12/17/2015 \$275; 4/20/2016: \$400; 7/31/2016 \$125; 10/10/2016

\$200; 10/30/2016 \$25; 11/1/2016 \$425

Carter for Governor 11/7/2013 \$501; 12/11/2013 \$500; 7/10/2014 \$500; 9/19/2014 \$250; 9/19/2014 \$48.75

Aneesh Chopra for Virginia 5/2/2013 \$250

Obama for America 12/31/2011 \$201; 7/5/2012 \$500

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

Secretary's Safety Award for Safety Posture Review Team, Secretary Certificate of Appreciation High Hazard Flammable Train Team, President's Leadership Workshop 2013–2014, Land Use Clinic Award 2004, Ed Sumner Memorial Scholar 2003, Columbia College-School of International and Public Affairs 5-Year MIA Program, Senior Class Marshal 1994, Senior Society of Sachems 1993–1994, Michael Jupka Scholarship 1993, Joseph Buhler Scholarship 1992.

17. Please list each book; article, column, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

Please see below for the most up-to-date list of publications—to the best of my ability. If additional publications are identified following the submission of this questionnaire, I will promptly let the Committee know.

Amitabha Bose, Dennis J. Webb, Jr., Marcia McCrory Ernst, Victor A. Ellis, Amitabha Bose, and Joseph Cooley, *Zoning and Land Use Law*, Mercer Law Review 477–506 (2006).

Amitabha Bose, *Do All Roads Lead to Islamic Radicalization? A Comparison of Islamic Laws in India and Nigeria*, Georgia Journal of International and Comparative Law 780-812 (2004).

Amitabha Bose and Florian Stamm, *Stuck on a Launchpad: Lucas' Lack of Influence on Georgia Takings Jurisprudence*, The Georgia League Report (2001).

Please see below for the most up-to-date list of speeches and non-congressional hearings I have been able to compile—to the best of my ability. If additional speeches or remarks are identified following the submission of this questionnaire, I will promptly let the Committee know.

Virginians for High Speed Rail June 16, 2021
 APTA–UITP Rail Conference June 8, 2021
 BLET State Legislative Board Chairs May 27, 2021
 Women's Chamber of Commerce May 13, 2021
 COMTO Leadership Conference May 13, 2021
 Association of State Rail Safety Managers April 22, 2021
 Railroad Safety Advisory Committee Public Forum April 16, 2021
 APTA High-Speed Rail Conference April 7, 2021
 Southeast Rail Forum March 24, 2021
 AASHTO Federal Leadership Roundtable, February 25, 2021
 AASHTO Rail Council, February 17, 2021
 States for Passenger Rail Coalition, February 16, 2021
 One Rail February 11, 2021
 North Jersey Transportation Planning Authority May 13, 2019
 APTA Annual Rail Conference 2016
 AASHTO Annual Rail Committee Conference 2016
 Transportation Research Board Lawyers Committee 2016
 National Association of Counties 2015

18. List all digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the name of an “alias” or “handle” you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

Linked In: <https://www.linkedin.com/in/amit-bose-277aa1>

Twitter: Bosetranspo and Abose2 (old handle)

Facebook: <https://www.facebook.com/amit.bose.75>

19. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony. None.

20. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

Transportation is a part of our daily lives. Working on an issue that affects all Americans is an honor. I have worked on transportation policy and projects since 1997, including work on the Transportation Equity Act for the 21st Century, Rail Safety Improvement Act, Moving Ahead for Progress-21, and Fixing America's Surface Transportation Act. My first projects included putting together the legislation and funding to deepen New York Harbor, delivering the Full Funding Grant Agreement for the Hudson-Bergen Light Rail Project, and funding improvements to Newark Liberty Airport.

I know the Federal Railroad Administration and Department of Transportation well and have served as FRA Deputy Administrator, Chief Counsel and Director of Governmental Affairs. I have also served as the Department's Associate General Counsel, and Deputy Assistant Secretary for Governmental Affairs. I have worked in Congress, state, and local levels of government. I have worked with a wide range of stakeholders, and with a major transit agency on safety issues and capital program delivery.

When I worked at DOT, FRA, and Congress, I knew how important working with all stakeholders from different parts of the country was. I incorporated that approach into my daily work, and it enabled me to foster a collegial environment where I delivered results. In addition, I worked on drafting legislation and implementing it. I also have experience on both the safety and passenger sides of FRA. Since I have previously served as FRA Deputy Administrator, Senior Advisor, and Chief Counsel, I worked on a number of key issues, such as positive train control and system safety, and FRA and its staff are familiar to me. I also know that safety, freight, and passenger rail can work together.

In addition to my time in government, I have worked at a major state rail agency, New Jersey Transit. While there, I worked to advance specific projects, such as the Access to the Region's Core project.

My legal experience in administrative and governmental law, including land use, give me a perspective of how transportation and infrastructure affect communities, cities, towns, counties, states, and regions.

21. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

I would have accountability and responsibility over FRA and its staffs performance. My responsibilities would cover working with FRA's staff, including senior staff, along with working with the Secretary's office. I would work closely with the FRA Executive Director, FRA Chief Financial Officer, and Associate Administrator for Administration to use best practices and implement lessons learned.

I would assess whether FRA's existing controls are effective to help FRA deliver its priorities and meet demands. These controls also must have the ability to assess risks. My duties would include responding to Congressional oversight and inquiries, and implementing recommendations from the Department's Office of Inspector General and National Transportation Safety Board. As Deputy Administrator, I was second in command and helped the Administrator manage FRA. As FRA Chief Counsel, I ran an office with approximately 50 staff. At HNTB, I oversaw a group of approximately 30-40 staff.

22. What do you believe to be the top three challenges facing the department/agency, and why?

I am committed to successfully delivering FRA's mission to enable the safe, reliable, and efficient movement of people and goods for a strong America, now and in the future.

The primary challenge FRA faces is safety. The public expects safety to be top of mind at FRA. The safety of the national rail system, its workers, and public is FRA's primary responsibility. This includes combatting the continuing COVID-19 pandemic by ensuring FRA is playing its role in making the United States' rail network function effectively and helping the Department and Administration's with their efforts. Safety also means ensuring compliance with existing regulations and enforcement.

Another challenge is the economic recovery. To compete globally and provide travel options for the public, the United States needs to build the next generation of rail projects across the country. In addition to freight rail, passenger rail can be one of the pillars of improving the economy, rethinking the way we move around the country to address our changing climate, and creating good-paying middle-class jobs.

FRA needs to help Amtrak and passenger rail providers return to full service safely in the context of broader efforts to combat the pandemic. Progressing and successfully delivering mega-projects, such as the Hudson Tunnel Project, Gulf Coast Rail Project, and California High-Speed Rail Project, is a priority because delivering those means helping with economic recovery.

At the moment, climate change remains a threat to our well-being. Freight and passenger rail can and must play their roles in addressing climate change. Eliminating congestion at key bottlenecks in our rail networks can be part of rail's efforts along with innovation to further reduce emissions.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

My arrangements are described in Part 3 of my Public Financial Disclosure Report.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain. None.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of the Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of the Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

5. Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of the Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

I was board chair of the Coalition for the Northeast Corridor and advocated for Federal funding for the Northeast Corridor.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group? No.

If yes:

- a. Provide the name of agency, association, committee, or group;
- b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
- c. Describe the citation, disciplinary action, complaint, or personnel action;
- d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain.

I was arrested on 11/21/1989 at the age of 17 on a charge of disorderly conduct. I paid a \$200 collateral the night of my arrest. I did not have to appear in court as my collateral became my fine.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

Not to my knowledge.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain. No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain. No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination. None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees, and that your department/agency endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority? Yes.

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

Attachment 1

Amit Bose Employment History

January 2021 – present: Deputy Administrator, Federal Railroad Administration

Manage the Federal Railroad Administration, composed of over 900 employees and \$2.8 billion budget, with a focus on safety and passenger rail services.

February 2017 – January 2021: Associate Vice President, HNTB

Assisted the Washington Metropolitan Area Transit Authority Office of Capital Program Delivery with the Yellow Line Tunnel and Bridge Rehabilitation project and led all aspects of the business process, invoice process, procurement, and training functions.

January 2017 – February 2017: Self-employed

Worked as consultant under a sub-contract with Ogilvy Government relations. Drafted transportation funding options paper for Cameron County, TX.

October 2016 – January 2017: Deputy Administrator, Federal Railroad Administration

Served as the second-in-command at the FRA developing, aligning and integrating goals with strategies, delivering initiatives and priorities, tracking program performance and progress, deploying agency staffing and budget resources, and providing primary direction to staff in the conduct of daily affairs.

January 2016 – October 2016: Chief Counsel, Federal Railroad Administration

Led FRA's Office of Chief Counsel, comprised of over 40 attorneys and 9 support personnel; served as principal advisor to the Administrator and coordinated FRA's legal work with DOT's General Counsel; provided legal support for FRA's railroad safety and passenger rail programs.

March 2015 – December 2015: Senior Advisor, Federal Railroad Administration

Served as principal advisor to the FRA Administrator, providing strategic advice and counsel as well as advancing the delivery of her short-term and long-term rail safety and passenger rail priorities; spearheaded the confirmation process for the then-Acting Administrator.

September 2014 – March 2015: Associate General Counsel, Federal Railroad Administration

Served as member of the executive leadership team managing and overseeing the Office of General Counsel; provided advice and counsel to Secretary Foxx, General Counsel, Deputy Secretary, Secretary's Chief of Staff, Offices of Policy, Budget and Public Affairs as well as the Chief Counsels of the operating administrations. Assisted when the FRA needed technical expertise to deal with a variety of issues.

June 2011 – August 2014: Deputy Assistant Secretary for Governmental Affairs

Served as liaison for Secretary Foxx and then-Secretary Ray LaHood to the U.S. House of Representatives, communicating DOT's positions and policies, and developing relationships with Committee staff and Members.

October 2009 – June 2011: Director of Governmental Affairs, Federal Railroad Administration

Served as FRA's primary Senate and House contact and representative; coordinated and monitored Congressional affairs within and among all FRA offices and programs, including President Obama's \$10.1 billion High Speed Intercity Passenger Rail Program, TIGER rail projects, RRIF, and Amtrak.

June 2009 – October 2009: Senior Advisor, Senator Robert Menendez

As Senior Policy Advisor, advised Senator Menendez, Chairman of the Banking Subcommittee on Housing, Transportation and Community Development on legislation, including the Highway Trust Fund fix, and livable communities; developed, planned and organized Subcommittee hearings.

January 2008 – May 2009: Director Federal Government Relations, New Jersey Transit

As Director of Federal Government Relations, coordinated nation's third largest transit system's relationships with U.S. Congress, New Jersey Congressional Delegation, Congressional Committees, U.S. Department of Transportation, and Federal Transit Administration.

January 2007 – May 2009: Director of Office of Federal Policy and Infrastructure Development/Speechwriter, New Jersey Department of Transportation

As Director of Office of Federal Policy & Infrastructure Development/ Speechwriter for Commissioner, directed department's legislative efforts with the U.S. Congress and federal agencies; developed and implemented plan to select projects and distribute \$1.075 billion of transportation funding from ARRA.

June 2005 – December 2006: Associate, Smith Gambrell & Russell

Served as Associate who prepared and filed successful rezoning, variance and other land use applications in local governments across Georgia.

June 2004 – June 2005: Associate, Law Offices of Wm. Thomas Craig

Served as Associate who provided legal services to Newton County on land use and zoning issues, development impact fees, Special Purpose Local Option Sales Tax, conservation subdivisions, annexation, easements, right-of-way acquisition.

November 2001 – May 2004: Library Assistant, University of Georgia School of Law

Assisted law school library patrons.

August 1995 – June 2001: Senior Legislative Assistant, Legislative Assistant, Intern, Congressman Robert Menendez

As Senior Legislative Assistant/Director of House Democratic Caucus Education Task Force, drafted, initiated and monitored legislation; won \$169 million to design and build the Hudson-Bergen Light Rail Transit System, \$70 million to deepen the Port of New York & New Jersey, and \$18 million to construct the Newark-Elizabeth Rail Link.

September 1994 – May 1994: Admissions Clerk, Columbia University School of Business

Assisted the Admissions Office with organizing admissions files, organizing applicant interview and visits.

May 1993 – September 1993: Columbia University, Columbia College's New Student Orientation Program

Part of team that created the Orientation Facebook and management of the overall orientation program.

ATTACHMENT 2

AMIT BOSE

PROFESSIONAL SUMMARY

Seasoned leader with extensive knowledge of legal, policy, and governmental affairs. Adaptable professional who can easily manage different roles and changing priorities. Experienced in briefing groups and executive leadership on complex issues, and providing technical assistance within government settings. Extensive network of relationships across government agencies, organizations, and programs. Strong legal foundation and ability to navigate safety, compliance and regulatory issues; solid background in rail and transit safety, federal grants process, and project delivery in rail and transit.

CORE STRENGTHS

- Team Leadership
- Stakeholder Relationships
- Strategic Planning
- Safety
- Project Management
- Regulatory Compliance
- Contract Management
- Communication Skills
- Governmental Affairs

EDUCATION

University of Georgia School of Law, Athens, GA
Juris Doctor (JD)

Columbia University, NY, NY
School of International & Public Affairs

Master of International Affairs (MIA) - Economic & Political Development, South Asia Institute Certificate

Columbia College, NY, NY
AB - Concentrations in Political Science and Middle Eastern and Asian Languages & Cultures

LEADERSHIP

Biden Infrastructure Policy Committee, Volunteer

New Jersey Restart & Recovery Advisory Council, Member

President's Leadership Workshop: White House-led six-month leadership development initiative for select appointees
May - November 2014

PROFESSIONAL EXPERIENCE

FEDERAL RAILROAD ADMINISTRATION Washington, DC
Acting Administrator & Deputy Administrator 01/2021 - Present

Manage the staff, programs, and operations of the Federal Railroad Administration. Responsible for a \$2.8 billion budget.

- Coordinate efforts to support and execute the Secretary of Transportation and President's transportation goals
- Create and establish program policies for key department operations, including safety, budgets, grants, legislative issues, strategic planning, human resources, and management systems
- Set strategic objectives and priorities for the safety and passenger rail programs
- Translate relevant legislation into regulations, programs, and guidance
- Serve as a board member of Amtrak and Northeast Corridor Commission

HNTB CORPORATION Washington, DC
Associate Vice President, Program Director, and Deputy Project Manager 02/2017 - 01/2021

Built and led a successful, multi-disciplinary team via recruitment, interviewing, hiring, and onboarding.

- Part of leadership team on Washington Metropolitan Area Transit Authority (WMATA) on call program management, construction management, and engineering services contract, provided support for procurement, business process development, change management, budget management, program reporting, performance management, best practices, and lessons learned
- Maintain business and operational controls through scheduling and budget planning to ensure profitability
- Perform appraisals of services, processes, products and systems to assure compliance with Federal Transit Administration (FTA), National Transportation Safety Board (NTSB), and Tri-State Oversight Committee Corrective Action Plans
- Guided quality management system plan implementation, compliance audits, corrective action plan implementation, inspections, reporting, tracking, and regulatory compliance services
- As Mid-Atlantic Office Rail & Transit Group Director, led the group's project management, finance, client development, marketing, staffing, and sales for VA, Washington, DC, MD, and WV
 - Supervised 30-50 engineers and specialists with HNTB's clients, e.g., WMATA

FEDERAL RAILROAD ADMINISTRATION (FRA), U.S. DOT Washington, DC
Deputy Administrator 2016 - 2017

Acted as agency's second-in-command to develop, align, and integrate goals with strategies, deploying agency staffing and budget resources and providing staff leadership. Collaborated within the Administration, DOT, government, industry, and foreign governmental officials. Represented FRA on national and DOT-wide councils and committees.

- Focused on Secretary Anthony's Fox's priorities, e.g., the Northeast Corridor Gateway Program, \$68B California High Speed Rail Project, Build America Bureau, and oil train safety

Chief Counsel 2016

Directed the Office of Chief Counsel, comprised of 42 attorneys and 9 support personnel. Advised the Administrator and coordinated legal work with DOT's General Counsel. Drafted legislation, regulations, safety orders, and agency interpretations; handled civil monetary penalty collections, criminal enforcement, engineer certification cases, conductor certification cases, and administrative/judicial litigation.

- Negotiated and drafted the \$2.45B Railroad Rehabilitation and Improvement Financing Program (RRIF) loan for Amtrak's next generation of Northeast Corridor service equipment, station improvements, and track upgrades

AMIT BOSE

PROFESSIONAL EXPERIENCE *(continued)*

- Oversaw the implementation of the National Environmental Policy Act, National Historic Preservation Act, and related laws and regulations
- Northeast Corridor Commission Board Member; Sr. Review Team Member for FASTLANE and Fiscal Year 2016 Transportation Investment Generating Economic Recovery (TIGER grant) application selections

Senior Advisor 2015 - 2016

Provided strategic advice and counsel, advancing short-term and long-term rail safety and passenger rail priorities. Edited and reviewed rulemakings, safety advisories, emergency orders, and accident reports. Supervised governmental affairs staff who support relationships with Congress, industry and government stakeholders.

- Acted as point on the Secretary's high-profile rail priorities, including the transportation legislation, new \$14B Hudson River Tunnel project, \$65 billion California High Speed Rail project, \$28M Northeast Corridor Future effort, and Southeast Rail Corridor
- Part of the leadership management team responding to emergency situations: May 2015 Amtrak Philadelphia derailment, and oil train derailments in IL, ND, and MT

Director of Congressional Affairs 2009 - 2011

Served as a primary Senate and House contact and representative, responding to Congressional requests. Helped prepare, including drafting testimony, for hearing appearances before the House and Senate Appropriations Subcommittees on Transportation, House Transportation Committee, and Senate Commerce Committee. Planned public rollouts of grants, safety efforts, e.g., Positive Train Control, close call reporting, and press events. Reviewed and approved correspondence with Members of Congress, governors, and mayors.

- Coordinated and monitored Congressional affairs for FRA offices and programs, including President Obama's \$10.1B High Speed Intercity Passenger Rail Program, TIGER rail projects, RRIF, and Amtrak

U.S. DEPARTMENT OF TRANSPORTATION

Washington, DC

Associate General Counsel

2014 - 2015

Provided advice and counsel to Secretary Foxx, General Counsel, Deputy Secretary, Secretary's Chief of Staff, Offices of Policy, Budget and Public Affairs as well as the Chief Counsels of the operating administrations, including the Federal Aviation Administration, Federal Highway Administration, and the Federal Transit Administration. Supervised the legal analyses to implement the Secretary's top priorities. Managed government-wide interagency coordination and DOT's responses to Congressional oversight and investigations requests. Drafted correspondence and Congressional hearing testimony for senior DOT officials. Represented DOT in meetings on pending matters with senior officials from other agencies, Office of Management and Budget, White House offices, Congressional Committees, and major transportation groups, such as the Association of American Railroads, American Trucking Association, American Petroleum Institute, and Airlines for America.

- Co-led the Secretary's Safety Posture Review Team developing priorities and action plans for Department-wide and operating administration-led safety improvements

Deputy Assistant Secretary for Governmental Affairs

2011 - 2014

Worked with senior officials to promote President Obama's transportation goals. Served as liaison for Secretary Foxx and Secretary Ray LaHood to the U.S. House of Representatives, communicating DOT's positions and policies. Led preparations for hearings before the House Transportation Committee, House Appropriations Subcommittee on Transportation, House Oversight & Government Reform Committee, and House Energy & Commerce Committee. Reviewed Secretary's speeches, DOT's press releases, grants notices, regulations, studies and reports, including various Inspector General and General Accounting Office reports. Supervised staff, delegated work, and evaluated performance.

- Guided the rollout of President Obama's multi-year surface transportation reauthorization proposal, the GROW America Act, and 2011 American Jobs Act
- Functioned as DOT's primary point of contact for the House during the Surface Transportation Reauthorization bill (MAP-21), FAA Reauthorization bill, and FY 2012 - FY 2015 Transportation Appropriations bills

ADDITIONAL WORK EXPERIENCE

OFFICE OF SENATOR ROBERT MENENDEZ, Senior Policy Advisor 2009

NEW JERSEY TRANSIT (NJT), Director of Federal Government Relations 2008 - 2009

NEW JERSEY DOT, OFFICE OF COMMISSIONER, Director, Office of Federal Policy & Infrastructure Development; Speechwriter for Commissioner 2007 - 2009

SMITH, GAMBRELL & RUSSELL, Associate 2005 - 2006

LAW OFFICES OF WM. THOMAS CRAIG, Associate 2004 - 2005

OFFICE OF CONGRESSMAN ROBERT MENENDEZ, Senior Legislative Assistant | Legislative Assistant 1995 - 2001

The CHAIRWOMAN. Thank you, Mr. Bose. Thank you so much. We'll definitely have questions on those subjects.

Ms. Joshi, thank you so much, appreciate your willingness to serve in this capacity.

**STATEMENT OF MEERA JOSHI,
NOMINEE TO BE ADMINISTRATOR,
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION**

Ms. JOSHI. Thank you very much, Chair Cantwell, Ranking Member Wicker, and Members of the Committee.

I'm deeply honored to appear before you today as President Biden's nominee to be the Administrator of the Federal Motor Carrier Safety Administration, FMCSA, at the U.S. Department of Transportation.

Thank you, President Biden and Secretary Buttigieg, for your support and leadership.

Thanks to the professional women and men of FMCSA whose deep commitment to reducing commercial motor vehicle crashes and fatalities is unparalleled. It would be an honor to lead them in this life-saving mission.

Thank you to my family, my husband who's here today, my anchor, Charlie, our children Louise, David, Marco, and Ava, my sister Shyamala, for their support of my career in public service, and thank you to my parents Susan and Aravind whose marriage, though controversial at first, exemplifies the beauty of diversity.

Commercial motor vehicles, aka large trucks and buses, are not only essential to America's thriving economy, transporting over 70 percent of our Nation's freight as well as our loved ones, they're critical in crisis. Throughout COVID, the trucking industry has been at the forefront moving vaccines, testing supplies, and oxygen.

When the Colonial Pipeline was breached, tank trucks transported gas to stations and ultimately into Americans' cars. Most recently, during Hurricane Ida, large trucks brought emergency supplies to our hardest-hit regions.

Our nation's motorcoach industry likewise remains a critical transportation mode. Pre-COVID, the industry safely and sustainably transported over 500 million passengers across the Nation each year. The entire industry is now hard at work re-establishing itself as the preferred mode of interstate passenger travel.

Ensuring the safety of the women and men that literally are driving the commercial motor vehicle industry and all those they share the road with is my personal and utmost priority. Sadly, since 2009 commercial motor vehicle-related roadway fatalities in the United States have steadily risen, resulting in the loss of thousands of lives of men, women, and children, and every year over 800 of these victims are large truck or bus drivers. I'm deeply committed to the undisputed work ahead reversing this fatal trend.

