

**NOMINATION OF HON. ELAINE L. CHAO,
TO BE SECRETARY OF THE
DEPARTMENT OF TRANSPORTATION**

HEARING

BEFORE THE

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

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

JANUARY 11, 2017

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SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED FIFTEENTH CONGRESS

FIRST SESSION

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**NOMINATION OF HON. ELAINE L. CHAO,
TO BE SECRETARY OF THE
DEPARTMENT OF TRANSPORTATION**

WEDNESDAY, JANUARY 11, 2017

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

The Committee met, pursuant to notice, at 10:20 a.m. in room SD-G50, Dirksen Senate Office Building, Hon. John Thune, presiding.

Present: Senators Thune [presiding], Nelson, Wicker, Blunt, Cruz, Fischer, Moran, Sullivan, Heller, Inhofe, Lee, Capito, Gardner, Young, Cantwell, Klobuchar, Blumenthal, Schatz, Markey, Booker, Udall, Peters, Baldwin, Duckworth, Hassan, and Cortez Masto.

**OPENING STATEMENT OF HON. JOHN THUNE,
U.S. SENATOR FROM SOUTH DAKOTA**

The CHAIRMAN. Good morning, everyone. I want to welcome everyone to this Commerce Committee's first hearing of the 115th Congress, especially our new Members, Senators Inhofe, Lee, Capito, Young, Baldwin, Duckworth, Hassan, and Cortez Masto. In addition to growing in size, the Committee now has the proud distinction of being the Senate committee with the most women Members ever, at eight.

[Applause.]

The CHAIRMAN. I also want to thank all of our returning Members, especially Ranking Member Nelson, for their hard work last Congress. Together, we were able to enact over 60 measures in the 114th Congress. I am anticipating another full agenda this Congress, and I am confident that we'll be equally successful.

Today we'll consider the nomination of Secretary Elaine Chao to be the 18th Secretary of Transportation. The agency that Secretary Chao has been nominated to lead plays a vital role in facilitating and promoting the safe and efficient movement of goods and people throughout our country and the world.

The Department contains 10 component agencies, employs over 57,000 full-time employees, and has an operating budget of \$75 billion. According to the Bureau of Labor Statistics, the transportation sector employs over 12 million people nationwide and contributes nearly \$1.4 trillion to the Nation's economy, or 8.6 percent of the U.S. Gross Domestic Product.

In my home state of South Dakota, this translates into approximately 10,000 jobs. But these numbers only begin to tell the story because so much of our economy is dependent upon a thriving transportation sector. For example, without a robust and efficient transportation sector, rural states like mine would be unable to get their goods to market. Increasing the capacity and efficiency of our Nation's highways, rail lines, pipelines, and ports is crucial, and will have to be a top priority for the next Secretary of Transportation.

Another top priority for the next Secretary of Transportation must be safety. While our Nation's pipelines, railroads, airways, and highways have a strong record of safety, improvements can and should be made. Of course, it will be important to avoid one-size-fits-all solutions on safety. Instead, the Department must offer a range of tools to combat unique safety challenges, as South Dakota has done with its innovative 24/7 sobriety program to combat impaired driving.

Many of the strong safety improvements this Committee advanced as part of the FAST Act and PIPES Act last Congress are yet to be implemented, and we will expect our next Secretary of Transportation to work with us to ensure speedy implementation. We will also have the opportunity to collaborate on safety improvements when we revisit the authorization of the Federal Aviation Administration later this year.

The next Secretary of Transportation will also have a unique opportunity to show Federal leadership in the advancement of transportation innovation. V2V technology, autonomous vehicles, and unmanned aircraft systems, to name a few, have great promise to increase safety, improve efficiency, and spur economic growth.

But, like all new technologies, these must be properly integrated into our current networks in a way that maximizes their benefits without compromising the performance of the current systems.

Secretary Chao, if confirmed, you will have a momentous opportunity to transform Americans' transportation network by promoting safety and innovation, growing our Nation's freight network, and ensuring all users, both urban and rural, benefit equally.

To my colleagues, I would say that if you were to imagine an ideal candidate to tackle these challenges, it would be hard to come up with a more qualified nominee than the one before us today. In addition to serving for 8 years as the U.S. Secretary of Labor, Secretary Chao has also served as the Deputy Secretary of the Department she has now been tapped to lead. Her extensive experience also includes leading the United Way of America, the Peace Corps, and the Federal Maritime Commission.

Secretary Chao, you have consistently proven your willingness to roll up your sleeves and address the challenges facing our Nation. I would like to thank you for testifying today and for your willingness to continue your record of service to the country.

I will now turn to Ranking Member Nelson for any opening remarks, and then before Secretary Chao's opening statement, she is going to be introduced by her husband, Senator McConnell, our Majority Leader in the United States Senate, and the other Member of the Kentucky delegation, Senator Paul.

The Chair recognizes Senator Nelson.