I'm no stranger to roadway tragedy and implementing strategies to improve safety. As Head of the New York City Taxi and Limousine Commission I was at the forefront of the city's Vision Zero Campaign, setting rules of the road for over 150,000 professional taxi and for-hire drivers. I witnessed firsthand the pain of families who'd lost loved ones to traffic violence and ensured that all new

drivers knew their names and knew the names of those that they had lost.

It was also important to me to publicly acknowledge the city's highly skilled professional drivers, women and men who year after year safely transported passengers through congested streets. I led pilots to integrate innovative vehicle safety technology. I increased the effectiveness of roadway enforcement and inspections, and I used data analytics to identify and remove the most dangerous drivers from the road and operators from the industry.

I worked collaboratively with drivers, large and small operators, tech companies, safety and labor advocates, elected officials and their constituents, passengers, as well as the general public. The result of these productive relationships was balanced policy that raised safety and accountability standards for all.

This experience is the source of my desire and belief that I can make a positive difference nationwide in roadway safety as Administrator of the FMCSA.

My mission is further strengthened by this committee's historic investment in commercial motor vehicle safety through the bipartisan Infrastructure Investment and Jobs Act of 2021.

IIJA funding creates American jobs, allowing FMCSA state partners to hire additional personnel for roadside inspections and reach the true breadth of the vast commercial motor vehicle industry.

It provides FMCSA and states the opportunity to increase investigative and enforcement resources focused on high-risk motor carriers and in high-crash zones.

IIJA supports essential upgrades to states' IT infrastructure to improve critical commercial motor vehicle driver data collection and transfer and allows for the integration of safety technology in commercial motor vehicle fleets.

In short, IIJA investment in commercial motor vehicle safety will save lives.

If I have the honor of being confirmed as the Administrator of the FMCSA, I commit to working with members of this committee to strengthen the safety of the commercial motor vehicle sector.

All of us using our Nation's roadways are someone's loved ones and we all deserve to get to where we're going unharmed.

In closing, thank you again for your consideration and the opportunity to appear before you, and I look forward to your questions.

[The prepared statement and biographical information of Ms. Joshi follow:]

PREPARED STATEMENT OF MEERA JOSHI,
NOMINEE TO BE ADMINISTRATOR FOR THE FEDERAL MOTOR CARRIER SAFETY
ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION

Chair Cantwell, Ranking Member Wicker, and Members of the Committee, I am deeply honored to appear before you today, during National Truck Driver Appreciation Week, as President Biden's nominee to be the Administrator of the Federal Motor Carrier Safety Administration (FMCSA) at the U.S. Department of Transportation.

Thank you President Biden and Secretary Buttigieg for your support and leadership. Thanks to the professional women and men of FMCSA whose deep commitment to reducing commercial motor vehicle crashes and fatalities is unparalleled. It would be an honor to lead them on this life saving mission.

Thank you to my family, my husband, my anchor, Charlie, our children, Louise, David, Marco, and Ava, and my sister Shyamala for their support of my career in

public service. Thanks to my parents, Susan and Aravind who instilled in me the importance of people centered purpose.

Commercial motor vehicles, aka large trucks and buses, are not only essential to America's thriving economy, transporting over 70 percent of the Nation's freight as well as our loved ones, they are critical in crisis. Throughout COVID, the trucking industry has been at the forefront, moving vaccines, testing supplies and oxygen. When the Colonial Pipeline was breached, tank trucks transported gas to stations and, ultimately, into Americans' cars. Most recently, during Hurricane Ida, large trucks brought emergency supplies to our hardest hit regions.

Our Nation's motorcoach industry likewise remains a critical transportation mode. Pre-COVID, the industry safely and sustainably transported well over 500 million passengers across the Nation each year. The entire industry is now hard at work reestablishing itself as a preferred mode of interstate passenger travel.

Ensuring the safety of the women and men literally driving the commercial motor vehicle industry and all those that they share the road with is my personal and utmost priority.

Sadly, since 2009, commercial motor vehicle-related roadway fatalities in the United States have steadily risen, resulting in the loss of thousands of lives of men, women, and children. And, every year, over 800 of these victims are large truck or bus drivers.

I am deeply committed to the undisputed work ahead, reversing this fatal trend.

I am no stranger to roadway tragedy and implementing strategies to improve safety. As head of the New York City Taxi and Limousine Commission, I was at the forefront of the city's Vision Zero Campaign, setting the rules of the road for over 150,000 professional taxi and for hire drivers. I witnessed firsthand the pain of families who had lost loved ones to traffic violence and ensured that all new drivers knew their names and the names of those they lost. It was also important to me to publicly acknowledge the city's highly skilled professional drivers, women and men, who, year after year safely transported passengers throughout congested city streets. I initiated an annual driver honor roll to recognize these drivers and to motivate newer drivers to prioritize safety. I led pilots to integrate innovative vehicle safety technology, increased the effectiveness of roadway enforcement and inspections, and used data analytics to identify and remove the most dangerous drivers from the road and operators from the industry. I worked collaboratively with drivers, large and small operators, tech companies, safety and labor advocates, elected officials, their constituents, passengers as well as the general public. The result of these productive relationships was balanced policy that raised safety and accountability standards for all. This experience is the source of my desire and belief that I can make a positive difference nationwide in roadway safety as Administrator of the FMCSA.

My mission is further strengthened by this committee's historic investment in commercial motor vehicle safety through the Bipartisan Infrastructure Investment and Jobs Act of 2021 ("IIJA"). IIJA funding creates American jobs, allowing FMCSA's State partners to hire additional personnel for roadside inspections and reach the true breadth of the vast commercial motor vehicle industry; it provides FMCSA and States the opportunity to increase investigative and enforcement resources focused on high risk motor carriers and in high crash zones. IIJA supports essential upgrades to State's IT infrastructure to improve critical commercial motor vehicle driver data collection and transfer and allows for the integration of safety technology in the commercial motor vehicle fleet. In short, IIJA investment in commercial motor vehicle safety will save lives.

If I have the honor of being confirmed as the Administrator of FMCSA, I commit to working with members of this Committee to strengthen the safety of the commercial motor vehicle sector. All of us using our Nation's roadways are someone's loved ones, and we all deserve to get to where we are going unharmed.

In closing, thank you again for your consideration and the opportunity to appear before you. I look forward to your questions.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used):

Current name: Meera Catherine Joshi.

Former name: Meera Joshi Cattafesta.

2. Position to which nominated: Administrator Federal Motor Carrier Safety Administration.

3. Date of Nomination: April 14, 2021.

4. Address (List current place of residence and office addresses):

Residence: Information not released to the public.
Office: 1200 New Jersey Avenue S.E., Washington DC, 20003.

5. Date and Place of Birth: February 26, 1969; Philadelphia, Pennsylvania.

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Spouse: Charles Bodt, Project Manager, Future Communications, Virtual Service

Children: Marco Cattafesta, age 24; David Bodt, age 25; Louise Bodt, age 29.

7. List all college and graduate degrees. Provide year and school attended.

BA 1992—University of Pennsylvania
JD 1995—University of Pennsylvania Law School

8. List all post-undergraduate employment, and highlight all management level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

Related Managerial Experiences

Deputy Administrator, USDOT Federal Motor Carrier Safety Administration (1/2021 to present)

General Manager New York Office of Sam Schwaitz Transportation Consultants (2020–2021)

Chair and CEO, NYC Taxi and Limousine Commission (TLC) (2014–2019)

General Counsel, NYC Taxi and Limousine Commission (2011–2014)

First Deputy for NYC Civilian Complaint Review Board with oversight over the NYC Police Department (2008–2011)

First Deputy Inspector General and Inspector General, NYC Department of Investigations, with oversight over the NYC Department of Corrections and Probation (2002–2008)

Related Non-Managerial Experiences*Transportation:*

Visiting Scholar NYU Robert F. Wagner Graduate School of Public Service (2019–2020)

Policy Advisor/Consultant Remix (2019–2020)

MJ LLC, Consultant (2019–1/2021)

Legal:

Associate: Morvillo Abramowitz Grand Iason & Anello PC (2000–2002)

Associate: Latham & Watkins, New York (1996–2000, includes maternity and clerkship leave)

Law Clerk: District Court, Eastern District of Pennsylvania (1997)

Law Clerk: Third Circuit Court of Appeals, Pro Se Office (1995)

9. Attach a copy of your résumé.

Please see Attachment A.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years.

As CEO and Chair of the NYC TLC, I was a non-voting member of NYC & Company. My membership ended simultaneously with my tenure as CEO and Chair of the NYC TLC.

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years.

Sole owner of Meera Joshi LLC, a consulting entity I formed in 2019 and is currently inactive. (4/2019–1/2021)

General Manager and Principal, Sam Schwartz Transportation Consultants. (2/2020–1/2021)

Advisor to City Tech Collaborative. (2019–1/2021)

Advisor to Remix (purchased by Via in March 2021.) (Advisor from 04/2019–01/2020 through Meera Joshi LLC; Advisory Council Member 3/2020–1/2021)
 Expert in Residence, Grand Central Tech aka The Company. (9/2020–1/2021)
 Visiting Scholar to New York University Rudin Center. (2/2019–2/2020)

12. Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization. (For this question, you do not have to list your religious affiliation or membership in a religious house of worship or institution.). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

City Coach Multisport, member (2013 to present)
 Prospect Park Alliance, member (2017 to present)
 Prospect Park Track Club, member (2019–2020)
 New York Road Runners, member (2011 to present)
 Brooklyn Bar Association, Chair of Administrative Law Committee. (9/2019–1/2021)

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

No

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

Not Applicable

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years.

Please see Attachment B. Response is the result of electronic searches (*e.g.*, FEC.gov) and reflect the best of my recollection. Should any additional contributions be identified, I will promptly let the Committee know.

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

- a. NYU Visiting Scholar, Wagner School of Public Policy, Rudin Center for Transportation Policy
- b. 2018—Newsmaker of the Year: Crain's New York Business
- c. 2020—100 People Transforming Business: Business Insider

17. Please list each book, article, column, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

Publications

Please see below for the most up-to-date list of publications I have been able to compile—to the best of my ability. If additional publications are identified following the submission of this questionnaire, I will promptly let the Committee know.

Transportation During Coronavirus in NYC:
<https://wagner.nyu.edu/impact/research/publications/transportation-during-coronavirus-nyc>

E-Hail Regulation in Global Cities:
<https://wagner.nyu.edu/impact/research/publications/e-hail-regulation-global-cities>

Bye Bye Parking, Hello Progress, NY Daily News Oped:
<https://www.nydailynews.com/opinion/ny-oped-parking-and-progress-20200804-rn4h27vnonrevdetc7yibobiru-story.html>

End of Tenure Remarks, Medium:

<https://medium.com/@NYCTLC/end-of-tenure-remarks-from-meera-joshi-the-outgoing-chair-of-the-new-york-city-taxi-and-limousine-a414eb3bd7f5>

What Makes a City Smart, Medium:

<https://medium.com/@NYCTLC/what-makes-a-city-street-smart-23496d92f60d>

Taxis: Yellow, Green and Black: Competition and Evolution:

<https://www.citylandnyc.org/taxis-yellow-green-and-black-competition-evolution/#more-23118>

What's the Data Point:

<https://www.gothamgazette.com/city/8507-what-s-the-data-point-125-323-with-former-taxi-commissioner-meera-joshi>

The Gig Podcast: Episode Two, Interview

<https://thegigpodcast.com/>

Speeches

Please see Attachment C for the most up-to-date list of speeches and non congressional hearings I have been able to compile to the best of my ability. If additional speeches or remarks are identified following the submission of this questionnaire, I will promptly let the Committee know.

18. List digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the name of an "alias" or "handle" you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

Inactive Instagram account: [instagram.com/mjoshi919/](https://www.instagram.com/mjoshi919/)

LinkedIn Account <https://www.linkedin.com/in/meeracjoshi/>

19. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

None.

20. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

The primary mission of the Federal Motor Carrier Safety Administration (FMCSA) is to reduce crashes, injuries and fatalities involving large trucks and buses. My professional expertise and personal commitment to public safety and public service, with a focus on transportation, provide the broad and solid foundation necessary, if confirmed, to lead the FMCSA as Administrator.

I am an experienced transportation leader. For over seven years I have worked in the high-volume transportation sector, as General Counsel and then as CEO and Chair of the New York City Taxi and Limousine Commission (TLC). In that role, and relevant to leading the FMCSA, I focused on prioritizing safety through policymaking, education, training, implementing licensing standards and enforcement. I oversaw the uniform and effective investigation and prosecution of unsafe drivers and operators and worked closely with a broad range of industry stakeholders, drivers, large and small operators, tech companies as well as safety and labor advocates to develop balanced policy reflecting industry diversity and raising safety and accountability standards. I am well versed in the regulatory and rulemaking process, including the vital importance of information gathering and public input.

I have over 16 years of experience as a government executive. Most recently, as CEO and Chair of the TLC, I managed a 600-person agency, which like FMCSA, includes licensing, field enforcement, and rulemaking components. I managed an annual budget of over \$65 million, achieving cost savings while improving work product and standards. I have successfully managed a diverse workforce, increasing workplace morale and unity.

In addition to my transportation experience, I served for over 16 years in oversight capacities, monitoring the compliance of vast public facing services. For six years, I was an executive manager in the New York City Department of Investigations Correctional Services Unit, initially as Deputy Inspector General and then promoted to Inspector General. In these roles, I was responsible for oversight of the workforce of the Nation's largest jail, investigating complaints of corruption, criminality and the misuse of public funds. For three years, as First Deputy Executive Director of NYC's Civilian Complaint Review Board, I was responsible for oversight of investigation of civilian complaints of the Nation's largest police force.

I am honored to be nominated by President Biden to be part of Secretary Pete Buttigieg's leadership team at USDOT. I truly believe my deep commitment to accountability and safety, my expertise in the transportation sector and my proven executive operational ability have prepared me, if confirmed, for the role of Administrator of the FMCSA.

21. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

It is a core duty of the FMCSA Administrator to ensure fiscal, operational and management controls are in place. As a former Inspector General, I have a deep appreciation for the need for internal controls as well as for the role and the ability of outside investigations and oversight to improve agency operations. I have worked both inside and outside of organizations to ensure that appropriate operational checks and balances are in place and are being utilized. As described above, I am experienced in managing large and complex organizations with a diverse workforce, including preparing and executing budgets and creating operational efficiencies when demands grow but budgets don't.

22. What do you believe to be the top three challenges facing the department/agency, and why?

The agency's top challenge and primary mission is safety. The Agency must reduce the number of fatalities involving commercial motor vehicles to make our roads safer for drivers of CMV and all road users. Since 2009 the number of CMV involved road fatalities has steadily increased, rising over 40 percent since 2010. Each of these are individual lives lost, families torn apart.

The agency has a critical role in forging safety partnerships with state and local government and organizations to amplify our safety enforcement, messaging and training; modernizing inspection capabilities and ensuring the current and electronic exchange of vital safety information. Adequate financial and oversight support for these programs is integral to FMCSA's success.

FMCSA must ensure that the agency's technology, staffing and regulatory changes keep pace with the rapidly changing commercial motor vehicle landscape. Advancing FMCSA's internal technology is critical. How the agency interfaces with the industry as well as our grant partners and states is increasingly dependent on the fast and accurate exchange of information. FMCSA's on-the-ground enforcement requires adequate staffing and strategic placement of this staff. Additionally, the agency's regulatory agenda must reflect technological changes in the commercial motor vehicle world.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

My arrangements are fully described in Part 3 of my Public Financial Disclosure Report.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain.

No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of the Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of the Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have

entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

5. Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of the Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

During my tenure as Chair and CEO of the NYC Taxi and Limousine Commission, I have been involved in legislative and public policy issues at the local and State level on behalf of my agency and mayoral administration. In my capacity as a consultant I was retained by the Law Department of the City of Seattle to assist in the drafting of legislation to establish a minimum pay standard for rideshare drivers.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group?

No. Please see, however, response to question 3 on lawsuits in which I have been named in my official capacity.

a. If yes:

b. Provide the name of agency, association, committee, or group;

c. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;

d. Describe the citation, disciplinary action, complaint, or personnel action;

e. Provide the results of the citation, disciplinary action, complaint, or personnel action.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain. No.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

As CEO and Chair of the NYC taxi and Limousine Commission, I have been named in several lawsuits in my official capacity. Please see Attachment D for the most up-to-date list as compiled by the NYC Law Department, which handles these cases on behalf of NYC officials. If additional lawsuits are identified following submission of this questionnaire, I will promptly let the Committee know.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain. No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain.

No. However, please see Attachment D for a list of lawsuits in my official capacity some of which may contain allegations that policy or agency determinations resulted in unequal treatment.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination. None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees, and that your department/agency endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority? Yes.

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

Attachment A

MEERA JOSHImeera.joshi@dot.gov**EXPERIENCE**

USDOT FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION, Washington, DC 1/2021-present
Deputy Administrator

- Lead USDOT Federal Motor Carrier Safety Administration (FMCSA) charged with setting and enforcing safety standards for businesses operating large trucks and buses in interstate commerce, including vehicle and driver standards.
- Ensure that all aspects of FMCSA operations support agency mission of reducing crashes, injuries and fatalities involving large trucks and buses.
- Oversee daily operations of over 1200-person agency with annual budget of over \$700 million.
- Through targeted grants, foster partnerships with state law enforcement and licensing divisions to enforce FMCSA safety standards and provide safety training and education.
- Develop and monitor safety policy and regulations through comprehensive research and data analysis.

SAM SCHWARTZ TRANSPORTATION CONSULTANTS, New York, NY 2020 – 1/2021
Principal & General Manager New York

- Lead largest and flagship office of transportation consulting firm nationally recognized for solving the industry's most challenging problems; congestion pricing, public transit pivots in pandemic times, long term infrastructure savings to account for new work from home trends, and creating vital and unconventional open public space.
- Provide guidance and management on airport redevelopment while maintaining service, effective Vision Zero strategies for safer highways and streets and integrating new mobility options.

NYU ROBERT F. WAGNER GRADUATE SCHOOL OF PUBLIC SERVICE, New York, NY 2019 – 2020
Visiting Scholar - Rudin Center for Transportation

- Researched regulation, traffic management, data collection and analysis related to new mobility services in major global cities as well as the integration of technology in municipalities' governance of these services.

NEW YORK CITY TAXI AND LIMOUSINE COMMISSION, New York, NY 2011 – 2019
Chief Executive Officer and Commission Chair (2014 – 2019)

Appointed by NYC Mayor to lead 600-person agency and nine-member Commission with annual budget of over 65 million. Set and ensured compliance with regulatory framework that governs daily transportation of over one million people, performed in over 130,000 vehicles, ranging from taxis to Uber and Lyft, local car services and luxury limousines, driven by 200,000+ drivers -- the largest for-hire market in the nation. Previously served as agency General Counsel.

Regulatory & Policy Work

- Enacted novel regulatory framework to establish the highest levels of accountability among app-based car services, including Uber and Lyft. Mandated the submission of detailed trip records providing the City, policy makers and the public visibility into trip density and scarcity, vehicle utilization and overall use of shared City streets as well as social and economic impact of growing rideshare services.
- Developed novel policy to increase and protect driver income after establishing that most of NYC's 80,000 app drivers made less than a livable wage.
- Ensured that new market entrants adhered to core consumer protections such as adequate insurance, price transparency, access for the disabled, and fingerprint background checks for all drivers.
- Passed the nation's first and most comprehensive accessibility mandate for popular app-based car services and transformed nation's largest taxi fleet into nation's largest accessible taxi fleet.
- Led nine-member commission to pass dozens of groundbreaking regulations to address novel issues arising out of industry's meteoric growth.

Safety & Enforcement Initiatives

- Addressed street safety goals of Vision Zero by changing for-hire driving culture through specialized speeding enforcement, vehicle safety technology solutions, producing safety video from the victim's perspective "Drive Like Your Family Lives Here" for TLC driver training, now used in safety training nationwide, and enacting data driven and enforceable limits on driving hours to combat fatigued driving.
- Strategic deployment of over 200 enforcement officers enforcing against illegal and unsafe activity.

- Rebuilt administrative unit charged with prosecution of field summons, consumer complaints and safety violations, resulting in 90% being upheld at hearing.
- Created Office of Inclusion to raise awareness about and curb the incidence of service refusals based on race, ethnicity, gender, sexual orientation and disability.
- Improved vehicle inspection efficiency to maintain wait times and standards in the face of a 75% increase in vehicle inspections volume.
- Overhauled outdated vehicle and driver standards governing over 300,000 licensees to accurately reflect vehicle advancements and to provide drivers with a broader range of income opportunities.

Operations & Technology

- Led organizational restructuring to improve overall agency alignment with mission involving a range of employment consequences from executive hiring and separations to broad union negotiations on pay and work conditions for hundreds of law enforcement officers.
- Modernized agency from paper to online licensing while simultaneously creating savings and keeping abreast of a 70% increase in demand for licenses.
- Instituted continuous technology and analytics improvements to ensure ability to host, keep secure and analyze one of the City's largest data sets -- billions of daily trip records.

Communication

- Face of the Commission, lead spokesperson and advocate on headline and politically complex issues at public meetings, panels, and on radio and TV.
- Ensured that public messaging and agency programs supported agency reputation for objective good governance.
- Communicated to over 300,000 licensees through easy to understand text and email messaging, social media and thoughtful design.

Deputy Commissioner Legal Affairs, General Counsel (2011 – 2014)

- Fostered creative and innovative legal solutions to novel issues while ensuring that all agency action was within charter mandated mission.
- Ensured compliance with Open Meetings Law for all aspect of Commission action & communication.
- Navigated myriad legal challenges successfully to improve for hire service in New York City. Led dozens of complex and high-profile negotiations resulting in landmark legislation and settlement agreements.
- Led all aspects of complex procurement processes including Requests for Proposals, vendor selection, multiparty contract negotiation and execution.
- Developed 30+ regulatory solutions to problems that streamlined service to public, including dispatch system for disabled passengers, overhaul of in taxipayment system and outer borough taxi service.

NEW YORK CITY CIVILIAN COMPLAINT REVIEW BOARD, New York, NY

2008 – 2011

First Deputy Executive Director

- Streamlined investigative process of 130-person unit annually conducting over 7,000 investigations of police misconduct; reduced case completion time by more than a month and increased prosecution rate by 35% .
- Developed solutions for critical issues in police misconduct cases, including stop and frisk.
- Oversaw negotiations with the NYPD for successful creation of independent prosecution unit, permanently expanding the agency's jurisdiction.

NEW YORK CITY DEPARTMENT OF INVESTIGATION, New York, NY

2002 – 2008

Inspector General /First Deputy, Correctional Services Unit

- Supervised timely and thorough investigation of 3,000+ allegations received per year of alleged criminality and corruption in the Departments of Correction, Probation, Juvenile Justice and Taxi and Limousine Commission.
- Led over 30 cases to state and federal criminal conviction of city employees and vendors for crimes including inmate assault, drug smuggling, conspiracy, bribery and fraud, including one of the first "Program" prosecutions.
- Implemented policy for oversight agencies to curtail instances of corruption and excessive waste.