**STATEMENT OF HON. BILL NELSON,
U.S. SENATOR FROM FLORIDA**

Senator NELSON. Thank you, Mr. Chairman.

As we start out, I want to take a minute to express on behalf of the Committee, our condolences to the friends and loved ones of the victims of Friday's horrific shooting at Fort Lauderdale's airport. I want to thank the heroic work that was undertaken by the first responders and the law enforcement personnel in responding.

Although the investigation remains ongoing, I expect all of us in the Congress will continue exploring ways to protect the traveling public in light of this tragic incident. While we've made some progress in last year's FAA bill to double the number of the VIPR teams, the dog teams, and bolster the screening of airport workers, this tragic shooting serves as a reminder that our work to improve airport security remains a constant challenge. This year's FAA reauthorization bill that we will have to take up could be a good place to start if more needs to be done to prevent similar tragedies from occurring.

So, Mr. Chairman, we're here today at a time when our Nation is at a crossroads. Many of our roads, bridges, tunnels, and rails are aging and desperately need to be repaired and replaced.

Years of neglect and increased demand have brought us to the point that we can no longer sit by idly and watch our country's most critical infrastructure continue to deteriorate. We must step up to this challenge, and that's particularly pertinent to the hearing on the confirmation of Secretary Chao.

We must commit to building the next generation of great American infrastructure or risk harming our economy and global competitiveness, risk it by failing to do so, and that means investing in projects that will move people and goods for decades to come, such as ports.

We have a lot in Florida. They're responsible for moving a lot of the goods in and out of our country; rails and highways that move the goods throughout our states; transit and rail projects that get Americans to work; airports and passenger rail projects that connect our communities; and technologies of tomorrow that will move people and goods more efficiently and more safely.

These projects will also create good-paying jobs, whether it's construction workers laying the foundation, an engineer doing the design, or the steelworker making the parts. The benefits of updating and expanding our transportation infrastructure can produce thunderous ripple effects, creating new developments, generating increased investments, and driving new economic opportunities. That's what our country needs now and in the immediate future. It takes a strong commitment, however, from the Congress and the administration, and specifically the Department of Transportation. And it's going to take a significant amount of funding.

And so, Secretary Chao, I hope we'll hear more from you today on your administration's plan and how you intend to pay for it.

Our Nation's transportation challenges include more than the deteriorating bridges and roads. Safety, of course, continues to be a serious problem. The last two years marked a disturbing trend of rising fatalities on our highways, reversing a lot of progress that we've seen over the last half century.

The Department of Transportation must aggressively use all of its authority and resources to bring those numbers down, whether it's cracking down on the drunk and distracted driving, increasing seatbelt use, or getting defective vehicles, such as those with the exploding Takata airbags, fixed immediately.

And the Department must prepare for the future. As I speak, automakers are rapidly moving toward commercializing autonomous technology and self-driving cars, and the Department is going to have to play a very central role in ensuring that this is safe for the American public.

Then, of course, there is aviation safety. It's critical, it's an important task, and it will be before the Committee in the FAA reauthorization bill.

Now, Chairman Thune and I have worked hard on a bipartisan and comprehensive FAA reauthorization bill last year, and, as a result, 95 to 3 in the Senate. The reauthorization bill was stalled in the House, given a proposal there to privatize air traffic control.

Besides the total opposition of the United States Department of Defense, which has 20 percent of the air traffic, besides being costly and disruptive in implementation, privatization would upset the partnership between the FAA and a lot of the agencies of government.

And last, certainly not least, I hope, Madam Secretary, that we will get a commitment from you that you will look out for the traveling public by ensuring that they have basic consumer protections. This means working with us here, in the Congress, to make sure that airline passengers know what they're paying for up front and that those costs are fair. These provisions had broad bipartisan support in last year's FAA reauthorization, and we should get them across the finish line.

And, Madam Secretary, just a personal note, you and my wife are the dearest of friends. She is one of your biggest fans. I have watched you as you have comported yourself in a previous administration as a Cabinet Member. It has been with grace and excellence that you have done so, and I certainly look forward to you in this new administration doing the same.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Nelson.

It may be a first to have a Senate Leader testify in front of this Committee, but we're privileged today to have Senator McConnell here to make a very special introduction. And so the Chair recognizes the Senate Majority Leader for a statement.

**STATEMENT OF HON. MITCH McCONNELL,
U.S. SENATOR FROM KENTUCKY**

Senator McCONNELL. Chairman Thune, Senator Nelson, Members of the Committee, obviously it's a great pleasure to be here today. Actually, Chairman Thune, it's probably not the first time the Majority Leader has been before this Committee. I'm reminded of something Bob Dole said at the confirmation hearing for another transportation nominee, his wife, Elizabeth. We all remember Bob for having the best sense of humor ever of anyone who served here. This is how he began. He said, "I feel a little bit like Nathan Hale.

I regret that I have but one wife to give for my country's infrastructure."

[Laughter.]

Senator McCONNELL. Well, that was Bob Dole for you.

[Laughter.]

Senator McCONNELL. The nominee before us is extraordinarily well qualified, incredibly capable, and she's got really great judgment.

[Laughter.]

Senator McCONNELL. On a whole variety of things.

[Laughter.]

Senator McCONNELL. I know Senator Paul will have much more to say about her qualifications when he speaks next, but let me just say this. Elaine is going to do a fantastic job as Secretary of Transportation. She is going to do good things for our country. She is going to make the Commonwealth of Kentucky proud. She will be only the second cabinet secretary we've had from my state since World War II. Who was the other? you might ask. Secretary of Labor Elaine Chao.

[Laughter.]

Senator McCONNELL. I said at her last confirmation hearing that Elaine would be one of the best Secretaries of Labor we've ever had. I'm saying today that Elaine will be one of the best Secretaries of Transportation as well. She has overcome some pretty big obstacles in her life, but everything she does, she does well. I know she will perform brilliantly again in this new role.

Her family gathered here today couldn't be prouder, especially Elaine's father, Dr. James Chao. I feel exactly the same way he does. Thank you for the opportunity to be here. And let me turn to my colleague from Kentucky.

STATEMENT OF HON. RAND PAUL, U.S. SENATOR FROM KENTUCKY

Senator PAUL. Mr. Chairman, it is my privilege this morning to introduce a friend, a dear friend, and a fellow Kentuckian, Secretary Elaine Chao, for her nomination hearing to serve as Secretary of Transportation. I would also like to welcome her family, Dr. James Chao, who is renowned in his own right.

My wife, Kelley, and I have come to know Elaine well since our first election to the Senate six years ago, and we were both grateful for her many kindnesses and friendship as we transitioned to public service. We both admire Elaine for her thoughtfulness, integrity, intellect, and dedicated service to the country.

Elaine's record of accomplishment and leadership make her a truly exceptional candidate. Prior to her nomination, Secretary Chao had served this Nation under three Presidential administrations, most notably as the longest serving Secretary of Labor since World War II under President George W. Bush.

As an immigrant to this country, Secretary Chao's successes are not only a testament to the American dream, but also the unbridled spirit of Kentucky. Having emigrated from Taiwan at the age of eight with no background in the English language, Secretary Chao would copy all the words of her teachers on the blackboard

so her parents could go over them daily when she arrived at home to improve her English skills.

Her father worked three jobs to support their six children, but they always expressed optimism for the future. The family was truly grateful to be in America, and despite the challenges, they seized the opportunity that this Nation had to offer. Secretary Chao's parents' belief in education, service, and hard work set the foundation for her success, which includes a degree from Harvard Business School and 36 honorary doctorate degrees from institutions around the world. But for the Chao family, education is never the end, it is just the beginning.

Secretary Chao's extensive background in both public and private sectors includes not only her previous stint as Secretary of Labor, but also Deputy Secretary of Transportation, Chairman of the Federal Maritime Commission, Deputy Maritime Administrator, and Deputy Administrator at the U.S. Department of Transportation, Director of the Peace Corps. It's a long résumé. We would all wish to have such a résumé. She was also President of the United Way as well. I have no doubt that she will do an excellent job and that her integrity will lead her to great heights as the Secretary of Transportation.

I look forward to working with Secretary Chao and officials at the Department of Transportation to address our infrastructure issues facing our country. I urge the Committee's favorable consideration of my friend Elaine Chao.

The CHAIRMAN. Thank you, Senator Paul.

And thank you, Senator McConnell.

And at this point, we will ask our nominee, Secretary Elaine Chao, to please come forward and offer her opening statement.

**STATEMENT OF HON. ELAINE L. CHAO, TO BE SECRETARY OF
THE DEPARTMENT OF TRANSPORTATION**

Secretary CHAO. Chairman Thune, Ranking Member Nelson, Members of the Committee, thank you for the opportunity to appear before you today. I also want to thank my home state Senators from the great Commonwealth of Kentucky for their kind introductions. I'm very honored to have the support of Senator Rand Paul, and I'll be working to "lock in" the Majority Leader's support tonight over dinner.

[Laughter.]

Secretary CHAO. I'm especially delighted to introduce my father, Dr. James S.C. Chao, who along with my mother, Ruth Mulan Chu Chao, is the foundation of everything that my sisters and I have been able to achieve. Like so many others, as you've heard, my father left everything familiar behind to come to this country and build a better life for our family. My mother, two sisters, and I endured 3 long years of separation before we were able to join him, traveling from Asia to America via a cargo ship on an ocean journey that lasted 37 days.

There were many challenges during those early days, living in an apartment in Queens, New York, learning English, and adapting to a completely foreign culture. But my parents' love, optimism, faith, and diligence kept us together.

If I can ask my father to stand up, I would really appreciate it.