- MORVILLO, ABRAMOWITZ, GRAND, IASON & ANELLO, P.C.**, New York, NY 2000 – 2002
Associate
- Handled all aspects of criminal and civil litigation for clients facing allegations of securities fraud and federal crimes including, investigation, depositions, responding to subpoenas, motion practice, trial preparation, sentencing and plea negotiations.
- LATHAM & WATKINS**, New York, NY 1996 – 2000
Associate
- Practiced complex multistate civil litigation. Managed client relations, discovery, depositions, trial preparations and settlement negotiations.
- US DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA**, Philadelphia, PA 1997
The Honorable Ronald L. Buckwalter, Law Clerk
- Drafted judicial opinions for judge's civil caseload and received permanent clerkship offer.
- THIRD CIRCUIT COURT OF APPEALS - OFFICE OF THE STAFF ATTORNEY**, Philadelphia, PA 1995
Staff Attorney
- Drafted Court of Appeals decisions on pro se constitutional claims and for individual circuit court judge

EDUCATION

THE UNIVERSITY OF PENNSYLVANIA LAW SCHOOL, Philadelphia, PA
J.D., 1995

- Activities: Penn Legal Assistance Clinic, Philadelphia Law Forum, Morris Fellow Mentor

Admitted: New York State, October 1996.

THE UNIVERSITY OF PENNSYLVANIA, Philadelphia, PA
B.A., Sociology, cum laude, 1992

- Honors Degree Recipient: Senior Project - Community Policing through Administrations; Alpha Kappa Delta International Sociology Award

ADDITIONAL INFORMATION

- Recognition:
 - 2020: 100 PEOPLE TRANSFORMING BUSINESS IN NORTH AMERICA – BUSINESS INSIDER:** Recognized in 2020 as one of ten people in North America transforming the supply chain industry through use of data for policy making and city planning.
 - 2018: NEWSMAKER OF THE YEAR - CRAIN'S NEW YORK BUSINESS:** Named 2018 New York Newsmaker for setting national standard of regulation over app-based transportation companies.
- Publications
 - TRANSPORTATION DURING CORONAVIRUS IN NEW YORK CITY**, July 2020, Sam Schwartz Transportation Consultants and NYU Rudin Center for Transportation Policy
 - E-HAIL REGULATION IN GLOBAL MARKETS**, November 2019, NYU Rudin Center for Transportation Policy
- Leadership:
 - Member of Advisory Council, Remix New York, NY: 2020 – 1/2021
 - Advise on software solutions for municipalities and government agencies using scooter, bike and app-based car service trip data to develop informed policy for improving transportation access, traffic management, safety and ensuring consumer and driver protections.

ATTACHMENT B

Date	Total Amount	Recipient
October 20, 2020	\$250	Alvin Bragg: Manhattan District Attorney
June 15, 2020	\$205	Ritchie Torres: Congress
Various dates	\$250	Brad Lander: NYC Comptroller
Various dates	\$250	Katheryn Garcia: NYC Mayor
August 15, 2020	\$400	Eric Adams: NYC Mayor
July 24, 2019	\$250	Kamala Harris: President
July 9, 2019	\$250	Corey Johnson: NYC Mayor

ATTACHMENT C

Meera Joshi Speeches

Date	Sponsor	Event Description	Location	Role
2014				
4/3/2014	New York City Council Committee on Rules, Privileges and Elections	Confirmation Hearing: Meera Joshi—Taxi and Limousine Commission	New York, NY	Hearing Witness
4/30/2014	New York City Council Committee on Transportation	Vision Zero Intros	New York, NY	Hearing Witness
4/30/2014	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
5/15/2014	New York City Council Committee on Transportation	Executive Budget Hearings—Transportation	New York, NY	Hearing Witness
5/19/2014	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
6/19/2014	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
8/7/2014	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
9/3/2014	New York City Council Committee on Transportation	Intros re: Requiring signs regarding penalties for assaulting taxi and livery drivers	New York, NY	Hearing Witness
9/18/2014	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
9/23/2014	International Association of Transportation Regulators (IATR)	Vision Zero & Traffic Safety Initiatives	New York, NY	Panelist
10/16/2014	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
10/21/2014	New York City Council Committee on Transportation	Intros re: Requiring signs regarding penalties for assaulting taxi and livery drivers	New York, NY	Hearing Witness
11/20/2014	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
12/3/2014	New York City Council Committee on Transportation	Oversight—App Tech and Taxi and For-Hire Industries	New York, NY	Hearing Witness
12/18/2014	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
2015				
1/12/2015	New York City Council Committee on Transportation	Intros re: parking, overcharges, trouble lights, base station agreements	New York, NY	Hearing Witness

Meera Joshi Speeches—Continued

Date	Sponsor	Event Description	Location	Role
1/27/2015	New York Law School	Center for New York City Law Breakfast	New York, NY	Keynote
2/12/2015	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
2/26/2015	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
3/5/2015	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
3/19/2015	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
4/2/2015	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
4/23/2015	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
5/28/2015	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
6/22/2015	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
7/16/2015	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
9/17/2015	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
9/29/2015	IATR	New Approaches to Regulation in a TNC World	New York, NY	Panelist
10/15/2015	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
10/20/2015	New York State Assembly	Rideshare Roundtable	New York, NY	Speaker
11/2/2015	Women in Transportation (WTS) New York Chapter	New York Chapter Annual Dinner	New York, NY	Keynote
12/1/2015	Brooklyn Chamber of Commerce	Newsmakers: Brooklyn Chamber of Commerce	New York, NY	Speaker
12/3/2015	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
2016				
1/14/2016	Crain's Business Breakfast Forum	Breakfast Forum	New York, NY	Keynote
1/21/2016	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
2/25/2016	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
3/2/2016	New York City Council Committee on Transportation	Preliminary Budget Hearing—Transportation	New York, NY	Hearing Witness
4/6/2016	New York City Council Committee on Transportation	Intros re: for-hire fare quotes, retirements, TLC driver's license, illegal street hails	New York, NY	Hearing Witness
4/21/2016	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
5/17/2016	New York City Council Committee on Transportation	Executive Budget Hearings—Transportation	New York, NY	Hearing Witness
6/1/2016	New York City Council Committee on Transportation	Executive Budget Hearings—Transportation	New York, NY	Hearing Witness
6/23/2016	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
7/18/2016	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair

Meera Joshi Speeches—Continued

Date	Sponsor	Event Description	Location	Role
9/15/2016	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
11/10/2016	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
12/8/2016	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
2017				
1/5/2017	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
2/1/2017	Ford Mobility	City of Tomorrow Discussion	New York, NY	Panelist
2/2/2017	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
4/6/2017	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
5/4/2017	Challens & Farber	Taxi & Mobility Update 2017	Belgium	Speaker
5/17/2017	New York City Council Committee on Finance	Executive Budget Hearings—Finance	New York, NY	Hearing Witness
5/17/2017	New York City Council Committee on Finance	Executive Budget Hearings—Finance	New York, NY	Hearing Witness
6/8/2017	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
7/13/2017	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
9/25/2017	New York City Council Committee on Transportation	Taxi Medallion Oversight	New York, NY	Hearing Witness
9/28/2017	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
10/31/2017	National Association of City Transportation Officials (NACTO)	Blueprint for Autonomous Urbanism	New York, NY	Speaker
12/13/2017	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
2018				
3/8/2018	New York City Council Committee on For-Hire Vehicles	Preliminary Budget Hearing—For-Hire Vehicles	New York, NY	Hearing Witness
3/29/2018	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
4/13/2018	New York Law School	Center for New York City Law Breakfast	New York, NY	Keynote
4/25/2018	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
4/26/2018	New York City Council Committee on Government Operations	Administrative Prosecution	New York, NY	Hearing Witness
4/30/2018	New York City Council Committee on For-Hire Vehicles	Intros re: High Volume For-Hire, Accessibility, Driver Pay	New York, NY	Hearing Witness
5/7/2018	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
5/10/2018	New York City Council Committee on For-Hire Vehicles	Executive Budget Hearings—For-Hire Vehicles	New York, NY	Hearing Witness
6/25/2018	New York City Council Committee on For-Hire Vehicles	Intros re: Commuter vans and illegal street hails	New York, NY	Hearing Witness
7/2/2018	Transit Center	An Earnings Standard for App-Based Drivers	New York, NY	Panelist
8/7/2018	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair

Meera Joshi Speeches—Continued

Date	Sponsor	Event Description	Location	Role
9/17/2018	New York City Council Committee on For-Hire Vehicles	Taxi Medallion Valuation	New York, NY	Hearing Witness
10/1/2018	NACTO	Unsustainable? What the Growth in App-Based Ride Services Means for our Cities	New York, NY	Panelist
10/3/2018	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
10/15/2018	New York City Council Committee on For-Hire Vehicles	Oversight—Accessibility in the Taxi and For-Hire Vehicle Industries	New York, NY	Hearing Witness
10/16/2018	The Century Foundation	On the Road to Fair Wages for All	New York, NY	Panelist
11/28/2018	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
12/4/2018	New York City Taxi and Limousine Commission	Commission Meeting	New York, NY	Meeting Chair
2019				
1/8/2019	Crain's Business Breakfast Forum	Breakfast Forum	New York, NY	Keynote
3/14/2019	New York City Council Committee on Transportation	Preliminary Budget Hearing—Transportation	New York, NY	Hearing Witness
5/1/2019	Transportation Alternatives	Vision Zero Cities 2020	New York, NY	Panelist
5/7/2019	United Nations	UN Seminar on Labor	New York, NY	Speaker
5/9/2019	Gotham Gazette	Whats the [DATA] point	New York, NY	Interview
5/10/2019	The City University of New York (CUNY)	Building Bridges CUNY Disability	New York, NY	Keynote
5/13/2019	Rudin Center	Women Leaders in Transportation	New York, NY	Panelist
5/29/2019	We Work Town Hall	What is the future of e-bikes & scooters in NY	New York, NY	Panelist
8/8/2019	Open House New York	Transportation Conversation: Meera Joshi	New York, NY	Speaker
9/10/2019	NACTO	Caught in a Ride-Hail Storm	New York, NY	Panelist
9/17/2019	C2SMART/NYU	For Hire Vehicles & Passengers with Disabilities	New York, NY	Panelist
9/24/2019	Workers Info Exchange	Digital Rights for Digital Workers	Brighton, United Kingdom	Panelist
12/13/2019	Rideshare Guy Podcast 115	Meera Joshi on How Cities can Regulate Uber and Lyft	New York, NY	Speaker
2020				
6/17/2020	Transportation Alternatives	Whats Next For Our Streets	New York, NY	Panelist
9/23/2020	Reshaping Work	Advancing Decent Work in the Platform Economy	New York, NY	Panelist
9/29/2020	City & State New York	Virtual Rebuilding New York Summit	New York, NY	Panelist
10/20/2020	Business Insider	Ignition Transportation: Shifting Gears, Innovation Ahead	New York, NY	Speaker
10/21/2020	The Company	The Disability Data Deficit	New York, NY	Speaker
10/28/2020	Remix Webinar	Tell-All Career Development Series, Non-traditional Careers in Transportation	New York, NY	Panelist
2021				
1/14/2021	The Company	Show me the Money! The Transportation Enthusiast's Top Ten Ways to Generate Revenue while Promoting Mobility	New York, NY	Speaker
3/4/2021	Keystone Research Center	Building Forward Better in the Distribution Sector	Virtual	Speaker
3/4/2021	NYU Rudin Center for Transportation Policy & Management	Annual Excellence in Transportation Breakfast	Virtual	Guest
3/10/2021	New York University Rudin Center	Guest Lecture at NYU's Topics in Urban Transportation Studies and Practice Course	Virtual	Speaker
3/19/2021	CUNY	CUNY Career Compass for Women Leaders Conference: Developing Your Executive Presence	Virtual	Keynote
4/6/2021	Trucking Association of New York	NYS Truck Safety & Education Symposium	Virtual	Panelist

Meera Joshi Speeches—Continued

Date	Sponsor	Event Description	Location	Role
4/14/2021	American Bus Association (ABA)	ABA Fly-in Event	Virtual	Speaker
4/22/2021	American Association of Motor Vehicle Administrators (AAMVA)	AAMVA Board of Directors Meeting	Virtual	Speaker
4/22/2021	National Cattleman's Beef Association (NCBA)	NCBA Agency Meeting: FMCSA	Virtual	Speaker
4/29/2021	Commercial Vehicle Safety Alliance (CVSA)	CVSA Board Of Directors Meeting	Virtual	Speaker
5/11/2021	WTS International Conference	Advancing Women Advancing Transportation	Virtual	Panelist
5/19/2021	Together for Safer Roads	Vision Zero Fleet Forum	Virtual	Keynote

ATTACHMENT D

Meera Joshi Legal Proceedings

Matter Name	Court	Docket #	Article 78
MINTZ & GOLD LLP, VS TAXI & LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	101306/2013	X
COMMITTEE FOR TAXI SAFETY INC., ET AL. VS CITY OF NEW YORK, ET AL.	Supreme Court—New York	100417/2014	X
EMILE, ROSIAS, ET AL. VS CITY OF NEW YORK, ET AL.	U.S. District Court—Southern District NY	14CV02866	
GREATER NEW YORK TAXI ASSOCIATION, ET AL. VS TAXI & LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	100484/2014	X
NEW YORK MASTER CABBIE CORP VS TAXI & LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	100522/2014	X
BURTON, WILLIAM VS JOSHI, MEERA, ET AL.	Supreme Court—Queens	010439/2014	X
HARRELL, MICHAEL, ET AL. VS CITY OF NEW YORK, ET AL.	U.S. District Court—Southern District NY	14CV07246	
BAIG, MIRZA T. VS TAXI & LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	100581/2015	X
GLYKA TRANS LLC, ET AL. VS CITY OF NEW YORK, ET AL.	Supreme Court—Queens	008962/2015	X
XYZ TWO WAY RADIO SERVICE, INC., ET AL. VS CITY OF NEW YORK, ET AL.	Supreme Court—Queens	005693/2015	X
MELROSE CREDIT UNION, ET AL. VS CITY OF NEW YORK, ET AL.	Supreme Court—Queens	006443/2015	X
SINGH, JASWINGER, ET AL. VS JOSHI, MEERA, ET AL.	U.S. District Court—Eastern District NY	15CV05496	
SALAM, ABDUL VS TAXI & LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	101987/2015	X
MELROSE CREDIT UNION, ET AL. VS CITY OF NEW YORK, ET AL.	U.S. District Court—Southern District NY	15CV09042	
CLAIR, SUSAN, ET AL. VS CITY OF NEW YORK, ET AL.	Supreme Court—New York	102277/2015	
BAPTISTE, LERONES, ET AL. VS CITY OF NEW YORK, ET AL.	Supreme Court—New York	100391/2016	

Meera Joshi Legal Proceedings—Continued

Matter Name	Court	Docket #	Article 78
SMITH, JEFF VS CITY OF NEW YORK, ET AL.	Supreme Court—New York	100525/2016	X
DECASTRO, ANGEL, ET AL. VS CITY OF NEW YORK, ET AL.	U.S. District Court—Southern District NY	16CV03850	
SHEIKH, IMRAN ET AL. VS TAXI & LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—Kings	004606/2016	X
B., A. VS TAXI & LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—Queens	008049/2016	X
CAPITAL ONE EQUIPMENT FINANCE CORP. VS 44TH ROAD TRANS INC., ET AL.	Supreme Court—New York	656019/2016	
CAPITAL ONE EQUIPMENT FINANCE CORP., ET AL. VS DEE-DEE TAXI CORP., ET AL.	Supreme Court—New York	656501/2016	
KONSTANTOPOULOS, PANAYIOTIS, ET AL. VS TAXI & LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	100043/2017	X
PEREZ, ERIC ANDREW VS MEERA, JOSHI	Supreme Court—New York	100392/2017	X
HERVIAS, MARCELINO, ET AL. VS CITY OF NEW YORK, ET AL.	Supreme Court—New York	154059/2017	X
CAPITAL ONE EQUIPMENT FINANCE CORP. VS AMALIA-MOLLY LLC, ET AL.	Supreme Court—New York	652245/2017	
FRAIDEN, DAVID ALAN VS CITY OF NEW YORK, ET AL.	Supreme Court—New York	157989/2017	
CAPITAL ONE EQUIPMENT FINANCE CORP., ET AL. VS NEBULA CAB CORP., ET AL.	Supreme Court—New York	157159/2017	
JEANTY, VLADIMIR VS CITY OF NEW YORK ET AL.	Supreme Court—New York	152280/2018	
STALLWORTH, ANTHONY, ET AL. VS JOSHI, MEERA, ET AL.	U.S. District Court—Southern District NY	17CV07119	
ASHRAF, IRFAN VS LABORATORY CORPORATION OF AMERICA HOLDINGS, ET AL.	U.S. District Court—Eastern District NY	17CV05956	
LIVERY ROUND TABLE, INC., ET AL VS NEW YORK CITY TAXI & LIMOUSINE COMMISSION, ET AL.	U.S. District Court—Southern District NY	18CV02349	
TRI-CITY, ET AL. VS TAXI & LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	153369/2018	
OWNERS TRANSPORT COMMUNICATION, INC. VS TAXI AND LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	153424/2018	
JEANTY, VLADIMIR VS CITY OF NEW YORK, ET AL.	U.S. District Court—Southern District NY	18CV05920	
EL BOUTARY, AHMAD VS CITY OF NEW YORK, ET AL.	U.S. District Court—Eastern District NY	18CV03996	
ARAUJO, VICENTE O. VS TAXI AND LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	451843/2018	X
PALIOTTA, GIOVANNI VS DE BLASIO, MAYOR BILL, ET AL.	Supreme Court—New York	159692/2018	

Meera Joshi Legal Proceedings—Continued

Matter Name	Court	Docket #	Article 78
TAXIFLEET MANAGEMENT LLC, ET AL. VS THE STATE OF NEW YORK, ET AL.	Supreme Court—New York	161920/2018	
NEW YORK MASTER CABBIE CORPORATION VS TAXI AND LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	162032/2018	
BSD TWO, INC. D/B/A SUPERIOR SERVICE GROUP, LTD., ET AL. VS TAXI AND LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	150513/2019	
OMAHA LLC, ET AL. VS TAXI AND LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	650574/2019	
TRI-CITY, LLC, ET AL. VS TAXI AND LIMOUSINE COMMISSION, NYC, ET AL.	Supreme Court—New York	151037/2019	
NWACHUKWU, IKENNA VS ADMINISTRATIVE TRIALS AND HEARINGS, OFFICE OF, ET AL.	Supreme Court—Kings	000372/2019	
SINGH, BALDEV VS CITY OF NEW YORK, ET AL.	U.S. District Court—Eastern District NY	19CV05030	
SOYBEL, ALEC, ET AL VS CITY OF NEW YORK, ET AL	U.S. District Court—Eastern District NY	21CV01846	

The CHAIRWOMAN. Thank you, Ms. Joshi.

I think it's safe to say that we all intend to make sure resources get to all of you and so definitely our questions are going to focus around implementation of those resources. We may have a few questions for the record, as well, on that.

But, Mr. Syed and Ms. Wassmer, aviation is a particular area of importance for the state of Washington and I would say for the Nation with over two million jobs in aviation manufacturing.

During the COVID pandemic, we lost in my state alone over 30,000 aerospace jobs as part of manufacturing and the supply chain and that's why we worked so hard on the Aviation Manufacturing Jobs Protection Program. The first support just went out the door issuing tranches in awards of 482 million, including 40 million to companies in the state of Washington. So these are small machine shops to large suppliers that are all part of the process of keeping us competitive in manufacturing.

What will the two of you do to commit to make sure that this program continues to get the resources out the door, advocates, because obviously there are a lot of small businesses that aren't paying attention to our hearings, they're paying attention to meeting the bottom line of their companies, and yet we know that we need this competitive workforce to continue to produce product?

Mr. SYED. I can go first. Well, first of all, thank you so much, Chair Cantwell, for your question and absolutely you have our commitment to continue being a voice here. Both Victoria Wassmer and I serve on the Senior Review Team for the AMGP Program. So making sure that it is being run responsibly is a priority of ours, really proud of the dedicated career professionals, including Elliott Black, who is heading the program, and Elliott keeps himself available for anybody, whether it's a company, whether it's the congressional staff with questions about making sure that the money is

getting out to the companies, and not to mention that folks are aware of the opportunities available with this program.

Then what we plan to do is, as the money goes out and as the program administration continues, we plan to conduct some degree of program evaluation which may yield some additional insights on how we can continue helping the sector and I'm also proud of the work that DOT and FAA's doing generally on workforce development in aviation and careers, including careers in aviation manufacturing.

I mean, these are such important jobs obviously in your state and in states across the country. So you have our commitment to stay focused on this.

The CHAIRWOMAN. Well, I think Senator Moran probably had more resource, again given some of the supply chain that exists in his state, but the point is we even had a roundtable to discuss this with many of the suppliers in our state and then at the end of it, people said, well, when are you going to get this legislation passed, and we're like, well, it already is passed. We're telling you so that you might, you know, apply.

So people are just so heads down running their companies, I think we have to think about how DOT can continue to talk about the program and make sure people are aware because we're at this critical juncture of having gotten to this point of surviving. The companies are still there or barely still there and yet we're still probably two quarters away from what we think is a recovery in aviation.

Ms. Wassmer, any ideas about how to get that message out?

Ms. WASSMER. Thank you, Senator, for that question. Just sort of building on this importance that you are stressing and that Mohsin was also reflecting on for aviation manufacturers, you know, there is a strong commitment to ensuring that we're administering this program effectively.

I know that the initial first round had 313 businesses who were successful in applications. Many of them had never worked with the Federal Government before and that's something that we're mindful in terms of how to ensure that we can do the engagement necessary to get the education out there about these opportunities.

Likewise, 60 percent of them were small businesses. So to your point, you know, this is a very complex system of manufacturing and the supply chains are also complex and so that's the area that we want to ensure as we continue to learn and work with these companies what's happening with the industry.

So we have talked with FAA. There is a commitment on the program evaluation and indeed I do believe the second round, which was closed September 1st, also yielded several additional—I think it was 191 additional applicants and so those applications will be reviewed and the resources will be swiftly given based upon the review process that is happening.

I think the other thing that's been a strong commitment of ours related to all of the COVID funding is that we have strong internal controls in place. We want to be mindful of the oversight of those emergency funds to ensure that they're going to the right recipients.

There have been instances not in DOT programs but with other Federal bureaus where there has been waste, fraud, and abuse and there's been an emphasis in the CFO community about how we can make sure that those things don't happen.

I'm really proud of what has happened at the Department of Transportation in standing up this program because we worked early. We met also with the IG. We tried to ensure that all those things were built up front. To have a smooth and successful program stood up within 6 months being able to disburse funds for a new program is pretty remarkable.

The CHAIRWOMAN. Well, I just want to—my time has expired, but I just want to get a commitment from both of you that as it relates to the bill Senator Wicker and I worked on together, the Aircraft Certification and Safety Accountability Act, which strengthens the safety oversight and improving safety culture at FAA, that you'll work on the implementation of those reforms and make sure that they are a priority within the department.

Mr. SYED. Absolutely, and that's personal to me, given especially my work on House and negotiating with your committee on that bill and then my own personal relationship with this. Absolutely.

Ms. WASSMER. Yes, absolutely, and it's also making sure that the resources are there in our budget submissions.

The CHAIRWOMAN. Exactly. Yes, thank you.

Senator Wicker.

Senator WICKER. Thank you, Ms. Wassmer and Mr. Syed, for that assurance to the Committee Chair.

Let me ask Mr. Bose to talk about innovative rail technology and I understand sometimes when the innovative approaches are suggested, they run up against regulations which favor doing it the old way. One example would be automated track inspections as opposed to or compared to the existing inspection methods.

If confirmed, I hope you'll continue forward thinking and deliberate approach to providing regulatory relief and consideration to test programs that could demonstrate how new technologies can improve safety.

Would you discuss that for just a moment, Mr. Bose?

Mr. BOSE. Thank you for your question, Senator. I agree, absolutely, that current technology and technology advances can improve safety and at the FRA, particularly through our Office of Railroad Systems and Technology, we make an effort to keep up with the technology changes that are occurring in the industry.

We're absolutely aware that we need to give careful consideration to waivers and make sure they're in the public interest and are consistent with rail safety and when you're talking about track inspections and testing programs, those are ongoing and exist right now and we want to see the results from those and you absolutely have my commitment in making sure that we're carrying the industry forward to meet the needs of today and the future.

Senator WICKER. Your ability, should you be confirmed, to grant these waivers and implement these test programs is already there and you don't need anything more from the Congress or from this committee, do you?

Mr. BOSE. Senator, I can't think of anything at the moment that we need additional. We do review those in a thorough manner and

there is sometimes a back and forth in terms of information gathering. So I will make sure we do that on a timely basis.

Senator WICKER. OK. Well, just let us know what you need because obviously some new concept comes up that will immediately begin to create more safety, provide more safety, you need the flexibility to go ahead and do that.

You know, the Infrastructure Bill that passed the Senate was bipartisan, had 19 Republicans and 18 or 19 or so Republicans vote for it, major expansion of discretionary grant programs. Of course, it is highways, bridges, but a lot of rail, unprecedented Federal investments in railroad infrastructure, including more than \$40 billion for discretionary grant programs administered by FRA.

Now we can spend—you know, \$40 billion is a lot of money, but we can spend most of it on just a few big major programs or we can use it to fund a greater number of more modest projects that have positive impacts on many communities that rely on freight and passenger rail service.

So how do you balance that out, Mr. Bose?

Mr. BOSE. Senator, thanks for that question, and it's absolutely a historic time for rail and the trust that the Congress is placing in the Federal Railroad Administration through your work on the bipartisan bill is reflective, I think, of the efforts of the public and how much they want rail to be a travel option for the country.

The United States has a chance to lead the world once more through investment in infrastructure and connecting our communities is absolutely an important part of that, and if you would have noticed in the American Jobs Plan that the President put forward, there were a variety of rail programs offered.

It wasn't only focused on high-speed rail. It wasn't only focused on connecting big cities to each other or one part of the country or another. We know that these needs are throughout the country. So you absolutely have my commitment that the programs that FRA institutes will go to the communities that support passenger rail throughout the country.

Senator WICKER. Thank you very much, and thank you, Madam Chair.

The CHAIRWOMAN. Thank you, Senator Wicker, and again thank you for those focused questions. I'll have some on rail for the record, as well.

So Senator Klobuchar.

**STATEMENT OF HON. AMY KLOBUCHAR,
U.S. SENATOR FROM MINNESOTA**

Senator KLOBUCHAR. Thank you very much, Madam Chair and Senator Wicker.

I'm excited about all the work you're doing and the possibilities at the department and the funding that we hope will be coming your way soon to pay for them.

Recreational trails, Mr. Syed. This is going to be like a rapid round here. I have led a lot of those efforts because my state and the Chair is also very interested in recreational trails, but we have trails for hikers, snowmobilers, ATVs, cyclists, and they've actually been able to work together on this which is really good, kind of unprecedented, on the Recreation Trail Program.

Will you commit to working with us on this program and can you just talk maybe very briefly about your interest in it?

Mr. SYED. Yes. Absolutely. You have my commitment on that and you have a wonderful team that I work with regularly and I look forward to working with them on this issue, as well, and on recreational trails, it's actually personal because especially during the pandemic, getting our kids—

Senator KLOBUCHAR. Yes.

Mr. SYED.—outside safely and having some activity for them. Here in Northern Virginia and Maryland I've discovered so many beautiful trails and just sort of reconnecting with nature. So it's very personal in that way too.

Senator KLOBUCHAR. OK. Mr. Bose, we have in Minnesota, of course, the Empire Builder goes through our state. We're really interested in making that even stronger.

We're also really interested in a rail up to Duluth, Minnesota, aptly named the Northern Lights Express is our proposal, and some inner city passenger rail and other things, as well.

Can you talk about the importance of rail not just to Chicago and New York and L.A. but also to places like Minnesota and Duluth?

Mr. SYED. Absolutely, Senator. Thank you for your longstanding support for rail and for the question.

There's no doubt that rail has a chance to connect communities throughout the United States and places like Minnesota that have service but want to expand that service and look for new opportunities, the FRA definitely wants to support those efforts through technical assistance, going out to the communities, talking to them, making sure that the planning efforts and construction and deliver those projects are all done. So you have my assurance on that, Senator.

Senator KLOBUCHAR. One other thing we can talk about later, but in your testimony you highlighted grade safety as one of your priorities. Senator Fischer and I have a bill on this.

In 2020 alone, 217 people were killed at railroad crossings. We've had issues, not just inconvenience, with them. Do you agree that more data, this is our bill, on rail grade crossings is important for improving public safety?

Mr. SYED. I do, Senator.

Senator KLOBUCHAR. OK. Very good. Ms. Joshi, thank you so much for your work.

I didn't know this until I read the questions from our intrepid staff, but Minnesota has three of the top 100 trucking traffic bottlenecks. OK. That's not good. So we understand that the efficient flow of freight across our transit system is crucial to the competitiveness of our economy.

In your view, what investments can Congress make to improve supply chain efficiency at ports?

Ms. JOSHI. Thank you very much for the question, and that's a topic that, as you probably know, the department as a whole has been putting—

Senator KLOBUCHAR. Yes.

Ms. JOSHI.—increased scrutiny on. At ports in particular, the pain point for truckers is the reduction in turn times. Turn times

equals money. The less turn times they have, the less money that they make.

So understanding the unpaid detention times, so that's the time that they're held, creating the financial incentives for shippers and port operators to decrease that time, so that that financial burden doesn't fall on truckers and it creates a better throughput is essential, I believe, to increasing the throughput for truckers at the ports.

Senator KLOBUCHAR. OK. Thorough answer. Thank you.

We also know that truckers can be the first line of defense against human trafficking, something I've been working on with our truckers in Minnesota. I've done a lot of work in this area in my role on the Judiciary Committee, and Senator Thune and I introduced the Combating Human Trafficking in Commercial Vehicles Act which would require the DOT to designate a human trafficking prevention coordinator to increase outreach efforts at the Federal Motor Carrier Safety Administration. Our legislation was actually signed into law, so don't worry about that, in January 2018.

Can you speak to the efforts of FMCSA to educate drivers on how to detect and prevent human trafficking and will you work with me in the future on that issue?

Ms. JOSHI. Thank you for the important question and absolutely will work with you as well as the other modes of the department.

It's twofold. One is making sure that our inspectors and the inspectors with our state partners are aware of the signs of human trafficking and so that they're on the lookout for that when they do their roadway work and, second, as you mentioned, is the education and outreach that goes to truckers directly and their, my emphasis on that outreach as well as our safety outreach is to understand how are we best communicating. Are we using the best measures? Is our message getting across, and are we giving the information at locations and in modes that makes it receptive to the audience because that's key. We need to make sure that our outreach is effective.

So we absolutely look forward to working with you in this extremely important work.

Senator KLOBUCHAR. The last topic very quickly, I was last weekend driving and there was a car kind of swerving around and I looked and this woman was literally driving with her phone on the steering wheel and texting while she was driving and we know what a problem this is. Eight people die and more than a thousand are injured every single day from distracted driving. I go back to Secretary LaHood and I know Secretary Buttigieg is very interested in this issue, as well, when he really took this on and I hope we do more.

I've got a bill included encouraging states to implement laws banning all non-navigational mobile devices viewing while driving and you agree it's important to continue this work, educate drivers, and do everything we can to call attention to this and stop these practices?

Ms. JOSHI. Absolutely. It's one of the most heartbreaking incidence because it's preventable.

Senator KLOBUCHAR. Mm-hmm.

Ms. JOSHI. It takes a quick decision not to use your phone while you're driving, to put on the return text message that says do not disturb me, I'm driving, I will not respond. It's those slight changes that make huge differences.

In New York City we had a complete ban on the use of cell phones even with the earpiece for the professional drivers, but our work at FMCSA is really focused on outreach and working with state partners and I applaud every effort of every state to increase those penalties and laws, the effectiveness of them, to really change the culture around even having any acceptability of using a cell phone while driving.

Senator KLOBUCHAR. Great. It involves a lot of agencies. So thank you and congratulations to you, Ms. Wassmer.

I'll turn it back to our Chair. Thank you.

The CHAIRWOMAN. Thank you. Thank you.

Senator Fischer, joining us remotely.

**STATEMENT OF HON. DEB FISCHER,
U.S. SENATOR FROM NEBRASKA**

Senator FISCHER. Well, Chair Cantwell, I appreciate you hosting this hearing today on these nominees.

Ms. Joshi, when we met earlier this year we discussed my bipartisan call to action, an effort I have been a leader on since 2018. I was excited to see the provision that this bill included in the Infrastructure Investment and Jobs Act that would provide livestock haulers with an additional 150 air miles on the destination of a haul.

Secretary Buttigieg outlined this problem well when he said, "Sometimes our policies cannot tell the difference between live animals and other cargo." Do you agree with the Secretary and will you work with me to provide livestock haulers with regulatory flexibilities?

Ms. JOSHI. Thank you for the question, and I did enjoy our discussion earlier on this topic. I've had the pleasure of meeting with several livestock trade associations and have made a commitment which I think will be really important to my role which is to go and watch what it takes to load and unload a truck with livestock, and it is absolutely a different commodity than, say, paper towels. There's so much more sensitivity involved.

We must be flexible. We must be understanding of the businesses we regulate, and I commit to working with you and the agricultural and livestock industry to make sure that our rules never undermine safety but allow them to operate.

Senator FISCHER. Thank you very much.

Mr. Bose, we previously discussed my bipartisan legislation to authorize FRA's blocked crossing portal which was ultimately included in the Infrastructure Investment and Jobs Act. You'll recall that the portal would allow the public to report instances of blocked crossings to the FRA.

Do you support the permanent authorization of this program?

Mr. BOSE. Senator, yes, I do.

Senator FISCHER. If confirmed, how will you continue using the data from the portal to address the blocked crossings issues that we have?

Mr. BOSE. Senator, we actually have the blocked crossings portal going right now and what we do is we take the data from that and we have certain thresholds and we communicate with the communities and also the railroad companies that the blocked crossings affect and the railroad companies that are part of it. So we have an open communication with them and then if there's a pattern, we talk further with the railroad company and make sure it doesn't continue.

Senator FISCHER. Oh, great. Ms. Joshi, our country is experiencing extreme freight backlog and I appreciate your efforts to extend the hours of service waiver to try and address some of the issues here. I've heard from many Nebraskans about the continued toll that this backlog is taking on their businesses.

In your opinion, are there any additional steps that FMCSA can take to help alleviate that freight backlog?

Ms. JOSHI. Thank you for the question, and these are certainly unprecedented times when it comes to freight transportation.

One action that we recently took is we added to the most recent extension of the hours of service exemptions, the point where motor carriers using those exemptions will provide to us some more detail about how they're using them.

In gathering that information, I think it'll be able to help us formulate whether there are longer-term and more narrowly tailored solutions that we can put in place given the freight constraints that our Nation is currently experiencing.

Senator FISCHER. Also, we see current regulations that allow a 20-year-old truck driver to drive 517 miles from Omaha on the east side of Nebraska across the state to Harrison, which is on the west side of the state. That's 517 miles for a 20-year-old driving a truck across the state.

However, that same driver cannot drive four and a half miles from Omaha across the bridge into Council Bluffs, Iowa. The Infrastructure Bill that we passed, it would establish a pilot program at the FMCSA to allow 18-to-21-year-old drivers to participate in interstate commerce after completing an apprenticeship.

Are you supportive of this effort?

Ms. JOSHI. Thank you for the question, and this is a topic that has come up very frequently with regards to driver retention and the driver capacity.

So we are absolutely committed to following the letter of the law. I want to note several important provisions. One, they have to have a CDL license to begin with. There's an hours requirement which is important, and there's a safeguard within the legislation if there's any safety concerns for termination, and, finally, it requires us to do a very important study on driver compensation more broadly, including paid and unpaid detention time.

Senator FISCHER. Thank you very much. Thank you, Madam Chair.

The CHAIRWOMAN. Thank you, Senator Fischer.

I think Senator Markey is joining us remotely. If not Senator Markey, Senator Blackburn.

**STATEMENT OF HON. MARSHA BLACKBURN,
U.S. SENATOR FROM TENNESSEE**

Senator BLACKBURN. Thank you, Madam Chairman, and thank you to each of you for being here for the hearing today and for your patience while we did our Executive Session.

Ms. Joshi, I want to come to you if I may. First of all, thank you for mentioning the motor coach industry. We appreciate that. That is indeed, as you said, a critical mode of transportation and to those of us in Tennessee it is very important.

I do have some concerns about your time as Head of the New York Taxi and Limo Commission and New York doesn't have a consumer privacy law which would have given protections to the app-based companies in the share economy and what you did was to require these app-based companies, you indeed mandated that the larger app-based companies share trip data with the city.

So since there's not a privacy law, what protections did you put in place when you scooped this data and what did you intend to gain from this data?

Ms. JOSHI. Thank you very much for the question. The data that was collected and is still collected in New York City about app trips does not include passenger data. It does not include consumer data. It includes start and end time, date and location, vehicle identifier, and driver identifiers, and this information is used to develop policy around congestion, accessibility, safety policy, and also to establish a minimum pay requirement for drivers who are found by 2018 90 percent of them were making less than minimum wage.

The information itself is hosted within the New York City DOT environment with cybersecurity protocols and privacy protocols. Some of that information is made public and the app companies actually compare and keep track of that public because they use that public dissemination because they use it in their own operations, but what is made public is stripped of all vehicle identifiers, all specific location identifiers, and all driver identifiers.

Senator BLACKBURN. So you do not feel like this is an invasion of privacy for these individual drivers that are working with one of the app-based companies?

Ms. JOSHI. The drivers themselves heartily support the effort because it was through this mandate on trip records and pay information that the city was able to support them in an effort to create minimum pay standards, allowing them to at least make minimum wage. This is about 80,000 workers in New York City who drive full time.

Senator BLACKBURN. So are you saying that your concern was over wages and what they were able to make?

Ms. JOSHI. One of the concerns answered through the trip data collection was wages, yes.

Senator BLACKBURN. OK. So do you feel like that the New York City Government should be the one in charge of setting those wages or mandating a minimum wage for these drivers who are choosing to work as independent contractors?

Ms. JOSHI. The New York City Council and the New York City TLC working with the New York City Council did not set an hourly wage. As you mentioned correctly, these are independent contractors. What was set was a minimum mile and a minimum minute

pay standard which allowed those that were working to make the equivalent of a minimum wage.

Senator BLACKBURN. OK. So what you're trying to do—I just want to be sure I understand your intent on this. So by collecting this data, what you were trying to do was put the rate per mile or minute closer to what taxis were charging, is that right?

Ms. JOSHI. It was a mile and is a mile and minute rate that is benchmarked against the minimum pay per hour, the city's minimum wage requirement. That's the benchmark.

Senator BLACKBURN. Well, this causes me more concern having heard your answers to this. So I will submit—I'm over my time. I will submit a follow up question to you to allow for a little bit more clarification on what the limits are.

Mr. Bose, I have a question that I will submit to you, also.

Thank you so much, Madam Chairman.

The CHAIRWOMAN. Yes, thank you.

I'm just trying to go back and forth here. I don't know whether Senator Markey or Senator Peters is available.

**STATEMENT OF HON. EDWARD MARKEY,
U.S. SENATOR FROM MASSACHUSETTS**

Senator MARKEY. Yes, I'm right here. Senator Markey is here.

The CHAIRWOMAN. Thank you, Senator Markey.

Senator MARKEY. Can you hear me?

The CHAIRWOMAN. Yes. Go ahead, Senator.

Senator MARKEY. Beautiful. Thank you.

Fatal truck crashes continue to occur at an alarmingly high rate. In 2020 nearly 5,000 people were killed in crashes involving a large truck. Since 2009 the number of fatalities in large truck crashes has increased by 45 percent.

Additionally, 159,000 people were injured in crashes involving a large truck in 2019 and injuries of large truck occupants increased by 18 percent.

Last year an investigation by the *Boston Globe* detailed these disturbing trends and revealed how the Federal Motor Carrier Safety Administration has repeatedly failed to provide proper oversight of America's commercial trucking industry.

In response to this alarming story, I wrote a letter to the FMCSA that urged the agency to implement stronger procedures for certifying new trucking companies, conducting regular oversight of the industry, and enforcing Federal safety regulations.

Unfortunately, the response I received back from the Trump Administration was woefully insufficient. It failed to commit to the major reforms we need and showed how our truck safety regulators have been asleep at the wheel.

Moving forward, the Biden Administration must now do better to address these safety concerns.

Ms. Joshi, as the next head of FMCSA, what specific actions will you take to strengthen Federal oversight of America's commercial trucking industry?

Ms. JOSHI. Thank you, Senator Markey, for that question. I'm familiar with the *Boston Globe* articles, Pulitzer Prize-winning articles, and familiar with the issues raised in those articles which are incredibly important to the safety of commercial motor vehicles.

I'm going to go through a few of the priority items for us that I think are aligned with the issues that are raised in those articles.

Number One. It's an interstate industry and the licensing data around those that drive large trucks must also function in an interstate manner. That means there needs to be swift and current data transfer between states around CDL licensure.

This is a rulemaking that we are in the final months of getting published. It would mandate that states electronically transfer this data and we would like to also accelerate adoption of this new rulemaking through grant-making and other incentives that we can work with AAMVA to encourage.

I also want to point out that our Drug and Alcohol Clearinghouse, which the FMCSA staff work tirelessly to stand up, has been essential to identify risky drivers pre-employment.

The rulemaking that's forthcoming will also require states to downgrade licenses if there is a positive in the drug and alcohol clearinghouse, another important enforcement tool to get risky drivers off the roads.

We're also committed to strengthening our New Entrant Program. Motor carriers that have a risky behavior need to be investigated and when they come newly into the industry, we need to have a closer eye on them.

So also I just want to and finally broaden the scope of those motor carriers that we do investigations of to encompass more at-risk behavior. I tremendously look forward to working with you and your staff on how we can improve the safety of the entire industry and reverse the trends.

Senator MARKEY. Good. Thank you. I think it's very clear that this entire industry fell into a regulatory black hole where it escaped the level of scrutiny which it absolutely has to have if the public safety is going to be protected.

We need an agency which is not a lap dog but a watchdog to protect those who have been endangered by the lack of Federal oversight to the level which we know the safety of our country absolutely is dependent.

So I thank you for your willingness to serve and I'm going to be closely focusing upon what the agency does after your confirmation. I think it's absolutely essential that business as usual be ended.

Thank you. Thank you, Madam Chair.

The CHAIRWOMAN. Thank you. Thank you, Senator Markey, and I wholeheartedly agree with your comments.

I don't know if Senator Young is available or Senator Johnson. If not, Senator Lummis.

**STATEMENT OF HON. CYNTHIA LUMMIS,
U.S. SENATOR FROM WYOMING**

Senator LUMMIS. Thank you, Madam Chairman.

My first questions will be for Mr. Syed and Ms. Wassmer and it's very specific to the capital City of my home state of Wyoming. The Cheyenne Airport is facing serious challenges and they're threatening the long-term viability of commercial air service.

Now, right now Cheyenne has absolutely no commercial air service. That's been the case since last spring due to runway repairs that are overdue and due to a variety of factors, including certain

FAA regulations. Cheyenne may lose commercial air service for the next several years as it attempts to complete those repairs.

Now the message my staff has received from the airport is that without certain FAA funds being expedited, the airport will not be able to offer commercial air service for the foreseeable future, maybe a year or 2 years or more. That would make it the only state in the Nation whose capital city has no commercial air service and I try to fly out of there as often as I can. I haven't been able to. The roads between Cheyenne and Denver are heavily trafficked. It is not a long-term solution for the City of Cheyenne to be without air service.

In addition to that, it's a huge problem for Cheyenne's economy. It will jeopardize our state's efforts to combat wildfires and it jeopardizes procurement for F.E. Warren Air Force Base which is at Cheyenne. They don't have an airport at F.E. Warren because it's an ICBM base, a missile base as opposed to a fixed wing aircraft base.

So it's my hope, Mr. Syed and Ms. Wassmer, that you will use your positions at DOT to help solve these pressing issues.

So, Mr. Syed, I think you're aware my staff has been in contact with you about this. Ms. Wassmer, hopefully you'll recall that, as well.

Will you commit, Mr. Syed, to continue to relay our message throughout the FAA and the Office of the Secretary, as well, so that we can identify some opportunities to work with you to resolve this issue?

Mr. SYED. Thank you, Senator Lummis, for the question, and absolutely you have my commitment on that, and you also have a very effective staffer in Holt Edwards who keeps me on my toes on this issue. So you have my absolute commitment there.

Senator LUMMIS. Well, thank you, and we intend to kind of be a broken record on this because it's a really pivotal issue for Wyoming.

Ms. Wassmer, if you are confirmed, you're going to have a lot of influence over funding decisions throughout the modal offices at DOT, including the FAA.

Will you commit to use your role as the CFO to work with us to secure adequate funding so we can resolve this issue?

Ms. WASSMER. Thank you, Senator Lummis, and I absolutely do commit. I have been in touch with FAA's Office of Airports about this project and understand more and also will work closely to identify other opportunities associated with the funding for the runway improvement projects that are happening there at Cheyenne.

Senator LUMMIS. As you know, each airport district office receives discretionary funds for airport projects and although the funds needed would use up a large portion of those discretionary funds for the Denver ADO, it's my understanding that the full amount of funds needed to complete the project are available.

So what information can my office and the airport in Cheyenne provide to your team in order to prioritize the airport receiving those funds?