Dad, you've got to stand up.

[Applause.]

Secretary CHAO. Thank you so much.

I'm also very pleased to introduce one of my sisters, May Chao, and her twin daughters, Miranda and Jessica, from New York City. May is the daughter whose name symbolizes America. My mother was 7 months pregnant with May when my father left for America, and he did not see his third daughter, May, until she was 3 years old.

And, May, if I can ask you and the girls to stand up.

[Applause.]

Secretary CHAO. And my brother-in-law, Gordon, is here. And that's it for the family.

[Laughter.]

Secretary CHAO. My executive career in government began at the U.S. Department of Transportation. During my career, I've had the extensive privilege of leading large, complex organizations in the public and the private sectors, as Deputy Secretary of Transportation, Director of the Peace Corps, President and CEO of United Way of America, and the U.S. Secretary of Labor. In each of these positions, my goal has always been to help others access opportunities in mainstream America and build better lives for themselves and their families by supporting policies that foster job creation and workforce competitiveness.

Our country's transportation infrastructure is the underpinning of our world-class economy, one of the most productive, flexible, and dynamic in the world. It is a key factor in productivity growth, which has provided millions of hard-working Americans with a standard of living that is the envy of the world. And it has provided us with unprecedented mobility, safety, and security. And yet today, these gains are jeopardized by aging infrastructure, growing congestion, increased fatalities on our highways, and a failure to keep pace with emerging technologies.

The U.S. Department of Transportation has a rare opportunity to shape the transformation of our critical infrastructure, and a chance to lead the Department at this pivotal historic time is a great honor.

First and foremost, safety will continue to be the primary objective. Regulatory decisions should be rooted in analysis derived from sound science and data with risk-based analysis that prevents accidents before they occur, and considers both the cost and the benefits of new rulemakings. Railroads, airlines, aircraft manufacturers, pipeline operators, transit authorities, and hazardous waste material shippers should be deploying comprehensive approaches to safety.

The Department will also work with states to ensure that billions of dollars of Federal funding are focused on improving transportation system performance and project delivery. Our rail and air traffic operational efficiency, which is so important to America's competitiveness, need to be continuously improved.

And I look forward to working with this Committee on FAA's transition to 21st century air traffic control technologies known as NextGen. Eight months remain before FAA reauthorization, so it's

important to start the collaborative process soon, to provide air travelers with a system second to none.

Another major challenge is to unleash the potential for private investment in our Nation's infrastructure. As we work together to develop the details of the President-elect's infrastructure plan, it's important to know the significant difference between traditional program funding and other innovative financing tools, such as public-private partnerships.

In order to take full advantage of the estimated trillions in capital that equity firms, pension funds, and endowments can invest, these partnerships must be allowed to participate with a bold, new vision. And again, we look forward to working with you to explore all options and to create a mix of practical solutions, both public and private, that provide the greatest cost benefit to the public because we all know that the Government doesn't have the resources to do it all.

It's also important to recognize that the way we build and deliver projects is just as important as how much we invest. And we want to seek your advice in identifying and addressing unnecessary bottlenecks in the processes that govern project development and delivery, as well as the manufacturing processes that we oversee.

And finally, we want to work with you to address the unique transportation needs in rural America, as well as the challenges that major metropolitan areas face.

Looking to the future, we also have a unique opportunity to address the exciting new technologies transforming travel and commerce. The private sector is driving this innovation; they are working with cities and states to demonstrate improvements in the safety and efficiency of autonomous vehicles. Drones are poised to become a major commercial force.

And the Federal role in these sectors is still very much in its infancy. We want to work with Congress to position the Federal Government as a catalyst for safe, efficient technologies, not as an impediment.

In summary, the Department of Transportation has a key role to play in modernizing our transportation systems, strengthening our Nation's competitiveness, and improving our quality of life. And I look forward to working with you to rebuild, refurbish, and revitalize America's infrastructure so our economy can continue to grow, create good paying jobs for America's working families, and enhance our quality of life.

Thank you. And now I'll be pleased to take your questions.

[The prepared statement and biographical information of Secretary Chao follow:]

PREPARED STATEMENT OF HON. ELAINE L. CHAO, SECRETARY DESIGNATE,
DEPARTMENT OF TRANSPORTATION

Chairman Thune, Ranking Member Nelson, and members of the Committee, Thank you for the opportunity to appear before you today. I also want to thank my home state Senators for their kind introductions. I'm pleased to have the support of Senator Paul, and I will be working to "lock in" the Majority Leader's support tonight over dinner.

I am pleased to introduce my father, Dr. James S.C. Chao. He and my late mother are the foundation of who my sisters and I are today. He grew up in a small farming village of just ten families in China. His parents believed in education so he earned many scholarships to enable him to continue his studies. My father left everything

familiar behind to build a better life for our family. Our family was separated for three long years before we were able to come to America, traveling by cargo ship on an ocean journey that lasted 37 days. There were many challenges during those early years especially since we didn't speak English. I didn't receive my citizenship until I was 19 years old. But, my parents never doubted that America was the land of opportunity.