Ms. WASSMER. So I do believe that there has been with the Office of Airports, Shannetta Griffin as well as Winsome Lenfert, con-

versations about the necessary information to help support and I do think that through those conversations as well as we look at the bipartisan infrastructure deal, with the Investments in Infrastructure and Jobs Act, there are additional monies and resources that would be coming to Wyoming and specifically to Cheyenne that could be supportive of that work.

Senator LUMMIS. Well, I want to thank you both and assure you that we will be in contact with you about this and appreciate your responses to this.

Mr. Bose, when you and I spoke earlier this year, I expressed my concern with FRA pursuing a rulemaking on minimum crew size. In the most recent regulatory agenda, DOT indicated that there would be a rulemaking to address the potential safety impacts of one-person train operations.

Given that FRA has previously said there is no safety data to justify such a regulation, could you please share with the Committee what new information DOT has collected to justify such a regulation?

Mr. BOSE. Thank you for the question, Senator. As you may be familiar, a court found against FRA's actions in the past and vacated the agency's Preemption Order and remanded the rule back to FRA. So we are in the process of a Notice of Proposed Rulemaking which will be a public and open process and what we're doing—one reason we're doing it is because if there is not a rulemaking, then we believe that states would have a patchwork of laws. So that's just one thing to keep in mind.

We are going to look at the potential safety impacts of crew size on train operations and make sure that there is a reason to do it. Again, we'll go through the NPRM process and there definitely will be a lot of input from the industry and from their stakeholders in rail.

Senator LUMMIS. Thank you, and thank you all for responding to my questions. I might submit a question in writing to you, Ms. Joshi, with regard to dedicated truck parking on our interstate highways, but if we do that, we'll send it to you in writing. You've been on the hot seat a lot today.

Thank you all. Madam Chairman, thank you very much.

The CHAIRWOMAN. Thank you. Thank you, Senator Lummis. So appreciate you being here in person.

Is Senator Peters available? Senator Sinema? Or Senator Rosen? If not, we're going to take a short recess. I do think we have a couple members who still want to ask questions. So we'll take a short recess and allow me to vote and allow other people to get here and we'll be back in hopefully about 10 minutes.

Thank you.

[Recess.]

The CHAIRWOMAN. The Senate Committee on Commerce, Science, and Transportation will come back to order.

Our hearing will resume on our nominees before us today, Ms. Wassmer, Mr. Syed, Mr. Bose, Ms. Joshi. Thank you so much.

Senator Sullivan.

**STATEMENT OF HON. DAN SULLIVAN,
U.S. SENATOR FROM ALASKA**

Senator SULLIVAN. Madam Chair, thank you very much for being flexible here on this. This is an important hearing and I wanted the opportunity to ask some questions. So thank you for your flexibility there and to the nominees, congratulations. It's great that you want to serve our country, so appreciate that, and look forward to working with you on a number of issues.

I want to begin on the issue as it relates to the Alaska Railroads Authorization for LNG and ISO Tankers on Flat Cars.

So, Mr. Bose, you know this is an important issue you and I have discussed and that authority was granted originally in 2015. We had a good discussion in May on this in our meeting. The request for the extension, as you know, has languished for 10 months prior to any movement from the FRA and it predated this Administration, as you and I talked about.

So I appreciated some movement, but here's the issue and as you know, it's for clean burning Alaskan natural gas into the interior of Alaska and that's for our communities there. That's for our military bases there, and I'm interested in having that authorization to transport LNG and ISO tankers on flat cars be extended and provide to commercially viable amounts, and I think that's the big issue right now.

Will you commit to me that FRA will continue to work toward the authorization of right-size shipments? We've been a little frustrated on the size that they've been allowing to provide for a needed alternative for Interior Alaska's energy needs and again an environmentally sound alternative that we, as you know, have in abundance in Alaska.

Mr. BOSE. Thank you, Senator, for raising this important issue, and I look forward to visiting Alaska hopefully in the upcoming months.

I understand that Alaska Railroad has had a very productive and longstanding relationship with the Federal Railroad Administration. So I want to make sure to continue that.

As you alluded to, this has been a longstanding request from Alaska Railroad going from the last Administration to this Administration. So I'm glad we made some progress.

Senator SULLIVAN. It actually started with the Obama Administration, if you remember. So it's been really longstanding.

Mr. BOSE. Yes, yes, and we absolutely want to work with you and your office on this issue, and I know that the level that we approved, you would like for that to be, as you put it, commercially viable.

Senator SULLIVAN. Yes. That's the key issue.

Mr. BOSE. We were working with Alaska Railroad and we thought we had addressed what their peak demand was going to be, but we will absolutely look at that and talk to Alaska Railroad again and happy to do that.

Senator SULLIVAN. Good. Thank you. And, look, I want to get everybody's commitment. This is usually an easy one. I ask it of every single Senate-confirmed person in the U.S. Senate to come up to Alaska, visit Alaska, see our unique state. We have a lot of chal-

lenges, a lot of opportunities, but you got to come to Alaska, see it, on the ground to understand, you know, our wonderful state.

Can I get a commitment from all of you to commit to doing that sometime in your tenure?

Ms. WASSMER. Yes, absolutely.

Mr. SYED. Yes.

Ms. JOSHI. Yes, please.

Mr. BOSE. Absolutely.

Senator SULLIVAN. I won't make it in the winter when it's, you know, 40 below zero, maybe you can do it in the summer, but it's important.

The CHAIRWOMAN. Senator Sullivan, I heard Mr. Bose say he would come in the next couple of months.

Senator SULLIVAN. Yes. That's right.

The CHAIRWOMAN. I wondered if he wanted to revise that.

Senator SULLIVAN. Let's do that. Let's do that in February when it's 50 below and you can see a little bit.

I want to talk about very quickly for Ms. Wassmer a really important issue for me. I would say I don't want to speak for the Chairman but I think it's an important issue for her, as well, and it deals with the Port of Alaska, Port of Anchorage, and that we've had some big challenges there. It's really important for our economy.

I've had discussions with Secretary Buttigieg about this where we've had, you know, some challenges on design, on earthquakes, and this is a really important port for my entire state's economy, for the military there, I would say for parts of the Washington State economy, and can I just get your commitment to really help us and focus on that issue? I've raised it a number of times with the Secretary.

I was home, of course, over August and did a tour with our mayor of the port. It's got a lot of challenges and I'd really like your commitment on that.

Ms. WASSMER. Yes, Senator, I do commit to doing that. I think there are some exciting opportunities with the Investment and Infrastructure and Jobs Act associated with port infrastructure.

Senator SULLIVAN. Well, we agree with you on that and actually the Chairman and I, she and I were working on some potential amendments that related to that, so for her ports and our ports, so we want to continue to work with you on that.

The CHAIRWOMAN. Senator Sullivan, if I could interject, what percentage of product delivered to Alaskans comes through that port?

Senator SULLIVAN. Well, Madam Chair, it's amazing that you asked that because that was just—if you can indulge me, I was going to mention that as the beginning of my next question, and that is for Ms. Joshi.

85 percent of the freight coming into Alaska comes through the Port of Anchorage. So we are very, very dependent on this port. It's also one of the Department of Defense's 18 strategic DoD ports. There's only 18, one in Alaska, one in Washington State. So it's really important from that perspective.

The question I wanted to ask you, Ms. Joshi, and I know I'm going over my time here, is as it relates to the Chair's question,

that also means that we're one of the biggest intermodal states in the Union, meaning that freight comes into the port obviously via sea and then it is delivered in another mode of transportation, more often than not on a truck.

We have almost 14,000 people, that's a lot, in my state employed in the trucking industry, great workers, Teamsters, others who do a phenomenal job, big impacts on our economy.

I just want to get your commitment that the regulatory decisions that you make will have strong stakeholder engagement because you, of course, have to balance things with regulations. You want to make sure this is a really robust employment and jobs sector, but there are other things that regulations look at.

But can I get your commitment to work with stakeholders, the men and women who drive the trucks, whether it's Teamsters or others, and the industry, but it's important, critically important in my state?

Ms. JOSHI. Yes, thank you for your interest. You have my commitment and I also firmly believe it's the only way we can make solid regulations. So I've had the pleasure of visiting New York New Jersey Port and meeting with several port operators, motor carriers, and plans to meet with drivers, groups that also work at ports and extend that invitation to Alaska, as well, but we absolutely cannot make informed policy decisions without driver and motor carrier input.

Senator SULLIVAN. Good. Well, when you come up to Alaska, we'll make sure we get meetings with all those stakeholders. Great.

Thank you. Thank you, Madam Chair.

The CHAIRWOMAN. Thank you, Senator Sullivan, and thank you for bringing up this important issue. We are fighting for \$2.5 billion for port infrastructure investment as part of our reconciliation efforts and very much have the Port of Anchorage in mind and, I mean, people just don't think about it. I could have asked you how much product is delivered by road.

Senator SULLIVAN. It's not much.

The CHAIRWOMAN. Yes. And not much by aviation either because it—

Senator SULLIVAN. Not much.

The CHAIRWOMAN.—is so expensive. So basically if something happens to that port, that's basically all the resource for Alaska. So it's ridiculous that we're in this position, in my opinion. We should be making—this is a major priority for the Nation and certainly we're going to work with you, Senator.

Senator SULLIVAN. I appreciate that, Madam Chair,—

The CHAIRWOMAN. Yes.

Senator SULLIVAN.—very much.

The CHAIRWOMAN. OK. So I think Senator Peters is next. If Senator Peters is not available, Senator Rosen.

**STATEMENT OF HON. JACKY ROSEN,
U.S. SENATOR FROM NEVADA**

Senator ROSEN. Thank you, Chairwoman Cantwell, appreciate it, and I'm sorry we don't have any ports in the battle but we support your ports. We have other things, other ways we get our goods into

Nevada, and we appreciate everything that does come in to our ports all across the country.

I want to thank you for holding the Nominations Hearing today and, of course, all the nominees for your commitment to public service.

I want to switch a little bit over into AI technology. So, of course, Ms. Joshi, as you know, the mission of FMCSA's Office of Analysis, Research, and Technology is to reduce the number and the severity of commercial motor vehicle crashes and enhance the efficiency of CMV operation, and so as our Nation incorporates more artificial intelligence in transportation, if confirmed to lead FMCSA, how do you intend to use your position to adapt how the agency overseas and analyzes the safety of increasingly more technology-based platforms?

We know all of our vehicles are getting smarter and smarter all the time and so when FMCSA has been historically overseeing more mechanical operations and we need to move forward to the future.

Ms. JOSHI. Thank you, Senator Rosen, for that important question and for pointing out that we are indeed in a time of incredible transition within the industry.

The transition from mechanical to AI occurs but for FMCSA, the mission of safety as the Number 1 priority stays the same. So our challenge is to ensure that our regulations to uphold roadway safety translate into an AI world.

The principles remain the same and we're embarking on that work now to stand up a regulatory framework for AV trucking so that safety is Number 1. There is room for innovation so the crash prevention technology that AI brings can benefit road users and there are accountability measures so we understand critical things in an automated world like when does a crash occur, when is there a dis-engagement.

There are questions that are new for the industry to have to answer in the AI world and we intend to work closely with stakeholders to find the right way to make sure those accountability measures are in place.

Senator ROSEN. Thank you. I appreciate that. I want to move over and talk with you, Mr. Bose, about transporting nuclear waste by rail because, if confirmed, you would be in charge of developing and enforcing rail safety regulations.

For Nevadans, the transportation of hazardous waste to our state by road and rail is something we've been fighting since the 1980s. For over 30 years we've opposed Yucca Mountain Nuclear Waste Disposal Project in part because it would require transporting nearly 9,500 rail casks of hazardous radioactive waste in 2,800 trains and over 2,600 trucks from across the country, all across the country to Nevada. This is a major transportation safety crisis waiting to happen.

Actually to move all the waste they currently want to do it would take three loads by truck or rail 50 years to complete. So it puts major metropolitan areas in 44 states, their railways, their roadways, millions of Americans at risk. This proposal is not only dangerous, it's unrealistic.

Like I said, it would require 300 miles of new railroad, take over 50 years to move the current volume of nuclear waste. We already have an aging rail system and the consistent shipments of heavy casks of nuclear waste will definitely cause wear and tear on our railroads and have an economic impact on our commercial rail, as well.

So, Mr. Bose, if confirmed, will you commit to working with me to address the rail safety concerns of Nevadans who don't want to live along railways unsafely transporting waste and I can tell you those other 44 states, I'm sure they don't want it coming through there either.

Mr. BOSE. Yes, Senator, absolutely commit to that.

Senator ROSEN. And I want to follow up on that and to your knowledge, Mr. Bose, are positive rail control, the PRC, systems required for trains carrying nuclear waste and if they aren't, do you think it's beneficial to apply them to trains transporting nuclear waste and can you look into this, if confirmed, if it's not already the practice?

Mr. BOSE. Senator, there's no specific requirement of the use of positive rail control, positive train control on trains carrying nuclear waste, but positive train control may be generally required based on trains operating on a Class 1 mainline.

I commit to examining whether specific requirements here may be beneficial to enhancing safety in this area. FRA also works closely with the Department of Energy and the Nuclear Regulatory Commission and their stakeholders in shipping radioactive materials.

Senator ROSEN. Thank you. I appreciate that, and I just think that there'd be broad support to be sure that we make any train carrying nuclear waste, hazardous waste be the safest trains that there are so we can avoid any obviously unfortunate accidents that could put many in our towns and cities at peril.

Thank you, Madam Chair. I see my time is up.

The CHAIRWOMAN. Thank you, Senator Rosen.

Do we have Senator Peters or Senator Sinema? OK. We have a bunch of people who are listed as wanting to join remotely. So sorry for calling out your names. If not, we'll give it a few minutes, I have a couple of questions I'd like to ask.

Mr. Bose, I wanted to ask you about crude by rail. Obviously this is a very big issue for the state of Washington. In December of last year, a mile-long train derailed in Custer, Washington, causing a town to be evacuated and spilling 30,000 gallons of crude oil despite only going seven miles per hour.

So we're seeing these incidents. 10 tank cars derailed and three of them caught on fire. No one was injured but this incident is a reminder of the danger that crude oil and LNG trains pose to communities near rail.

What will you be doing to ensure that hazardous materials are operated in a safe manner and will you commit to reviewing whether current safety standards need to be enhanced in light of this?

Mr. BOSE. Senator, I'll start out by saying that for enhancements, absolutely commit to looking at that, and in my short time at DOT this time around we're absolutely working with the Pipe-

line Hazardous Materials Safety Administration, as well, on this issue because it involves hazardous materials.

Regarding the Custer, Washington, derailment, we issued our investigation report a few weeks ago. FRA understands the potential risk associated with the movement of energy products and other hazardous materials and we will absolutely be continuing to work with state and local governments and the industry to advance safety in all parts of rail transportation when it involves hazardous materials, and we also are going to continue to work closely on tank car safety, as well.

The CHAIRWOMAN. Thank you. There's a lot to continue to be done on rail safety and rail car safety.

On the ports issue, I so appreciate my colleague, Senator Sullivan, bringing this up and many members of this committee do have big port economies, but right now we are seeing unbelievable congestion at our ports and so I would like to ask all of you, I guess, might as well since, Ms. Wassmer, you'll have a role, but our ports are experiencing unprecedented congestion really.

Now we are seeing pictures every day of ports with ships and the amount of congestion. What do each of you think we should be doing to help relieve congestion at our ports? Maybe we'll start at this end.

Ms. JOSHI. Thank you, Chair Cantwell, for the question. From the perspective of the trucking industry, I think it's critical that there be transparency and that the financial incentives be aligned because there are so many moving parts at a port in order to make the trucking experience of moving freight in and out as efficient as possible, there has to be transparency on appointment systems, flexible hours, and more certainty on when containers need to be dropped off and picked up as well as aligning the financial incentives.

So if the trucking community is bearing the brunt of wait times and that time is not compensated, either because they have to hold containers or because truck drivers have to wait for loading and unloading, then the congestion and the downtime is felt by them and there's no incentive to disburse that among the whole system which therefore will have the overall effect of improving throughput.

The CHAIRWOMAN. Do you think we should do a pilot program right now on something? You know, we just had a big focus with the Deputy Secretary Trottenberg coming to the Seattle Port to look at that issue and look at the West Seattle Bridge, but more specifically there's an opportunity to demonstrate that there is a faster way and a cleaner way to get those truck drivers back on the roads and move the products more effectively through the ports. Do you think there's a demonstration that could show this?

Ms. JOSHI. I would certainly love to work on exploring that idea. We've been operating in a certain way for many, many decades. So I think it's high time to try to change things and look at them differently and if there's an isolated place where we could have a demonstration project that's working for the industry and for the ports, then I'd be happy to explore that with you and your staff.

The CHAIRWOMAN. OK. Thank you. Mr. Bose, what do you think we should do about this problem?

Mr. BOSE. Well, Senator, excellent question, and it's something that I, along with Deputy Administrator Jarashi, we have been tasked by the Secretary because he's on the Supply Chain Disruption Task Force from the White House, and the White House, as you know, issued an Executive Order about supply chain disruption. So it's absolutely on our radar.

When looking at it from the rail industry perspective, we know that there's congestion at the ports, logistical equipment, scarcity, labor shortages, a combination of things, and we all have a different role to play in that.

FRA, for our part, is definitely going to look at the rail issues in collaboration with other transportation modes and also other agencies across government to look for any opportunity we can to help alleviate the situation.

The CHAIRWOMAN. Thank you. Mr. Syed.

Mr. SYED. Thank you, Chair Cantwell. Building off what Mr. Bose just said about the Executive Order, the department recently issued a Request for information in the Federal Register seeking comments from stakeholders to figure out how to address these challenges and the department anticipates releasing this assessment early next year. So hopefully that will inform some of the efforts here.

The department also recently had former Deputy Secretary of Transportation John Bakory join as a Port Envoy and we look forward to having him and his expertise at the department to find near-term opportunities to address port congestion.

The CHAIRWOMAN. Maybe we should have Mr. Bakory come before the Committee if he's the person in charge of this, but I definitely—yes, OK. Well, let's hear from Ms. Wassmer.

Ms. WASSMER. Senator Cantwell, this has been a really big issue and, interestingly enough, I remember being in Seattle and going to the museum there on Port and Shipment Containers and it was when my sons were very young, so over 20 years ago, and just being amazed at all of what happens, both on our import and export side, the criticality of the port infrastructure.

Again, we've talked about the investments that are anticipated in the Infrastructure Bill. We also made it a point this year in the President's Budget for 2022 to request resources. We do take this strongly at the department and in this Administration and look forward to working with you on that.

The CHAIRWOMAN. Well, and you mentioned workforce in your opening statement.

I think we're doing the right things as it relates to the budget reconciliation efforts and the transportation infrastructure bills that we've passed. We're making or want to make the major investments, but I would just remind people we're seeing this and you can say it's a supply chain issue, you can say it's, you know, a lot of different things, COVID impact on the work force.

We've obviously had serious longshoremen deaths as it related to people being essential workers trying to do their job. It's a very, very sad situation.

So, there are lots of issues, but, you know, my state is a very big trade state, one in three jobs related to trade, and so this isn't going to go away. If we recover from the pandemic and we continue

to see the growth around the globe in economic opportunity, we've got to get this infrastructure flow right and if it means getting the workforce to go with it or the innovation on cleaner port emissions which will be part of the issue, we just have to realize that this is, just as Senator Sullivan was saying, these are really critical economic development issues on the ground for our states and if you look at our U.S. economy, I think it's something like 80 percent of our economic activity comes out of these coastal states.

So that's, you know, not to say we don't ship a lot of stuff from the Midwest through the Ports of Seattle and Tacoma, we do, but in reality, these states represent big economic activities and so making the investment, getting the work force, thinking about the supply chain, thinking about the growth around the country and I would ask us to think about this particularly as it relates to Canada.

I mean, Canada made some major alignments to make all of this easier. I mean, they basically said we're open for business and we'll make it easier for you and that's what we have to compete with and that same kind of activity is going to continue around the globe as more and more people obviously join our economies.

OK. Well, I take it we have no other members wishing to ask questions.

I again want to thank the witnesses for their willingness to serve and their statements here and questions that they've answered.

We have one more question to Ms. Wassmer, Mr. Syed, Mr. Bose, Ms. Joshi. If confirmed, will you pledge to work collaboratively with this committee, provide thorough and timely responses to our requests for information as we put together and address important policy issues, and appear before the Committee when requested?

Ms. WASSMER. Yes, I will.

Mr. SYED. Yes.

Mr. BOSE. Absolutely.

Ms. JOSHI. Yes, I will.

The CHAIRWOMAN. Thank you.

So the Senators have 72 hours to submit questions for the Committee record. Witnesses will have one week to respond to those questions and so that will be our timeframe obviously then for moving forward on your nominations.

So thank you all very much for being here today.

We're adjourned.

[Whereupon, at 12:15 p.m., the hearing was adjourned.]

A P P E N D I X

THE TRUTH ABOUT FORMER NYC TAXI AND LIMOUSINE COMMISSIONER MEERA JOSHI,
NOMINEE FOR ADMINISTRATOR OF FMCSA

Meera Joshi US Senate Confirmation Hearing 9/15/21

As NYC taxi owners, we were dismayed to see that Meera Joshi, the previous NYC Taxi & Limousine Commissioner, seems to be poised to advance to a higher position in government as Administrator of FMCSA.

What you may not understand is that medallion owners in NYC paid billions of dollars to New York City to purchase medallions which are a defacto franchise and widely recognized as property. We read very carefully all of the written material that Ms. Joshi submitted to the committee and would like to point out things she left out.

The written material she submitted is in these links:

<https://drive.google.com/file/d/1yk00d0ZwqSGJKJDiiKcWNmrzvDskpr6S/view>

<https://www.commerce.senate.gov/services/files/2704328F-6FB9-495C-870C-3BDCEFACEE28>

Mainly, that she was at TLC as General Counsel from 2011–2013 and then as Chair from 2014–2019. During that time, every step of the way, the path forward for taxis was stymied while at the same time every break possible was given to our competition, Uber Lyft Via who basically succeeded by flooding the streets with 10s of thousands of vehicles, which created many knock on effects.

She left out a lot to put it mildly. The suicides, the bankruptcies, destruction of \$15 billion in equity, destruction of all the credit unions, the 62 percent increase in greenhouse gases, the 600 percent increase in crashes, driver poverty, discouragement of the use of public transportation, the huge losses to taxpayer, losses of \$700 million to NCUA insurance fund due to medallion debt writeoffs non stop lawsuits against her and her agency, the huge increase in congestion due to the more than tripling of for hire vehicles (40K to 130K) in New York City, the bending, breaking, ignoring & changing of her agencies rules always benefitting one player over all others.

<https://www.creditunions.com/blogs/commentary/the-ncua-spent-15-billion-of-member-funds-wheres-the-transparency/>

There is a great deal of anger and sadness over Ms. Joshi's tenure as TLC Commissioner. After one of the many suicides she decided to crash a memorial service for the driver who had thrown himself in front of a moving subway train. What happened next is indicative of how drivers feel about her. Here is the link to video of what occurred that day.

<https://gothamist.com/news/tlc-commissioner-accosted-at-vigil-following-another-for-hire-driver-suicide>

The following video is a record of an April 2017 TLC hearing on industry economics over which Ms. Joshi presided. Under Commissioner Joshi's leadership since 2014, and before that as Deputy Commissioner for Legal Affairs from 2011–2013, the entire industry had been upended despite the Commission having had the tools to remediate the problem of tremendous oversupply of for hire vehicles. These are the testimonies of 81 participants, some crying, some begging, some screaming for someone to help them.

https://www.nyctaxinews.com/tlcmeet4_6_17.html

Since April 2017, \$15 billion in equity has been destroyed, all the credit unions that financed the taxi industry have gone under and there have been 10 suicides that we know of.

The only thing that came out of this hearing was a rule to allow ride share drivers to be tipped. None of the underlying issues have been addressed to this date.

We hope that you will take all these facts into account when you consider Joshi's nomination. If there is a more formal way to send testimony to the committee please let us know.

The Members of NYC Taxi Medallion Owner Driver Association
Twitter: @nyc_tmoda

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. KYRSTEN SINEMA TO
VICTORIA WASSMER

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 chief financial officer of the DOT ensure these funds are expended in a fair and efficient manner? What will you do to protect against fraud, waste, and abuse in the disbursement of IIJA funds?

Answer. Throughout my career, I have been a strong advocate for protecting Federal resources and using funding wisely. In my view, one of the best ways to protect the Nation's resources is to ensure that Federal Agencies establish and maintain a strong system of internal controls so that specific procedures and safeguards are followed at every step of the way in executing Federal dollars. If confirmed as Chief Financial Officer, I will ensure that DOT continues to maintain strong financial management systems and processes that protect funding and provide transparent and reliable information.

The passage of the IIJA will provide major funding increases for many of the current programs in the Department as well as funding for several new programs. If confirmed, I will work closely with the DOT leadership, my staff, and my counterparts within the Department to ensure that funds provided through this legislation are disbursed in a timely fashion and accounted for properly in our financial management systems. I will also ensure that regular reporting on our progress in implementing these funds is provided to Congress.

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

Answer. The IIJA provides \$550 billion in new Federal investment in America's infrastructure, including roads, bridges, and mass transit, water infrastructure, resilience, and broadband. The Biden-Harris Administration believes that we must invest in our country and in our people by creating good-paying union jobs, tackling the climate crisis, and growing the economy sustainably and equitably for decades to come. This bipartisan legislation will deliver progress towards these objectives for our Nation's transportation infrastructure and for working families across the country. Among other investments, IIJA makes the largest Federal investment in public transit ever; makes the largest Federal investment in passenger rail since the creation of Amtrak; makes the single largest dedicated bridge investment since the construction of the interstate highway system; and helps us tackle the climate crisis by making the largest investment in clean energy transmission and EV infrastructure in history, including electrifying thousands of school and transit buses across the country.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MIKE LEE TO
VICTORIA WASSMER

Question 1. How would you describe the current financial state of the Highway Trust Fund?

Answer. The Highway Trust Fund (HTF) currently operates with a structural deficit, which began in 2008 when Trust Fund expenditures first exceeded incoming receipts. Since that time, between 2008 and 2021, Congress has appropriated \$154 billion in general fund transfers to maintain Trust Fund balances.

The Department of Transportation (DOT) consistently monitors the resources in the Highway Trust Fund to ensure funds are available to reimburse States for approved infrastructure projects. In partnership with the Department of the Treasury, DOT provides regular updates and funding projections to Congress that reflect the latest information. If confirmed as Chief Financial Officer, I will continue to ensure

that transparent reports on the status of the Trust Fund's balances are readily available.

- Can we continue to afford spending more out of the Highway Trust Fund than we are taking in?
 - Answer. While the Highway Trust Fund operates with a structural deficit, the United States cannot afford to ignore the diminishing state of vital infrastructure. The Highway Trust Fund is but one of several potential funding options that can help the country recapitalize, and the Administration will work with Congress to address the infrastructure backlog.

If confirmed as Chief Financial Officer, I will commit to working with Congress to ensure our Nation's infrastructure needs are addressed so that all Americans have access to transportation options that meet their needs.

- Do you support the raising of the Federal gas tax or other tax increases in order to fund the Highway Trust Fund shortfall?
 - Answer. If confirmed as Chief Financial Officer, I will work with Congress on reauthorization of traditional surface transportation programs and consider options, including General Fund cash transfers, to resolve the long-standing issue of Highway Trust Fund insolvency.

The Biden-Harris administration has also made clear that it will not raise taxes for individuals making less than \$400,000.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RICK SCOTT TO
VICTORIA WASSMER

Question 1. The Department of Transportation gives out billions of dollars in discretionary infrastructure grants, such as the RAISE Grants. How will you ensure these are awarded fairly, transparently, and consistently?

Answer. The Department of Transportation provides grants to help build and maintain a safe, efficient, accessible, and convenient transportation system for the American people, today and into the future. In communities across the country, there is tremendous need for transportation projects that create high-quality jobs, improve safety, protect our environment, and generate equitable economic opportunity for all Americans. The Department's discretionary grant programs provide critical investments that push many projects over the finish line. They also represent one of the few transportation programs through which Americans witness the Federal government investing directly in their community.

The Department offers every RAISE applicant the opportunity to meet with DOT to discuss their applications, review their scores, and learn how to better compete in the subsequent grant cycle. This has been an important part of our process to provide transparency to grantees and assist communities as they prepare to re-apply. It is important every discretionary grant application receives a fair and impartial evaluation according the criteria, and that our evaluation and selection process is fully documented according to Departmental guidance.

Specifically, with regards to RAISE grants, we are making those needed investments in our communities' future. Projects for RAISE funding will be evaluated on merit criteria based on direction from Congress. To ensure that the benefits of infrastructure investments support communities large and small, the Department will award an equitable amount, not to exceed half of funding, to projects located in urban and rural areas respectively.

The Biden-Harris Administration is committed to restoring trust in government in everything we do. The Department will ensure we have a merit-based process and prioritizes projects that demonstrate alignment with the selection criteria.

Question 2. How do you plan on addressing and improving the "return on investment" for American taxpayers with President Biden's aggressive infrastructure proposals?

Answer. The Biden-Harris Administration's infrastructure plan will broadly seek projects that help the greatest number of Americans with a particular focus on those communities and projects that have suffered from decades of disinvestment. The largest return on investment (ROI) can be gained from improving those assets in the worst condition.

DOT will seek to consider the fiscal impact analysis of investments when reviewing grant applications, as well as put in place programs to create high quality jobs and ensure more resilient infrastructure in an effort to maximize the investment benefit for all Americans. DOT will also continue to provide technical assistance and best practices to stakeholders and communities so they can make the best investment decisions as well.

Question 3. How would you address the fact that the Highway Trust Fund (HTF) is going insolvent, and do you believe we need to increase the Federal gas tax?

Answer. If confirmed as Chief Financial Officer, I will work with Congress on reauthorization of traditional surface transportation programs and consider options, including General Fund cash transfers, to resolve the long-standing issue of Highway Trust Fund insolvency.

I also note, the Administration has made clear that it will not raise taxes for individuals making less than \$400,000.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. CYNTHIA LUMMIS TO
VICTORIA WASSMER

Question 1. I appreciate your attention to the issue facing the Cheyenne Airport in my home state of Wyoming. As I mentioned in the hearing, it is possible that absent intervention from DOT, the Cheyenne Airport could lose commercial air service for the foreseeable future. As you did in the hearing, will you commit to using your role as the Chief Financial Officer for the U.S. Department of Transportation to help identify and acquire adequate funding for the Cheyenne Airport so as to prevent the continued loss of commercial air service?

Answer. I understand the situation the airport is in with its planned runway project schedule and appreciate the difficult circumstances many airports face as they continue to rebound from the effects of the pandemic. I have been in contact with FAA's Office of Airports about this project, and I will continue working with FAA to identify opportunities for additional funding to complete the project.

Question 2. Is there additional information that my staff or I could provide in order to bolster the airport's case as we continue to push for funding?

Answer. I appreciate your willingness to work together to improve the Nation's airport infrastructure. I understand the importance of both connectivity from the State Capital to other parts of the country, as well as keeping the runway in a state of good repair for commercial service. I am supportive of the infrastructure improvements, and with enactment of the Infrastructure Investment and Jobs Act, Wyoming is poised to receive over \$70 million for its airports over 5 years, including \$5 million for Cheyenne.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. KYRSTEN SINEMA TO
MOHSIN RAZA SYED

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.

Question 1. Should the IIJA become law, how would its investments revitalize America's transportation infrastructure?

Answer. The IIJA provides \$550 billion in new Federal investment in America's infrastructure, including roads, bridges, and mass transit, water infrastructure, resilience, and broadband. The Biden-Harris administration believes that we must invest in our country and in our people by creating good-paying union jobs, tackling the climate crisis, and growing the economy sustainably and equitably for decades to come. This bipartisan legislation will deliver progress towards these objectives for our Nation's transportation infrastructure and for working families across the country. Among other investments, IIJA makes the largest Federal investment in public transit ever; makes the largest Federal investment in passenger rail since the creation of Amtrak; makes the single largest dedicated bridge investment since the construction of the interstate highway system; and helps us tackle the climate crisis by making the largest investment in clean energy transmission and EV infrastructure in history, including electrifying thousands of school and transit buses across the country.

Question 2. If confirmed and the IIJA becomes law, how will you ensure the Department of Transportation (DOT) meets deadlines set forth in the IIJA? How will you keep state, local, and tribal governments updated on implementation of the IIJA?

Answer. The IIJA is a generational investment in America's infrastructure. It will help ensure our Nation has the safest, most equitable, reliable, and modern transportation system in the world, and will increase economic strength, improve climate outcomes, and build global competitiveness for the American people. While the Department is well-positioned to implement the bill, it will need extraordinary, fast, and coordinated work to be successful. Implementing the IIJA will require a cross-

functional and cross-modal effort that is sustained, disciplined, and inclusive. The Department will not only need to continue to operate with the highest degree of integrity and accountability but also set a new standard for future investments. DOT will also coordinate outreach to stakeholders and external partners. This will include robust engagement and clear lines of communication with state and local governments and Tribal Nations, especially to communities that have been historically underserved. Whether it is in IIJA implementation or any other transportation-related matter, my team will always strive to keep a variety of regular forums for communicating with state, local, and Tribal communities of all sizes and provide personal, tailored responses.

Tribal Consultation. Arizona is home to 22 federally recognized Native American tribes. We were also pleased to see President Biden select Arizona native Arlando Teller as Deputy Assistant Secretary for Tribal Affairs at the DOT.

Question 3. How will you work with Deputy Assistant Secretary Teller and Arizona's 22 federally recognized tribes to ensure Arizona's tribes receive consultation and have their input heard when the Department assesses tribal transportation needs?

Answer. It is an honor and privilege for me to work with my colleague Arlando Teller, Deputy Assistant Secretary (DAS) for Tribal Affairs. On January 26, 2021, President Biden issued a Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships. DAS Teller and I designated Milo Booth, Director of Tribal Affairs, as the agency official responsible for the Department's Tribal Consultation efforts. Both DAS Teller and Director Booth will continue to reach out directly with the Inter Tribal Council of Arizona to ensure their voices are heard. Additionally, I would like to note that DAS Teller moderated a Tribal roundtable with Secretary Buttigieg and the twenty-two tribes of Arizona and the Navajo Nation on July 15, 2021, in Phoenix. Each Tribe was able to engage both the Secretary and DAS Teller directly.

The Office of the Assistant Secretary for Governmental Affairs—thanks to the hard work of DAS Teller, Director Booth, and others on the team—handle all specific Tribal Consultation requests on behalf of the Secretary. DAS Teller and his team will continue to have my full support as they engage our Tribal partner via Tribal consultation.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RAPHAEL WARNOCK TO
MOHSIN RAZA SYED

Intergovernmental Outreach. Mr. Syed, since being elected Senator for Georgia earlier this year, I have heard from communities across Georgia—from small towns and rural counties to mid-sized cities and large metropolitan areas—about the difficulties they face in funding local infrastructure projects. Many local governments are unaware of all the opportunities and grant programs offered by the U.S. Department of Transportation (DOT) or don't know how to engage with these programs. I am appreciative of initiatives like Rural Opportunities to Use Transportation for Economic Success (ROUTES), but I believe more can be done to engage and educate rural and urban stakeholders who haven't directly engaged with Federal transportation programs in the past.

Question 1. If confirmed, how can your team help ensure that communities big and small are aware of all the funding and educational resources provided by DOT—especially if the *Infrastructure Investment and Jobs Act* is enacted? I am particularly interested in outreach and engagement with local governments and regions that have been historically underserved.

Answer. You have my firm commitment that the intergovernmental affairs work of the Office of the Assistant Secretary for Governmental Affairs will continue to be a major priority for me and for the Department of Transportation as a whole. Thanks to the hard work of Charles Small, Deputy Assistant Secretary (DAS) for Intergovernmental Affairs, our intergovernmental affairs team has been thoroughly focused on ensuring that the tools and institutional knowledge at the Department is available to state and local governments in real time—especially to communities that have been historically underserved.

I can further assure you that sustained outreach and engagement with state and local governments and Tribal Nations is of critical importance to the Secretary. This will be even more true should the Infrastructure Investment and Jobs Act (IIJA) become law—leading to a historically large investment in America's infrastructure. The goals of the Administration to center equity in these investments will be directly driven by local coordination on implementing these new resources. Robust en-

agement with state and local governments and Tribal Nations will continue to remain a top priority for the Office of the Assistant Secretary for Governmental Affairs.

Question 2. Do you believe DOT, and your office in particular, has a role in helping to match needs with opportunities and helping communities without Federal affairs specialists navigate the complex grantmaking process? If so, could you expound on that responsibility and any related goals?

Answer. I do believe the Department is responsible for helping communities navigate the grantmaking process, and the Office of the Assistant Secretary for Governmental Affairs in particular intends to continue playing a leading role in stewarding this responsibility because the work of state and local government and Tribal leaders outside of Washington is absolutely critical in realizing the investments the Biden-Harris Administration hopes to make for improving and maintaining access to safe, reliable transportation. The heart of this work is clear and regular lines of communication, both outward by updating communities on key actions and deadlines on a consistent basis, and inward by always having an open door with reliable reaction time for utilizing the Department's resources in answering questions and solving problems on an individual basis.

As a former mayor, Secretary Buttigieg has affirmed how important it is to foster a more accessible and user-friendly DOT—not just for states and major cities, but for small municipalities, county officials, and for Tribal Nations. You have my commitment that whether it is in IIJA implementation or any other transportation-related matter, my team will always strive to keep a variety of regular forums for communicating with state, local, and Tribal communities of all sizes and provide personal, tailored responses.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RICK SCOTT TO
MOHSIN SYED

Question 1. The Biden Administration has indicated that combatting climate change, as well as many aspects of the Green New Deal, will be a focus across several sectors. My view is that we can address climate change and grow our economy at the same time. My concern is that the Green New Deal would bankrupt the nation, hurt our economy, stunt job creation and kill small businesses with its excessive, unrealistic regulations.

Do you plan to implement aspects of the Green New Deal within the Department of Transportation and what impact do you believe this will have on the private sector and small businesses?

Answer. The Biden-Harris administration has outlined its goals for the United States to reduce its carbon emissions and invest in working class jobs that support a sustainable economy. The Department will work to advance the President's agenda consistent with the Department's authorities and will implement legislation passed by Congress.

If confirmed and should it become law, I look forward to assisting the Secretary and the Biden-Harris Administration in implementing the Infrastructure Investment and Jobs Act (IIJA). This bipartisan legislation is the largest long-term investment in America's infrastructure and competitiveness in nearly a century and will have an enormous benefit to the private sector and small businesses across the country. If the IIJA is passed, many states, including, Florida, stand to benefit greatly by helping to better prepare against the impacts of extreme weather events on infrastructure such as hurricanes, wildfires, and other major events. The bill provides funding to existing and emerging American industries, which will create millions of new, high-paying jobs, maintain our global competitiveness, and make our economy more sustainable.

Question 2. How would you address the fact that the Highway Trust Fund is going insolvent, and do you believe we need to increase the Federal gas tax?

Answer. If confirmed as the Assistant Secretary of Governmental Affairs, I will ensure strong communication between Congress and Departmental leaders, including the Chief Financial Officer, on reauthorization of traditional surface transportation programs and consider options, including General Fund cash transfers, to resolve the long-standing issue of Highway Trust Fund insolvency.

The Biden-Harris Administration has also made clear that it will not raise taxes for individuals making less than \$400,000.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO
AMITABHA BOSE

Grade Crossings. Blocked grade crossings are a key issue across the country that must be addressed to help eliminate congestion. The Infrastructure and Jobs Act includes \$3 billion dollars dedicated to addressing grade crossings. While this is a significant first step to addressing this problem, the need for investment is far greater. In Washington State alone it would cost over \$800 million to address the 20 most problematic grade crossings.

Question 1. What steps is the Federal Railroad Administration taking to reduce congestion and incidents of blocked crossings?

Answer. Grade crossings can present challenges to communities dealing with trains blocking crossings, as well as raise significant safety concerns.

In December 2019, FRA launched a website for the public to begin reporting blocked crossings directly to FRA. This data is collected daily, and analyzed monthly, and FRA's Grade Crossing and Operations Division is engaging with the Railroads directly to understand why certain crossings are being blocked. FRA has established criteria that will trigger automatic investigations into why these crossings are being blocked and have the Railroad provide answers on the cause.

One of my top objectives this year is to lead, promote, and strengthen efforts among public, private, and government stakeholders to address grade crossing issues and increase awareness of highway-rail grade crossing safety, as well as challenges related to trespassers on the railroad right-of-way. For example, during the week of September 27 to October 1, 2021, FRA organized a focused effort to conduct railroad crossing and corridor inspections along high-risk railroad grade crossing and trespassing locations in Washington State. Based on the results of this effort, FRA will engage with local community leaders, law enforcement, railroads, and the public with a goal to develop and execute an action plan to address local grade crossing and trespass issues.

We also intend to hold summits across the country, where FRA will partner with State, county, and municipal governments to provide a localized perspective, integrate our own Research & Development Office, Safety Office, and grant programs, and help educate, share lessons learned and look to the future as we move towards improving grade crossing safety and trespasser prevention.

These efforts, combined with the railroad grade crossing elimination program proposed in the IIJA, will help us take steps to dramatically reduce the safety and economic impacts of grade crossings across the country.

Disadvantaged Business Enterprises. The Department of Transportation's (DOT) Disadvantaged Business Enterprise (DBE) program is designed to ensure businesses owned and controlled by socially and economically disadvantaged individuals have a fair opportunity to compete for federally funded transportation contracts. However, the Federal Railroad Administration does not currently have specific statutory authority for a DBE program. Earlier this year the Federal Railroad Administration commissioned a Minority-Owned and Women-Owned Business Enterprise Disparity Study to report to Congress on minority- and women-owned business enterprise activity as it relates to major rail grant and loan programs.

Question 2. When do you expect the Federal Railroad Administration will submit the results of this study to Congress?

Answer. Underscoring the Biden-Harris Administration's focus on promoting diversity and inclusion, FRA is conducting a first of its kind, nationwide, small, minority-owned and woman-owned business disparity study, seeking to determine whether the playing field is level for firms aspiring to win subcontracts from grant recipients receiving Federal funds administered by the agency.

I am firmly committed to increasing equity across the American economy and ensuring that women and minority-owned businesses have a fair shot at contracting opportunities funded by Federal dollars. Assessing the current extent of DBE and WBE inclusion, and whether any disparities exist, is necessary to accomplish this goal.

The draft report is due to FRA mid Fall/at the start of FY 2022. The final report is expected to be delivered to FRA mid-winter of 2022, at which point it will be subject to additional USDOT and OMB review, as well as peer review, prior to submission to Congress.

Financial Management. The Department of Transportation Inspector General raised concerns about the Department's grant oversight and financial management in its 2021 Top Management Challenges Report. If signed into law, the Infrastructure Investment and Jobs Act would provide \$567 billion in direct appropriations

to the Department of Transportation. This includes \$66 billion for rail programs—a more than 600 percent increase over the funding levels provided in the FAST Act.

Question 3. With this historic level of funding, how is the Federal Railroad Administration preparing to administer these funds efficiently and effectively while addressing the Inspector General's concerns?

Answer. As a steward of taxpayer dollars, I am committed to ensuring FRA funds are appropriately administered consistent with applicable Federal requirements.

FRA is working to ensure we have capacity to effectively and efficiently manage the funds Congress appropriates, and we are working hard to ensure we are prepared to manage any future funding increases that Congress may enact. FRA carries out a robust oversight, monitoring, and technical assistance program to properly administer Federal resources and help grant recipients successfully deliver projects. FRA is constantly iterating on and improving these processes and procedures, taking into account lessons learned and best practices from across the Federal financial management community.

I understand the urgency of getting grant funds out the door, and I will work to do so, while also safeguarding taxpayer dollars and maximizing the impact of these grant programs within the confines of Federal law and congressional direction.

Amtrak Derailment. On September 25, 2021, Amtrak's Empire Builder train traveling from Chicago to Seattle derailed near Joplin, Montana. It has been reported that three people tragically lost their lives and many more were injured. The Federal Railroad Administration, along with Amtrak and the National Transportation Safety Board personnel, have sent personnel to the scene to investigate the cause of this derailment.

Question 4. Will you commit to providing my office timely updates regarding the investigation of this incident and to taking appropriate steps to prevent this kind of incident from happening again once the cause(s) of the derailment have been identified?

Answer. Yes, I will work to ensure that you are provided timely updates regarding FRA's investigation of the September 25, 2021, Amtrak accident near Joplin, Montana. Upon receiving notification of this accident, FRA immediately dispatched several technical experts to the accident scene, and I personally traveled to the scene. FRA's technical safety experts are working hand-in-hand with representatives of the National Transportation Safety Board (NTSB) to investigate this accident. NTSB is the Federal agency with statutory authority to determine the probable cause of the accident.

Question 5. What engagement has the Federal Railroad Administration had with Amtrak to ensure they are implementing a robust safety management system and strengthening their safety culture in light of previous recommendations from the National Transportation Safety Board and the Amtrak Office of Inspector General?

Answer. FRA leadership and technical experts continue to engage with Amtrak to ensure compliance with relevant Federal safety regulations and to provide technical assistance as necessary. For example, FRA's technical experts engaged with Amtrak to provide technical assistance in the development of its System Safety Program plan required under 49 CFR Part 270. FRA approved Amtrak's plan on June 9, 2021. To comply with Part 270, Amtrak will soon need to initiate its first internal assessment of its SSP. FRA will review this assessment and work with and support Amtrak as it uses its finding to drive safety improvements. Additionally, leadership from FRA's Safety Management Team responsible for engaging with Amtrak meet regularly with Amtrak leadership to better understand the changes Amtrak is making through its safety management system program.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. GARY PETERS TO
AMITABHA BOSE

Rail Safety Personnel. Ensuring the safe movement of people and goods by rail is paramount, and achieving this goal is not possible without the incredible work performed by Rail Safety Inspectors and Rail Safety Specialists employed by the Federal Railroad Administration (FRA). As safety technology in the railroad industry has made significant advances in recent years, the duties of safety personnel at the agency have evolved as well. These hardworking professionals are essential to the agency's mission, which is why recruiting and retaining them is so important. But this can be a challenge, especially since their unique skill sets makes them top recruits for jobs outside of FRA.