Also here today is one of my sisters, May Chao and her twin daughters, Miranda Mei Chao Hwang and Jessica Ruth Chao Hwang, from New York City. May is the daughter whose name symbolizes America. My mother was seven months pregnant with May when my father left for America. He didn't see May until she was three years old.

My executive career in government began at the U.S. Department of Transportation. During my career, I have had the privilege of leading large, complex organizations in the public and non-profit sectors, as Deputy Secretary of Transportation, Director of the Peace Corps, President and CEO of the United Way of America, and U.S. Secretary of Labor. In each of these positions, my goal has been to help others access opportunity and build better lives for themselves and their families by supporting policies that foster job creation and workforce competitiveness.

Our country's transportation infrastructure is the underpinning of our world-class economy—one of the most productive, flexible and dynamic in the world. It is a key factor in productivity growth, which has provided millions of hard working Americans with a standard of living that is the envy of the world. And it has provided us with unprecedented mobility, safety and security. Yet today, these gains are jeopardized by infrastructure in need of repair, the specter of rising highway fatalities, growing congestion, and by a failure to keep pace with emerging technologies.

The U.S. Department of Transportation has a rare opportunity to shape the transformation of our critical infrastructure. The chance to lead the Department at this historic time is a great honor. First and foremost, safety will continue to be the primary objective. Regulatory decisions should be rooted in analysis derived from sound science and data, with risk-based analysis that prevents accidents before they happen, and considers both the costs and the benefits of new rulemakings. Railroads, automobile manufacturers, airlines, aircraft manufacturers, pipeline operators, transit agencies and hazardous material shippers should be deploying comprehensive approaches to safety.

The Department will also work with states to ensure that billions of dollars of Federal funds are focused on improving transportation system performance and project delivery. Our rail and air traffic operational efficiency, which is so important to America's competitiveness, need to be continually improved. I look forward to working with this Committee on the FAA's transition to 21st century air traffic control technologies known as NextGen. Eight months remain before FAA reauthorization, so it's important to start the collaborative process soon, to provide air travelers with a system second to none.

Another major challenge is to unleash the potential for private investment in our Nation's infrastructure. As we work together to develop the details of President Trump's infrastructure plan, it is important to note the significant difference between traditional program funding and other innovative financing tools, such as public-private partnerships. In order to take full advantage of the estimated trillions in capital that equity firms, pension funds, and endowments can invest, these partnerships must be incentivized with a bold new vision. We look forward to working with you to explore all the options, and to create a mix of practical solutions—both public and private—that provide the greatest cost-benefit to the public.

It's also important to recognize that the *way* we build and deliver projects is as important as *how much* we invest. We want to seek your advice in identifying and addressing unnecessary bottlenecks in the processes that govern project development and delivery, as well as the manufacturing processes we oversee. And finally, we want to work with you to address the unique transportation needs in rural America, as well as the challenges that major metropolitan areas face.

Looking to the future, we also have a unique opportunity to address the exciting new technologies transforming travel and commerce. The private sector is driving this innovation. They are working with cities and states to demonstrate improvements in the safety and efficiency of autonomous cars and trucks. Drones are poised to become a major commercial force. The Federal role in these sectors is still in its infancy. We want to work with Congress to position the Federal Government as a catalyst for safe, efficient technologies, not as an impediment.

In summary, the Department of Transportation has a key role to play in modernizing our transportation systems, strengthening our country's competitiveness, and improving our quality of life. I look forward to working with you to rebuild, refurbish and revitalize America's infrastructure, so our economy can continue to grow,

create good paying jobs for America's working families and enhance our quality of life.

Thank you.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): Elaine L. Chao.
2. Position to which nominated: Secretary of Transportation.
3. Date of Nomination: January 20, 2017 (expected).
4. Address (List current place of residence and office addresses):
 Residence: Information not released to the public.
 Office: Hudson Institute, 1201 Pennsylvania Avenue, NW, Washington, D.C. 20004.
5. Date and Place of Birth: March 26, 1953; Taipei, Taiwan.
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: Mitch McConnell, United States Senator; Stepdaughters: Eleanor Hayes McConnell, 44; Claire McConnell, 41; Marion Porter McConnell, 38.
7. List all college and graduate degrees. Provide year and school attended.
 Harvard Business School, MBA, 1979
 Mount Holyoke College, BA, 1975
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.

Distinguished Fellow, The Hudson Institute; 2016 to present.

Distinguished Fellow, The Heritage Foundation; 2009–2016 and 1996–2001.

Secretary of Labor, 2001–2009.

President and CEO, United Way of America; 1992–1996.

President and CEO, U.S. Peace Corps; 1991–1992.

Deputy Secretary of Transportation, 1989–1991.

Chairman, Federal Maritime Commission; 1988–1989.

Deputy Administrator, Federal Maritime Commission, 1986–1988.

Vice President, Bank of America; 1984–1986.

White House Fellow, Office of Policy Development, 1983–1984.

Citibank, 1979–1983.

Foremost Group, 1975–1977.

*All the above positions are management jobs with the exceptions of the Distinguished Fellowships.

9. Attach a copy of your resume.

A copy is 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.

Board Service

07/22/2015	12/31/2015	Centerra Group, LLC 7121 Fairway Drive, Suite 301 Palm Beach Gardens, FL 33418	Advisory Board Member
06/04/2015	Present	Ingersoll Rand 170/175 Lakeview Drive Swords, Co. Dublin	Director
02/13/2015	Present	Vulcan Material Company 1200 Urban Center Drive Birmingham, AL 35242	Director

Board Service—Continued

10/16/2012	Present	News Corp 1211 Avenue of the Americas New York, NY 10036	Director
04/05/2012	02/19/2015	Bloomberg Philanthropy 25 E 78th St. New York, NY 10075	Advisory Board Member
06/2012	Present	New York Presbyterian Hospital 525 East 68th Street New York NY 10065	Honorary Board Member
06/28/2011	Present	Wells Fargo 420 Montgomery Street San Francisco, CA 94104	Director
06/29/2011	02/01/2015	Protective Life Corporation 2801 Hwy 280 South Birmingham, AL 35223	Director
2011	Present	Harvard Business School Board of Dean's Advisor Soldiers Field Boston, MA 02163	Advisory Board Member
2010	Present	Federalist Society 1776 I St NW #300, Washington, D.C. 20006	Advisory Board Member
2010	Present	Ford's Theater 511 10th St NW Washington, D.C. 20004	Advisory Board Member
2010	Present	Harvard Business School Board of Global Advisors Soldiers Field Boston, MA 02163	Advisory Board Member
2010	06/2013	National WWII Museum 945 Magazine Street New Orleans, LA 70130	Advisory Board Member
10/23/2009	11/01/2013	Dole Food Company One Dole Plaza West Village, CA 91359-5700	Director
2003	Present	Institute of Politics, Harvard University 79 John F. Kennedy St. Cambridge, MA 02138	Advisory Board Member
2003	2009	Harvard Business School Board of Dean's Advisor Soldiers Field Boston, MA 02163	Advisory Board Member

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 religious organization, private club, or other membership organization. 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 handicap.

Alfalfa Club—Member

American Action Forum (AFF)—Advisory Board Member

Asia Pacific Foundation of Canada: John H. McArthur Distinguished Fellowship—Honorary Advisory Board Member

Council on Foreign Relations—Member

Federalist Society—Advisory Board Member

Ford's Theatre—Advisory Board Member

International Leadership Foundation (ILF)—Honorary Co-Chair

International Club Number One (IC1)—Member

National Ethnic Coalition of Organizations (NECO)—Honorary Advisory Board Member

Republican Women's Federation Forum (RWFF)—Member

Ruth Mulan Chu Chao Foundation—Volunteer Chair (2013–2015)

Trump's Asian Pacific American Advisory Council

Trust for the National Mall—Advisory Council

U.S. Senate Spouses—Member

United Seamen Service (USS): Council of Trustees—Honorary Member

Walt Disney Family Museum—Honorary/Advisory

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. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past ten years. Also list all offices you have held with, and services rendered to, a state or national political party or election committee during the same period.

Political Contributions—Federal

Contributions to All Other Political Committees Except Joint Fundraising Committees