Question. Can you comment on the role that Rail Safety Inspectors and Rail Safety Specialists play at FRA? And can you speak to the importance of cultivating this

talent within the agency, and what strategies you may consider for recruiting and retaining these workers, including with respect to compensation and changes to their General Schedule grades?

Answer. FRA's Rail Safety Inspectors and Rail Safety Specialists are the backbone of our agency and play a vital role in ensuring FRA is able to achieve its rail safety mission.

I agree that it is important that our workforce is appropriately compensated based on their duties, consistent with the applicable Federal rules and regulations, and this is an issue that I am examining. Section 9520 of the IIJA would require FRA to review the position descriptions and pay grades of railroad safety inspection personnel and rail safety specialists employed by FRA's Office of Safety.

Determinations in this area require input from multiple agencies. I will continue to examine this inspector classification question consistent with the applicable regulations in this area.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. KYRSTEN SINEMA TO
AMITABHA BOSE

Infrastructure Investment and Jobs Act (IIJA). The bipartisan Infrastructure Investment and Jobs Act provides an investment of \$66 billion for our Nation's passenger and freight rail.

Question 1. Should the IIJA become law, how would its investments revitalize America's rail infrastructure?

Answer. America has a chance to lead the world once more through investment in infrastructure and safely connecting our communities while creating good jobs, addressing climate change, and ensuring equity.

If the IIJA is enacted, we will be able to fund infrastructure improvements across the board, not just the creation of new passenger rail routes, but also improvements on our freight rail network.

Rail Crossing Safety and Efficiency. I have heard from my constituents in Yuma that a train often stops at least once a day at a crossing on U.S. Route 95. With no easy way for motorists to detour, delays caused by trains can last for hours. This affects my constituents who work at Yuma Proving Ground and hinders the ability of first responders to respond to emergencies.

Question 2. If confirmed as Federal Railroad Administration (FRA) Administrator, how will you work to improve rail crossings to ensure they are safe for pedestrians and motorists and that Arizonans do not face significant delays by a stopped train, especially when alternative routes are not available?

Answer. Grade crossings can present both a challenge to communities dealing with trains blocking crossings, as well as raise significant safety concerns for pedestrians and motorists.

The IIJA would provide \$3 billion in funding for grants to address concerns with grade crossings, including funding to help improve grade crossing safety and address the challenges caused by blocked crossings through grade separations and other measures.

One of my top objectives this year is to lead, promote, and strengthen efforts among public, private, and government stakeholders to address grade crossing issues and increase awareness of highway-rail grade crossing safety, as well as trespasser prevention. We intend to hold summits across the country, where FRA will partner with State, county, and municipal governments to provide a localized perspective, integrate our own Research & Development Office, Safety Office, and grant programs, and help educate, share lessons learned and look to the future as we move towards improving grade crossing safety and increasing trespasser prevention.

Rail Safety. In January of this year, a railroad employee repairing track near Vail, Arizona died after an accident. In July 2020, a major train derailment that resulted in a fire, partial bridge collapse, and chemical release occurred in Tempe, Arizona.

Question 3. In light of these incidents, what will you do to improve railroad safety in Arizona communities? How can the FRA work with industry partners to minimize the risk of chemical releases following railroad accidents?

Answer. FRA understands the potential risk associated with the movement of energy products and other hazardous materials. Accordingly, FRA works with our Federal agency partners (e.g., Pipeline and Hazardous Materials Safety Administration, Department of Homeland Security, Department of Energy, Nuclear Regulatory Com-

mission), state and local governments, and the industry to advance safety in all elements of rail transportation of these hazardous materials.

Safety is my number one priority, and FRA is dedicated to continually examining this issue to reduce risks potential risk associated with the movement of energy products and other hazardous materials.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RAPHAEL WARNOCK TO
AMITABHA BOSE

Infrastructure Investment and Jobs Act. Mr. Bose, as you alluded to in your written testimony, the Senate-passed *Infrastructure Investment and Jobs Act (IIJA)* would provide historic levels of funding for Federal Railroad Administration (FRA) grant programs new and old. As a fellow native Georgian, you are well aware of Georgia's extensive rail network. Georgia is home to one of the biggest port rail terminal facilities, thousands of miles of track operated by two class I railroads, multiple inland ports, two Amtrak routes, and over 25 short line railroads. Georgians see the value of railroads, but there is a need for continued investment and expansion of both freight and passenger service—whether it's additional inland ports and upgraded weight capacity or making Atlanta a passenger rail hub with connections to Charlotte, Nashville, Savannah, and Orlando via Macon.

Question 1. If you are confirmed and *IIJA* is enacted, how would you ensure newly authorized programs are stood up and funds are awarded expeditiously? And how can Congress help support the FRA in this endeavor?

Answer. As a steward of taxpayer dollars, I am committed to ensuring FRA funds are appropriately administered consistent with applicable Federal requirements. FRA is working to ensure we have capacity to effectively and efficiently manage the resources Congress has granted, and we are working hard to ensure we are prepared to manage any future funding increases that Congress may enact.

I understand the urgency of getting grant funds out the door, and I will work to do so, while also safeguarding taxpayer dollars and maximizing the impact of these grant programs within the confines of Federal law and congressional direction.

Question 2. What are FRA's plans to ensure that stakeholders and all eligible applicants understand all the new and expanded opportunities that will become available once *IIJA* is enacted? And can you commit to balancing the need for freight and passenger, rural and urban, and geographically diverse investments?

Answer. America has a chance to lead the world once more through investment in infrastructure and safely connecting our communities while creating good jobs, addressing climate change, and ensuring equity.

If the *IIJA* is enacted, we will fund infrastructure improvements across the board and across the Nation with geographically diverse investments, not just the creation of new passenger rail routes, but also improvements on our freight rail network.

FRA is committed to ensuring potential grant recipients are provided the guidance and technical assistance necessary to apply for our grant programs. FRA has experience assisting grant recipients through the grant process and providing technical assistance to potential grant recipients of all sizes.

After selection, FRA will carry out a robust oversight, monitoring, and technical assistance program to properly administer Federal resources and help grant recipients successfully deliver projects. FRA is constantly reviewing and improving these processes and procedures, taking into account lessons learned and best practices from across the Federal financial management community.

Grade Crossings. As you noted in your testimony, there is particular interest in grade crossing safety and investing in upgrading crossing infrastructure, eliminating crossings, and/or grade separations. Georgia Department of Transportation has identified billions of dollars' worth of potential crossing projects, which is why including the new grade crossing elimination program was one of my top priorities for the *Surface Transportation Investment Act* included in *IIJA*. Communities across Georgia like Millen and Lula proudly call themselves railroad towns and understand the great economic benefits of railroads; however, as infrastructure ages, traffic increases, and communities grow challenges emerge.

Question. How do you plan to ensure that small communities impacted by aging infrastructure as well as large and mid-sized communities with growing freight traffic, like Savannah, are aware of the resources FRA has to offer—both in financial support and technical assistance? Is the FRA equipped to help communities that may not be familiar with Federal grants and funding opportunities?

Answer. FRA currently provides Federal financial assistance to a wide range of grant recipients that vary in size and familiarity with FRA's programs and requirements. FRA is committed to assisting grant recipients through the grant process.

The Infrastructure Investment and Jobs Act will provide \$3 billion in funding, creating new funding opportunities for communities. FRA will continue to ensure it communicates new funding opportunities to potential applicants. In addition, Grade Crossing and Outreach Inspectors will be able to guide communities, both small and large, in the direction of these grants. As these inspectors engage with public authorities on issues such as quiet zones, blocked crossing and trespass events, they will be able to take the opportunity to have conversations about these available grants. The Grade Crossing Inspectors will then be a resource for that public authority if they need some assistance or ask questions.

One of my top objectives this year is to lead, promote, and strengthen efforts among public, private, and government stakeholders to address grade crossing issues, including through the use of Federal financial assistance.

We intend to hold summits across the country, where FRA will work with State, county, and municipal governments to provide a localized perspective, integrate our own Research & Development Office, Safety Office, and grant programs, and help educate, share lessons learned and look to the future as we move towards improving grade crossing safety and increasing trespasser prevention.

Priorities and goals.

Question. What are your priorities and goals for the FRA, if you are confirmed as Administrator?

Answer. If confirmed as FRA Administrator, I am committed to successfully delivering FRA's mission to enable the safe, reliable, and efficient movement of people and goods for a strong America, now and in the future.

My number one priority at FRA is safety, and the public expects safety to be top of mind at FRA. The safety of the national rail system, its workers, and the public is FRA's primary responsibility. This includes combatting the continuing COVID-19 pandemic by ensuring FRA is playing its role in making the United States' rail network function effectively and helping the Department and Administration's with their efforts. Safety also means ensuring compliance with existing regulations and enforcement.

Another top priority of mine is safeguarding our ongoing economic recovery. To compete globally and provide travel options for the public, the United States needs to build the next generation of rail projects across the country. In addition to freight rail, passenger rail can be one of the pillars of improving the economy, rethinking the way we move around the country to address our changing climate, and creating good-paying middle-class jobs. FRA needs to help Amtrak and other passenger rail providers return to full service safely in the context of broader efforts to combat the pandemic.

Finally, climate change remains a threat to our well-being. Freight and passenger rail can and must play their roles in addressing climate change. Eliminating congestion at key bottlenecks in our rail networks can be part of rail's efforts along with innovation to further reduce emissions.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. DAN SULLIVAN TO
AMITABHA BOSE

Question 1. The Department's Spring 2021 regulatory agenda announced a train crew staffing rulemaking, and the abstract specifically states that "this rulemaking would address the potential safety impact of one-person train operations."

- Is the NPRM still expected in November of this year?
- As you consider the crew size rule will you consider the impact any sort of minimum crew size mandate will have on the railroad industry's ability to remain competitive with other modes of transportation?
- Given the FRA has repeatedly said there is no safety data to support a crew size mandate, what circumstances have changed that would suggest there is a safety justification or need for such regulation?
- The abstract pertaining to the NPRM for train crew staffing explains the "rule-making would address the issue of minimum requirements for the size of different train crew staffs, depending on the type of operations."
 - Are the different types of operations being referred to freight versus passenger operations?

- Given that passenger trains generally operate at higher speeds than freight trains, should the safety of passengers be paramount in any rulemaking?
- What specific data are you relying to differentiate between the regulatory approach to potential requirements for crew member staffing in the cab of a locomotive passenger railroads as opposed to freight railroads?

Answer. After the U.S. Court of Appeals for the Ninth Circuit remanded FRA's previous rulemaking on crew staffing back to the agency on February 23, 2021, the Department announced the initiation of a rulemaking that would address the potential safety impact of one-person train operations. FRA is taking a fresh look at the issue from a rail safety perspective. Consistent with the Agenda published on June 11, 2021, FRA is in the process of developing an NPRM that would include appropriate measures to mitigate an accident's impact and severity, address the patchwork of State laws concerning minimum crew staffing requirements, and address the issue of minimum requirements for the size of different train crew staffs based on the type of operations.

Each railroad's operation may be somewhat unique, even if it falls into one of the general categories such as either a passenger or freight operation. For example, some freight operations may be more complex due to the length of the trains, traffic density, commodities hauled, or other factors. FRA is in the process of developing an NPRM that would address potential safety impacts of crew size, appropriate to the complexity of a railroad's train operations. And certainly, the safety of passengers on passenger trains is paramount. Existing passenger and freight operations are different in crew staffing approaches, and FRA expects its proposed rule to address the historical differences and the safety needs of those operations.

It is possible that the NPRM could be published by the end of this year, although there is no legal deadline.

Question 2. For more than a decade, FRA has been conducting extensive research on automated track inspection systems and has produced numerous technical papers on the subject. FRA has even deployed its own automated inspection systems on various routes around the country and is working with freight railroads to advance this important technology. FRA's publicly stated conclusion is that the "data has shown" that automated inspection systems are more effective than human inspections in detecting track geometry conditions and can decrease service interruptions and reduce safety risks to railroad employees.

Given FRA's experience and conclusion that the safety and operational benefits of automated track inspection systems have been proven, are you committed to expeditiously allowing railroads to expand use of this technology in order to continue driving important safety improvements?

Answer. If confirmed as FRA Administrator, I will continue to work with railroads, labor unions, and other interested stakeholders, to enable industry to implement technologies to help continually improve safety. FRA fully supports the expanded use of automated track inspections when they supplement the required visual track inspections. However, FRA is still working to determine whether the use of autonomous track geometry measurement systems (ATGMS) to supplement visual inspections could justify decreasing the frequency of those required visual inspections. FRA has approved several test programs with the goal of promoting infrastructure integrity, reducing inspector exposure associated with visual track inspections, reducing track-caused derailments, improving the quality of track geometry defect detection, and enhancing freight capacity. Some test programs are ongoing, and the results are being shared with stakeholders through FRA's Railroad Safety Advisory Committee (RSAC). FRA has also granted one railroad a waiver with continuing FRA oversight concerning the railroad's automated inspection methodologies, based on the outcome of that railroad's completed test program. FRA will consider further action based on the results of those programs and any RSAC recommendations.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARSHA BLACKBURN TO
AMITABHA BOSE

Question 1. Prior to your arrival, the FRA's waiver process required a waiver application be submitted and then published in the Federal Register with a 30-day comment period. Following receipt and review of comments by the Railroad Safety Board, which usually meets monthly, a final determination would be made. However, since your arrival at the FRA, this process has come to a near-complete halt. Regular matters, including various renewals, have now been pending for almost a year.

Why are burdensome delays occurring under your leadership? Do I have your commitment to ensure that timely reviews and decisions will again be made?

Answer. FRA's process for considering waiver requests is governed by statute, and its implementing regulations. Since joining FRA, I have worked with FRA leadership to improve the transparency of the waiver process and to ensure that interested stakeholders are provided a meaningful opportunity to comment on pending requests. As such, FRA generally publishes notice of pending waiver requests and provides a period for public comment on each request, including requests for renewal of previously granted relief. Concurrently with the public comment period, FRA conducts its own investigation and analysis of each individual waiver request. Although FRA strives to issue decisions on waiver requests as expeditiously as possible, FRA must ensure that appropriate due diligence is undertaken to evaluate the safety implications of each request. I am committed to continuing to work internally within FRA and with all stakeholders to ensure the efficient handling of waiver requests and to ensure that any requests granted meet the statutory standard of "in the public interest and consistent with railroad safety."

Question 2. The Short Line Safety Institute (SLSI) has been instrumental in improving safety at short line railroads nationwide. SLSI undertakes critical training, education, research, assessments and other activities that lead to enhanced safety practices throughout the rail industry. SLSI has seen tremendous success in improving safety awareness, which prevents injuries and accidents.

Do you join me in recognizing the importance of SLSI's work?

Answer. Yes, I, and FRA as a whole, recognize the critical work that SLSI has undertaken in recent years.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MIKE LEE TO
AMITABHA BOSE

Question 1. If confirmed as Administrator of the FRA, what will be your key priorities?

Answer. If confirmed as FRA Administrator, I am committed to successfully delivering FRA's mission to enable the safe, reliable, and efficient movement of people and goods for a strong America, now and in the future.

My number one priority at FRA is safety. The public expects safety to be top of mind at FRA. The safety of the national rail system, its workers, and the public is FRA's primary responsibility. This includes combatting the continuing COVID-19 pandemic by ensuring FRA is playing its role in making the United States' rail network function effectively and helping the Department and Administration's with their efforts. Safety also means ensuring compliance with existing regulations and enforcement.

Another top priority of mine is safeguarding our ongoing economic recovery. To compete globally and provide travel options for the public, the United States needs to build the next generation of rail projects across the country. In addition to freight rail, passenger rail can be one of the pillars of improving the economy, rethinking the way we move around the country to address our changing climate, and creating good-paying middle-class jobs. FRA needs to help Amtrak and passenger rail providers return to full service safely in the context of broader efforts to combat the pandemic.

Finally, climate change remains a threat to our well-being. Freight and passenger rail can and must play their roles in addressing climate change. Eliminating congestion at key bottlenecks in our rail networks can be part of rail's efforts along with innovation to further reduce emissions.

Question 2. Conducting cost-benefit analyses for proposed regulations has been a practice undertaken by agencies under both Democrat and Republican Administrations.

- Please explain your views on the use of cost-benefit analysis when considering proposed regulations. Should all FRA regulations be considered with a cost-benefit analysis?
- If a regulatory cost outweighs the benefit, should that be a determining factor that prevents the FRA from moving forward with the regulation?
- In considering rail safety regulations how do you balance government safety requirements with the economic and technical feasibility of implementing the regulation?

Answer. I believe that cost-benefit analysis is an important tool to assess the effectiveness of regulations. As Administrator, I would utilize cost benefit analyses in making regulatory decisions.

Although the cost-benefit analysis is an important aspect to the rulemakings, it should not be the only determining factor. Many regulations have costs that are easily quantified, while the expected benefits are more difficult to monetize. When looking at regulations, I believe it is important to consider qualitative benefits that would result due to a rulemaking. This allows all factors to be considered when determining if FRA should move forward with a regulation.

Safety is FRA's top priority. FRA welcomes new technology and innovation in the rail industry. Many of the regulations that have been, and will continue to be implemented, are performance-based standards instead of prescriptive standards. Providing a performance standard allows the industry to implement innovative approaches that achieve the intent of the government safety requirements in ways that were not necessarily expected when the regulation was issued. Safety, however, must not be compromised.

Question 3. When considering regulatory proposals, should FRA prioritize policies that allow market participants to freely compete without FRA regulatory action or is the market more successful when the FRA actively guides the market through regulatory action?

Answer. FRA's top priority is safety. Accordingly, FRA's policies must prioritize safety. FRA's consideration of regulatory proposals must be driven by the safety implications of those proposals. Additionally, in accordance with the Executive Order 12866, FRA evaluates the costs and benefits of those proposals. Pursuant to OMB's Circular A-4, FRA examines potential market failures that could justify the promulgation of a new regulation. When putting together the economic analysis of each rulemaking, FRA routinely evaluates the impacts of the proposals on the relevant economic markets with the goal of achieving the safety objective of the proposal in a way that minimizes the burden and is cost effective. The Surface Transportation Board is the agency with authority to regulate competition within the rail industry; FRA's safety regulations address issues that are often not adequately addressed by market forces.

Question 4. I would like to learn more about your views on the use of the FRA's rulemaking power:

- Should the FRA promulgate rules if the rulemaking power is not expressly granted by Congress?
- Can the FRA use its rulemaking power to circumvent legal precedents with which it disagrees?
- Can the rules passed by the FRA insulate market incumbents from competition?

Answer. Congress has granted the Secretary of Transportation authority to regulate in the area of railroad transportation safety. See 49 U.S.C. sec. 20101 *et seq.* The Secretary has, in turn, delegated this authority to FRA. 49 CFR § 1.89. FRA prescribes rules in accordance with the procedural requirements of the Administrative Procedure Act and our statutory authorities. FRA's safety rulemaking authority does not extend to matters of competition in the rail industry, which is the purview of the Surface Transportation Board.

Question 5. Under 49 USC 20103(d), the FRA is permitted to waive certain regulations if it is in the "public interest" and "consistent with railroad safety".

- What is the "public interest"? What criteria should be considered in determining the "public interest"?
- Could a determination of what is or is not in the "public interest" be based on factors that are outside the jurisdiction of the FRA?
- What does "consistent with railroad safety mean"? What criteria should be considered in making the determination?
- How would consideration of the "public interest" and "rail safety" be considered for proposed waivers for emerging or innovative rail technologies?

Answer. Section 20103(d) of Title 49 of the United States Code provides FRA the authority to waive a rail safety regulation promulgated under Chapter 201 only if such waiver is "in the public interest and consistent with railroad safety." In determining whether granting a particular waiver request would meet this statutory standard, FRA considers all relevant information. The specific factors relevant to any individual waiver request necessarily vary depending on the regulation involved and the factual situation.

Question 6. Recently, the FRA's waiver process has seemingly come to a near-complete halt. Even some routine matters, including renewals, have been pending for nearly a year. Why are there burdensome delays taking place at FRA? If confirmed, how will you ensure the timely review of waiver decisions?

Answer. FRA's process for considering waiver requests is governed by the relevant statute and its implementing regulations and FRA's Rules of Practice. Since joining FRA, I have worked with FRA leadership to improve the transparency of the waiver process and to ensure that interested stakeholders are provided a meaningful opportunity to comment on pending requests. As such, FRA generally publishes notice of pending waiver requests and provides a period of public comment on each request, including requests for renewal of previously granted relief. I am committed to continuing to work internally within FRA and with all stakeholders to ensure the efficient handling of waiver requests and to ensure that any requests granted meet the statutory standard of "in the public interest and consistent with railroad safety."

Question 7. The FRA often conducts environmental reviews in proceedings, including carrying out the requirements of the National Environmental Policy Act (NEPA).

- What are the bounds (if any) of the effects of a major Federal action that the FRA should consider under NEPA?
- Should the FRA consider "reasonably foreseeable" effects that are outside the agency's jurisdiction and control? If so, why? And if not, why not?
- Should the FRA propose NEPA alternatives that are outside the agency's jurisdiction?
- Is considering whether an effect is "reasonably foreseeable" analogous to considering "proximate cause" in tort law? Do you believe there is any difference between "proximate cause" and "reasonable foreseeability"?
- NEPA uses the terms "environmental impacts" and "environmental effects", but it does not use the term "direct effect" or an "indirect effect" in the statute. How would you approach the decision on whether to consider "indirect" or "direct" effects in a decision before the FRA?

Answer. FRA conducts environmental reviews under the National Environmental Policy Act (NEPA) and other related environmental laws prior to taking actions under its authority. These actions include financial assistance through grants and cooperative agreements, as well as agency rulemakings. The scope of FRA's environmental review, including the identification of the range of reasonable alternatives and the analysis of potential environmental impacts, depends on the nature of the decision before the agency. FRA takes seriously its responsibility to comply with applicable Federal law and related guidance, including regulations issued by the Council on Environmental Quality and FRA's NEPA implementing regulations.

Question 8. It's my understanding that the FRA and the DOT are looking into issues related to obtaining required coverage in a distressed excess liability insurance market for rail passenger liability insurance.

- What are your views on rail passenger liability insurance requirements?
- How will you approach any potential FRA investigation into this matter?

Answer. FRA has heard from groups representing commuter rail agencies who raised certain issues with the statutory rail passenger liability insurance requirements. While FRA provides safety oversight of the daily operations of commuter rail agencies, it is not within FRA's purview to evaluate the complex issues regarding insurance markets that have been raised by these groups.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RICK SCOTT TO
AMITABHA BOSE

Question 1. Amtrak has received significant relief funding during COVID. Since its inception, Amtrak has never made a profit.