Contributor Name							
Chao, Elaine	Louisville KY	40201			McConnell Victory Kentucky	6/30/2013	1250013941128347
Chao, Elaine	Louisville KY	40205	Distinguished Fellow	Heritage Foundation	Republican Party of Kentucky	10/25/2012	1000012940896930
Chao, Elaine	Louisville KY	40205	Heritage Foundation	Distinguished Fellow	Republican Party of Kentucky	6/30/2013	1000013941302781
Chao, Elaine	Louisville KY	40205	Heritage Foundation	Executive	McConnell, Mitch via McConnell Senate Committee	5/23/2012	250012020463429
Chao, Elaine	Louisville KY	40205	Heritage Foundation	Executive	McConnell, Mitch via McConnell Senate Committee	5/23/2012	250012020463527
Chao, Elaine	Louisville KY	40205	U.S. Government	Secretary of Labor	Republican Party of Kentucky	7/1/2008	1000028932511164
Chao, Elaine	Louisville KY	40205	Heritage Foundation	Distinguished Fellow	Republican Party of Kentucky	4/29/2014	1000014941236572
Chao, Elaine	Louisville KY	40205	U.S. Government	Secretary of Labor	Republican Party of Kentucky	12/27/2007	1000028990628719
Chao, Elaine L Ms.	Louisville KY	40205	U.S. Government	Secretary of Labor	Republican National Committee	10/26/2006	2500027990094749
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	8/18/2011	42512950197799
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	11/17/2011	42512950200181
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	2/17/2012	42512970842028
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	5/15/2012	42512952246547
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	8/15/2012	42512954296871
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	11/20/2012	42512940782898
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	2/15/2013	42513961244319
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	5/17/2013	42513963180662
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	11/20/2013	42514951887637
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	2/15/2014	42514960571121
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	5/15/2014	42514941726077
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	8/15/2014	42514978394881
Chao, Elaine L.	Washington DC	20002	The Heritage Foundation	Distinguished Fellow	Protective Life Corporation Federal PAC	11/15/2014	42514952676019
Chao, Elaine L Ms.	Washington DC	20002	The Heritage Foundation	Labor Secretary	Romney, Mitt/Paul D. Ryan via Romney for President, Inc.	4/23/2012	250014942416889
Joint Fundraising Contributions							
These are contributions to committees who are raising funds to be distributed to other committees.							
Chao, Elaine	Louisville KY	40201	Heritage Foundation	Executive	McConnell Victory Kentucky	6/26/2013	1250013941128330
Chao, Elaine L Hon.	Washington DC	20013	Heritage Foundation	Distinguished Fellow	Rand Paul Victory Committee	12/11/2013	520014960659449
Chao, Elaine L.	Louisville KY	40202	Self-Employed	Public Speaker	Romney Victory, Inc.	7/27/2012	100013941694430

Political Contributions—Federal—Continued

Recipient of Joint Fundraiser Contributions

These are the Final Recipients of Joint Fundraising Contributions

Contributor Name

Chao, Elaine L	Washington DC	20013	Heritage Foundation	Distinguished Fellow	Paul, Rand via Rand Paul for US Senate 2016	12/31/2013	260014020323733
Chao, Elaine L	Washington DC	20013	Heritage Foundation	Distinguished Fellow	Paul, Rand via Rand Paul for US Senate 2016	12/31/2013	260014020323680
Chao, Elaine L Hon.	Washington DC	20013	Heritage Foundation	Distinguished Fellow	Paul, Rand via Rand Paul for US Senate 2016	12/11/2013	260014021051514
Chao, Elaine L Hon.	Washington DC	20013	Heritage Foundation	Distinguished Fellow	Paul, Rand via Rand Paul for US Senate 2016	12/11/2013	260014021051481
Chao, Elaine L.	Louisville KY	40202	Self-Employed	Public Speaker	Romney, Mitt / Paul D. Ryan via Romney for President, Inc.	7/27/2012	100013942788103

Political Contributions—State

CHAO, ELAINE

Employer: HERITAGE FUND

Occupation: FELLOW

INDIVIDUAL Contribution

\$1,000.00 on 02/28/2014

MCLAUGHLIN, SANDRA for

DISTRICT COURT JUDGE—30TH DISTRICT—3RD DIVISION

PRIMARY—05/20/2014

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

Inventory of Awards and Recognitions

Year	Description of Award/Recognition
1979	10 Outstanding Young Women of American
1984	Mount Holyoke College Alumnae Award Mary Lyon Award for Young Achievement Award
1986	County of Los Angeles Notional Council of Women's Young Achievers Award
1986	Organization of Chinese Americans Champion of Excellence Award
1986	Taiwan Benevolent Association of America & Taiwan Welfare Association of New York Outstanding Achievement Award for higher ranking Chinese-American in U.S. Government
1987	Federal Asian Pacific American Council (FAPAC) Exemplary Leadership Award
1987	City of New Orleans International Order of Merit
1988	National Republican Asian Assembly Award for Service to Asian American Republicans & GOP
1988	Chinese-American Association of Southern California Outstanding Achievement Award
1989	Asian Americans in Public Service Excellence 2000 Award
1989	Federal Maritime Commission Exceptional Service
1990	HBS Recognition for Service to HBS Alumni Council 1987–1990
1990	City of Anaheim, CA recognition for Outstanding Leadership as Deputy Secretary of Transportation
1990	Texas Governor Bill Clements Outstanding Achievement Award and Citation as Honorary Citizen of Texas
1990	Garland, Texas Mayor Ruth Nicholson Recognition as Honorary Citizen of Garland, TX
1991	U.S. Department of Transportation Federal Railroad Administration award for Support of the Federal Railroad Administration
1991	U.S. Department of Transportation Asian Pacific American Employees Council Outstanding Service Award
1991	City of Los Angeles Outstanding Person Achievements Award as Deputy Secretary of Transportation
1991	St. John's University Honorary Citation—Doctor of Laws
1991	U.S. Coast Guard Award for Distinguished Service
1992	National Republican Asian Americans Pride of Asian Americans Award
1992	City of Louisa, KY Recognition as Honorary Citizen
1992	City of Louisville, KY Recognition as Honorary Citizen
1992	Jefferson County, KY Recognition as Honorary Citizen