How would you work with Amtrak to reduce their dependence on the Federal Government and become self-sufficient?

Answer. Amtrak has transformed its operations over the last 15 years, making significant strides to improve revenues, cost recovery, and ridership. Prior to COVID-19's dramatic effects on the transportation sector's travel demand and revenues, Amtrak was on pace to break-even operationally for the first time in its 50-year history in FY 2020. There have been many contributing factors to this improved performance, including Amtrak enhancing its financial management and business capabilities, robust Federal oversight and monitoring, increased cost-sharing with state partners, and other transparency and accountability reforms mandated by Congress in the Passenger Rail Investment and Improvement Act of 2008 and Fixing America's Surface Transportation Act of 2015.

However, continuous improvement is required to provide the public with the world class intercity passenger rail network they deserve. If confirmed, through my

role overseeing Federal grant funding to Amtrak and serving as the Secretary's designee on the Amtrak Board of Directors, I am committed to ensuring Amtrak maximizes the use of its revenues and Federal funding, improves efficiency, and successfully delivers infrastructure improvements.

Question 2. As Governor of Florida, I rejected Federal taxpayer dollars to fund high-speed rail because it would have put Floridians on the hook for hundreds of millions of dollars. Instead, the state of Florida worked to find a creative solution that would allow for private investment in high-speed rail—which means zero financial risk for Florida taxpayers. We've seen what happened in California, where the Department of Transportation cancelled nearly \$1 billion in Federal money for its high-speed rail project.

- How do you see the Federal Railroad Administration addressing Federal grant money requests for high-speed rail? How will you ensure taxpayers aren't on the hook for waste, fraud and abuse?
- What do you see as the private sector's role in high-speed rail?

Answer. FRA will administer its financial assistance programs consistent with the requirements imposed by statute. FRA welcomes eligible applicants to submit applications under such programs and will evaluate each complete application, including those for high-speed rail projects. After selection, FRA will carry out a robust oversight, monitoring, and technical assistance program to properly administer Federal resources and help grant recipients successfully deliver projects. FRA is constantly reviewing and improving these processes and procedures, taking into account lessons learned and best practices from across the Federal financial management community.

We encourage all entities interested in developing high-speed rail projects, including those in the private sector, to take advantage of all opportunities to advance new high-speed rail operations in the United States.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO
MEERA JOSHI

Preemption of Meal and Rest Break Laws. Since 2008, the Federal Motor Carrier Safety Administration (FMCSA) had determined that hours of service regulations do not preempt state meal and rest laws. However, in 2018 FMCSA overrode Washington state's ability to regulate wages and working conditions for employees by determining that hours of service regulations preempted state meal and rest break laws for commercial vehicle drivers.

Question 1. What is FMCSA doing to ensure that commercial vehicle drivers are provided with adequate meal and rest breaks?

Answer. The FMCSA's preemption decision is currently the subject of litigation. The litigation has at USDOT's request been held in abeyance pending USDOT and FMCSA's review of the issues. Paramount to our mission is ensuring that drivers have adequate rest, and this is the lens through which our review is conducted.

Hours of Service Regulations. Hours of service regulations are critical to ensuring that truck drivers are properly rested and do not suffer from fatigue, which is a factor in 13 percent of commercial vehicle crashes.

Question 2. Will you commit to reviewing the existing hours of service regulations to ensure that they adequately prevent fatigue and ensure the safety of the traveling public?

Answer. Yes. To that end, we have begun collecting information about specific use of exemptions to the Hours of Service (HOS) rules issued as a result of COVID, so we can understand how and in what sectors these exemptions are being used. Additionally, FMCSA will continue to monitor violation and crash data, and work with your committee and the industry on strategies for a broader review of Electronic Logging Devices (ELD) to allow for a more comprehensive and direct understanding of the HOS rules in operation.

Question 3. What additional steps will FMCSA take to reduce instances of fatigued driving and to reduce large truck crashes?

Answer. Fatigued driving is a critical factor in crashes involving large trucks and buses, and we are committed to a multipronged approach to combatting it. This will include outreach and education, the incorporation of advanced safety tools, such as Automatic Emergency Braking, and targeted enforcement during high crash times and locations, especially work zones. We will also implement a data driven approach to understanding how our rules and policy can support keeping fatigued drivers off the road.

Financial Management. The Department of Transportation Inspector General raised concerns about the Department's grant oversight and financial management in its 2021 Top Management Challenges Report. If signed into law, the bipartisan Infrastructure Investment and Jobs Act would provide \$567 billion in direct appropriations to the Department of Transportation. That is an 85 percent increase over the funding levels provided in the FAST Act.

Question 4. With this historic level of funding in the Infrastructure Investment and Jobs Act, how is the Federal Motor Carrier Administration preparing to administer these funds efficiently and effectively while addressing the Inspector General's concerns?

Answer. The increased funding provides an opportunity for FMCSA's State, local government, and non-profit grant recipients to help carry out FMCSA's mission as force multipliers. The increase in funding allows FMCSA's partners to increase inspections and traffic enforcement, as well as continue investments in IT infrastructure to ensure that data related to motor carriers and drivers are transmitted throughout the Nation.

FMCSA's grant oversight team involves a Grants Management Office, Field Offices, Headquarters Program Offices, and Legal. FMCSA has set performance-based standards for grant recipients and monitors reimbursements to avoid improper payments. FMCSA will ensure the proper use of funds to ensure that the purposes of the grants are being carried out.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. KYRSTEN SINEMA TO
MEERA JOSHI

Infrastructure Investment and Jobs Act (IIJA). The bipartisan Infrastructure Investment and Jobs Act provides investments to the Federal Motor Carrier Safety Administration (FMCSA) to offer safety grants to state and local governments to address commercial vehicle safety and training issues. The IIJA also provides funds to support state and local law enforcement agencies to mitigate crashes and hazardous material incidents involving commercial motor vehicles.

Question 1. Should the IIJA become law, how would these investments work to improve the safety of commercial trucking? What effects would Arizona drivers see from these investments?

Answer. As is the mission of the agency, my first priority is safety and preventing commercial motor vehicle-related crashes, which have steadily increased since 2010, and tragically almost every year, over 800 of these victims are large truck and bus drivers. Among other key lifesaving initiatives, increased funding allows FMCSA's State partners to hire additional personnel for roadside inspections to reach the true breadth of the vast commercial motor vehicle (CMV) industry. IIJA funding also provides FMCSA and States the opportunity to increase investigative and enforcement resources focused on high-risk motor carriers and in high crash zones. IIJA supports essential upgrades to States' IT infrastructure to improve critical CMV and CMV driver data collection and transfer and allows for the integration of safety technology in the CMV fleet. Especially important for drivers, IIJA funding supports low and no-cost driver training programs, creating job opportunities that don't require a college degree.

Autonomous Vehicle (AV) Trucks. Several companies are developing AV trucker-trailer trucks for shipping and delivery purposes. A number of these companies have conducted testing of their AV trucks in Arizona.

Question 2. What are your thoughts on developments in AV trucking technology?

Answer. I want to ensure that the Agency is taking advantage of all potentially life-saving tools, including both automated vehicle (AV) technologies, and near-term Advanced Driver Assistance System (ADAS) technologies, such as automatic emergency braking and lane-keep assistance, given their immense potential to improve highway safety. This is especially important given that the vast majority of critical reasons assigned to fatal and injury CMV crashes were attributed to the driver, whether it involved the commercial vehicle operator or another driver. However, as an agency, we must remain vigilant in gathering data to understand outcomes, foster integration, recognize implications for deployment and ensure all necessary safety and accountability measures must be in place. We must work across agencies and with our partners in labor to understand and prepare for workforce shifts and opportunities that automation may bring about.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. ROGER WICKER TO
MEERA JOSHI

Question 1. The Federal Motor Carrier Safety Administration (FMCSA) has had some recent challenges establishing and operating IT systems. For example, FMCSA had to extend compliance with certain requirements of the Drug and Alcohol Clearinghouse and Entry Level Driver Training rules in part due to IT challenges. These kinds of delays can create confusion and additional burdens for entities seeking to comply with FMCSA requirements. What specific steps are you taking to improve FMCSA's IT systems?

Answer. FMCSA's Information Technology (IT) applications and systems play a critical role in supporting the Agency's mission to reduce crashes, injuries, and fatalities involving large trucks and buses. As part of its approach to improve IT, the Agency established a senior executive Chief Technology Officer (CTO) position in mid-2020 and centralized all IT-related projects under the oversight and management of Office of the CTO (OCTO). In 2020, the OCTO completed its review of all IT-related projects, and this approach allows FMCSA the necessary control to holistically address all the Agency's IT requirements in a fully transparent and integrated way.

As of this year, the FMCSA CTO has reviewed all of FMCSA's IT investments related to the development, modernization, implementation, and operation and maintenance of FMCSA's 33 IT systems to ensure that FMCSA is most effectively and strategically using its resources to continue progress with FMCSA's IT Modernization plan.

Question 2. Other modes of transportation within the Department, including aviation and rail, have implemented safety management systems, voluntary safety reporting programs for front line employees, and voluntary disclosure programs for companies. Has FMCSA considered implementing any of these types of safety programs to support the agency's safety mission? If the agency has considered these types of programs, what do you see as the benefits and the costs in terms of safety, compliance, and agency funding? How would these types of safety programs translate to the motor carrier industry compared to the aviation and rail sectors?

Answer. I am committed to the mission of reducing crashes, serious injuries, and fatalities involving commercial motor vehicles on our Nation's roadways. To the extent that a program carried out by another mode can aid in that mission, our team is committed to integrating identified and proven best practices.

Question 3. In response to a question about technology and trucking during your nomination hearing, you said FMCSA is embarking on work to stand up a regulatory framework for automated trucking. You went on to say that safety will be the number one priority, that there will be room for innovation, and that there are accountability measures. I agree that our regulations should reflect safety as the top priority while allowing for continued innovation. In fact, innovations in automated technologies could improve safety on our roads, but that will only happen if Federal regulations are not overly burdensome and promote innovative safety technologies. Can you provide more details on what FMCSA's automated trucking regulatory framework will include? How will this framework allow for innovation while maintaining safety? When can we expect FMCSA to publish the framework? Will you keep me and my staff informed throughout the process?

Answer. FMCSA is currently reviewing the Federal Motor Carrier Safety Regulations that will need to account for automation in the future, particularly to incorporate potentially life-saving tools. The agency focus is on balancing accountability and safety regulation while allowing for innovation. I am committed to transparency in our rulemaking process and will commit to working with you and your staff on our regulatory framework related to technology and automation. I am also committed to working with the industry, to ensure that FMCSA receives stakeholder input, and understands the challenges, as well as opportunities, as the workforce transitions.

Question 4. Earlier this year, the Department of Transportation published their "Automated Vehicles Comprehensive Plan" which highlights the important role of the FMCSA in enabling the safe deployment of automated commercial vehicles, including through modernizing Federal Motor Carrier Safety Regulations. If confirmed, what would be your top priorities to ensure the safe integration of automated commercial vehicles onto our roadways?

Answer. Safety is the number one priority for FMCSA in integrating automated commercial motor vehicles. For example, FMCSA is currently facilitating the development of national and uniform consensus standards of inspecting self-driving trucks in close coordination with other Federal agencies, labor unions, State agency

partners, the Commercial Vehicle Safety Alliance, technology developers, and motor carrier industry officials. We are committed to working across agencies and with our partners in labor to understand and prepare for workforce shifts and safety opportunities that automation may bring about. If confirmed, I commit to keeping the Committee abreast of FMCSA's testing, engagement, and analysis of automated technologies.

Question 5. The Entry Level Driver Training (ELDT) rule was to take full effect February 7, 2020. FMCSA delayed the ELDT regulation until February 7, 2022. It is important that this rule go into effect. Can you please respond to the following questions regarding the ELDT rule?

- What steps is FMCSA taking to implement the ELDT rule by February 7, 2022?
 - Answer. Barring any unforeseeable delay, the Agency and the State Driver Licensing Agencies are on track to meet the February 7, 2022, compliance date. FMCSA has already taken several important foundational steps. On June 4, 2020, FMCSA launched the Training Provider Registry website. In the summer 2021, the Agency released the registration functionality of the Training Provider Registry, which allows training providers to register their users and locations. In the coming weeks, we will add capability so drivers can search for training providers by training type and location in the Training Provider Registry.
- If FMCSA is unable to implement the ELDT rule on time, how will the agency inform Congress, states, the commercial driving training industry, and motor carriers? Does the agency have a plan to mitigate the impact of another delay?
 - Answer. FMCSA does not anticipate a delay in implementing the rule by February 7, 2022.
- Are there any states that are experiencing technical, IT-related issues in executing the ELDT rule? And if so, what is FMCSA doing to make sure that they are ready for the February 7, 2022, deadline?
 - Answer. FMCSA is working with all States to ensure they will comply with the rule. FMCSA has a website dedicated to providing updates on the status of ELDT.
- Does FMCSA plan to delay ELDT from going into effect if one state is not ready by February 7, 2022?
 - Answer. FMCSA does not anticipate a delay in implementing the rule by February 7, 2022.

Question 6. Under the previous administration, FMCSA completed several important regulatory actions, including guidance on a trucker's use of personal conveyance, clarifying the 150 air-mile radius hours of service exemption for haulers of agricultural commodities, and affirming that Federal regulations preempt state meal and rest break laws. Additionally, after carefully reviewing the data and thousands of public comments, FMCSA modernized the hours of service requirements. These actions took important steps to provide regulatory flexibility while maintaining safety on our roads, and I strongly encourage you to maintain these regulatory advances. Will you ensure these regulatory actions are maintained?

Answer. My number one priority is safety. FMCSA continues to analyze the impact of the regulatory flexibilities. I am committed to maintaining regulatory flexibilities that do not negatively impact safety.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARSHA BLACKBURN TO
MEERA JOSHI

Question 1. I'd like to follow-up on our conversation regarding forcing app-based companies to share trip data with New York City.

- Do you believe your analysis supporting a \$17.22 per-hour minimum wage for Uber and Lyft drivers should be replicated at the national level?
 - Answer. The New York City Council and the New York City Taxi and Limousine Commission established a pay standard that set a minimum amount of pay per mile and per minute for app-based drivers in the for-hire vehicle market. These amounts were set factoring in a driver's unpaid waiting time between trips. There are vast differences between New York City's for hire vehicle market and the National commercial motor vehicle market that make, as a general matter, exact replication of local policies on a national level difficult and not prudent.

- Do you genuinely believe app-based companies' drivers are happier with sharing their personal information with the city? If so, could you please show me examples of this?
 - Answer. The City of New York collects from registered for hire operator's driver license, trips, and vehicle information pertinent to informed policy making, an example of which is the establishment of a minimum pay standard for drivers. The New York City Taxi and Limousine Commission does not collect consumer information, and with respect to drivers collects the agency issued driver license number for the associated trip. As with almost all Federal, State and local licensing agencies, personally identifiable information about drivers is collected as part of the licensing process and is not shared with the public.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MIKE LEE TO
MEERA JOSHI

Question 1. If confirmed as Administrator of the FMCSA, what will be your key priorities?

Answer. As Administrator, my priority will be safety and preventing commercial motor vehicle-related crashes and fatalities, which have steadily increased since 2010. I will employ a multipronged approach to achieve this goal, including focused enforcement and compliance efforts, smart research and technology advancements, integration of proven safety technology, improving state licensing data exchanges, education and outreach, investments in driver training, and overall collaboration.

Question 2. Conducting cost-benefit analyses for proposed regulations has been a practice undertaken by agencies under both Democrat and Republican Administrations.

- Please explain your views on the use of cost-benefit analysis when considering proposed regulations. Should all FMCSA regulations be considered with a cost-benefit analysis?
 - Answer. I support the goals articulated in the President's January 2021 Memorandum on Modernizing Regulatory Review. The memo proposes that a regulatory review process should reflect new developments in scientific and economic understanding and should consider regulatory benefits that are not easy to quantify.
- If a regulatory cost outweighs the benefit, should that be a determining factor that prevents the FMCSA from moving forward with the regulation?
 - Answer. Consistent with Executive Order 12866, agencies should assess costs and benefits of available regulatory alternatives. Costs and benefits include both quantifiable measures and qualitative measures that are difficult to quantify, but nevertheless essential to consider. I will work within this framework, as modernized and improved, under the President's January 2021 Memorandum and OMB direction.
- In considering safety regulations how do you balance government safety requirements with the economic and technical feasibility of implementing the regulation?
 - Answer. FMCSA prioritizes safety and preventing commercial motor vehicle crashes. I support the Administration's goal that rulemakings should take into account new developments in technical, as well as economic understandings, and FMCSA will comply with all Administrative Procedure Act and other statutory requirements in implementing regulations.

Question 3. When considering regulatory proposals, should FMCSA prioritize policies that allow market participants to freely compete without FMCSA regulatory action or is the market more successful when the FMCSA actively guides the market through regulatory action?

Answer. FMCSA prioritizes safety and preventing commercial motor vehicle-related crashes in all rulemakings. To that end, regulatory action is prudent and necessary when there are market gaps in achieving this goal.

Question 4. I would like to learn more about your views on the use of the FMCSA's rulemaking power:

- Should the FMCSA promulgate rules if the rulemaking power is not expressly granted by Congress?
 - Answer. FMCSA prescribes rules in accordance with the procedural requirements of the Administrative Procedure Act and our statutory authorities.

- Can the FMCSA use its rulemaking power to circumvent legal precedents with which it disagrees?
 - Answer. The Agency will not initiate a rulemaking action for which there is insufficient legal basis.
- Can the rules passed by the FMCSA insulate market incumbents from competition?
 - Answer. FMCSA's top priority is safety, and we strive to provide a regulatory framework with enforceable, performance-based requirements that allow flexibility and competition in achieving the desired safety outcomes.

Question 5. At the beginning of the pandemic, the FMCSA granted emergency relief to Hours-of-Service requirements for COVID-19 emergency relief. As we look to a post COVID-19 world, would you support making any of these regulatory suspensions permanent? If not, why not?

Answer. FMCSA's safety mission is paramount, and FMCSA must carefully balance its safety mission with the need for flexibility of operation. The emergency measures taken in response to COVID-19 were necessary and intended to address particular urgent needs and were authorized under the Agency's emergency exemption authority. FMCSA has begun to issue safety-related reporting requirements to allow the Agency to work closely with its state and industry partners to monitor driver work hours and conditions for the duration of the exemption in order to ensure that we are still carrying out our mission while being responsive to emergencies. We continue to review and evaluate events under COVID, in order to ascertain lessons learned that can be utilized post-COVID.

Question 6. Are there any lessons that we can learn from the FMCSA emergency relief that can reform our Hours-of-Service requirements to provide more flexibility and thus promote greater driver safety?

Answer. FMCSA has begun to collect information related to the use of the exemption to determine how many carriers use the exemption, how often, and for what purposes. This information can be used to ensure that emergency declarations are only as broad as necessary to address the actual emergency transportation needed, and to analyze how, and whether, use of exemptions, including from the hours of service limits, furthers public safety.

Question 7. What is your view on the lowering the CDL driving age or allowing greater flexibility for drivers below the age of 21?

Answer. The Infrastructure Investment and Jobs Act (IIJA) prescribes an apprenticeship pilot program for CDL drivers under the age of 21. If enacted, I am committed to carrying out Congress' intent, including implementing the safeguards provided in the legislation. The program includes specific requirements for the driving time of the apprentice program and other vehicle requirements. Throughout the implementation of the pilot program, FMCSA will gather and use data to inform our future actions related to driver qualifications.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RICK SCOTT TO
MEERA JOSHI

Question 1. It is heartbreaking that we have lost so many to the irresponsible actions of drunk drivers. I have introduced the Reduce Impaired Driving for Everyone Act of 2021 (S. 1331) with Senator Lujan to prescribe a Federal motor vehicle safety standard for advanced drunk and impaired driving prevention technology.

- Do you believe this kind of technology would be beneficial in commercial vehicles?
 - Answer. I support the safe integration of advancements in proven commercial motor vehicle safety technologies and equipment standards, including prescribing a Federal motor vehicle safety standard for advanced drunk and impaired driving prevention technology. I look forward to working with your office on considering these technological advancements.
- How would you decrease the number of drunk driving accidents involving commercial vehicles?
 - Answer. I am committed to using every tool at our disposal to combat drunk driving and the crashes and fatalities it tragically causes. Of note, FMCSA's Drug and Alcohol Clearinghouse maintains records of all commercial driver drug and alcohol program violations. FMCSA regulations require motor carrier employees to screen a driver's pre-employment and prohibits a carrier from allowing the driver to operate a commercial motor vehicle if the driver tests positive for drugs or alcohol. In addition, FMCSA is engaged in a rulemaking proceeding to address the issue of States downgrading commercial

motor vehicle licenses for those drivers who have violated drug and alcohol program requirements and have not completed return-to-duty requirements. In addition to this approach, I am committed to outreach and enforcement efforts to remove impaired drivers from our Nation's roads.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. CYNTHIA LUMMIS TO
MEERA JOSHI

Question 1. In 2018, former Secretary Chao narrowly preempted California's meal-and-rest break rules that were wrongly being applied to interstate motor carriers. Following that preemption, the Ninth Circuit unanimously upheld the rule. I, however, remain concerned that DOT could attempt to undo this important decision and allow states to set their own standards for motor carriers operating in interstate commerce.

- Are there any efforts underway at DOT to reconsider the rule following the Ninth Circuit's decision on California's meal-and-rest break rules?
- Do you believe that any given state should be allowed to set their own standard provided that it exceeds the Federal standard for meal-and-rest break rules?

Answer. The FMCSA's preemption decision is currently the subject of litigation. The litigation has, at USDOT's request, been held in abeyance pending USDOT and FMCSA's review of the issues. Paramount to our safety mission is ensuring that drivers have adequate rest, and this is the lens through which our review is conducted.

Question 2. During the Senate debate on the infrastructure bill, I worked with my colleague Senator Kelly to address the lack of dedicated truck parking around the country. Unfortunately, our efforts ultimately were unsuccessful. While the issue of truck parking is primarily an FHWA issue, the lack of parking does present safety concerns for all highway users including the truck drivers.

- What additional attention can the U.S. Department of Transportation as a whole give to the issue of dedicated truck parking?
- If confirmed, will you commit to soliciting input from the motor carrier community on ways that FMCSA can assist in solving this pressing issue?

Answer. I believe that truck parking shortages are a national safety concern and through FMCSA's research, we know the critical role that proper rest during off-duty time plays in reducing the incidence of fatigue-related commercial motor vehicle crashes.

As a result, FMCSA has been partnering with the Federal Highway Administration to support their Jason's Law survey activities and related recommendations. On the most recent survey, FMCSA field staff contacted their State enforcement agency partners to increase reporting on the portion of the survey that identifies the location and frequency of truck drivers parking on illegal areas such as on exit and entry highway ramps.