Inventory of Awards and Recognitions—Continued

Year	Description of Award/Recognition
1993	National Conference for College Women Student Leaders Women of Distinction Award
1993	Governor Brereton C. Jones of KY Kentucky Colonel Award
1993	California State Legislative Assembly Recognition for Leadership as President of United Way
1993	City of Los Angeles Mayor and City Council President and Members Recognition for Outstanding Service to the Community and Appointment as United Way President and Chief Executive Officer
1993	Harvard Business School Alumni Achievement Award
1993	City of Russell, KY Recognition as Honorary Citizen
1994	Valley of the Sun and Mesa United Way Phoenix, Arizona Award for Leadership of United Way
1995	City of New Orleans Recognition as Honorary Citizen
1995	Selection by Newsweek Magazine for Overclass 100 in Politics and Government
1995	United Way of Beaver County, OR Recognition for Outstanding and Professional Leadership
1996	National Peace Corps Association Appreciation Recognition for Inspiration and Leadership
1997	The Jefferson Awards Silver Anniversary Recognition for Service on Board of Selector
1998	National Association of Securities Dealers Recognition Outstanding Service as Member of Board of Governors
1998	China Foundation of the United States Recognition Outstanding Leadership
1998	Organization of Chinese American Women, Organization of Chinese Americans—Greater Washington D.C. Chapter Recognition for Outstanding Achievements in Public Service
1999	City of Birmingham, AL Mayor Recognition Leadership/Celebration of Birmingham-Southern College Gala
1999	Community Hospice Recognition for Support of Hospice
2000	Kenai River Classic, AK Recognition to Promote Habitat & Resource Conservation, Kenai River, AK
2001	U.S. Senator Diane Feinstein (CA) Recognition for Commitment
2001	City of Chicago, IL Recognition for Achievement
2001	Asian Pacific American Municipal Offices Leadership Award
2001	City & County of San Francisco, CA Board of Supervisors Commendation of Service
2001	U.S. Pacific Asian American CC Award for Excellence in Govt Service
2001	Chinese American Society, Rockville, MD Recognition for Outstanding Support of Leadership Program
2001	U.S. Department of Labor—Annual National Equal Opportunity Conference Recognition for Commitment to Adults and Youth with Disabilities
2001	United Mine Workers Recognition for Leadership of Mine Safety and Health Administration (MSHA)
2001	United Chinese Community/State of California Resolution # 2501 Recognition for Personal and Public Achievement; United Chinese Community Celebration
2001	Asian American Federation of California Recognition for Great Talent
2001	City of Los Angeles, CA Recognition for Leadership
2001	May Society (Asian American PAC) Appreciation Recognition
2001	Westminster, CA Mayor Margie Rice Recognition as First Asian-American Woman in the U.S. Cabinet
2001	Jobs for America's Graduates Government Leader Award
2002	Boys and Girls Club of Greater Washington, D.C. Congressional Dinner Honoree
2002	Women In Government Relations Award for Most Women Appointed in Department
2002	Asian American Postal Employees Association Distinguished Asian American Award
2002	Hispanic Association of Colleges and Universities (HACU) Certificate of Appreciation
2002	KY—Henderson County Chamber of Commerce Distinguished Citizen Award
2002	Federal Asian Pacific American Council (FAPAC) Recognition for Leadership as Member of Asian American Community
2002	Fraternal Order of Police of NY Recognition in Appreciation for Promoting FOP Ideals
2002	U.S. Chinese Bankers Alliance Recognition in Appreciation of Hospitality

Inventory of Awards and Recognitions—Continued

Year	Description of Award/Recognition
2002	U.S. Pan Asian American Chamber of Commerce, Southwest Region Recognition in Appreciation for Inspiration and Leadership
2002	Philadelphia Dragon Boat Association, U.S. National Champions, 2002 Team USA Recognition for Support of Philadelphia Chinatown Community
2002	Pan Asian Association of Greater Philadelphia Recognition for Service to Americans
2002	Asian Pacific American Community of Greater Philadelphia Appreciation for Dedicated Service
2002	Chinese Consolidated Benevolent Association, Council of Presidents Appreciation for Service to Chinese Community
2002	Fort Smith, AR Recognition as Honorary Citizen
2002	Court TV Women Superstars Award at 3rd Annual Award Breakfast
2002	National Association of Hispanic Federal Executives Recognition for Leadership Supporting Diversity in Federal Workforce
2002	Syosset High School NY Award for Alumni Distinction
2002	Nassau County NY Legislature Citation Syosset Alumni Award
2003	Vision New America, Inc. Award for Excellence in Leadership
2003	International Leadership Foundation (ILF) Lifetime Achievement Award
2003	Center for Women's Business Research Leading by Example Award
2003	Women's National Republican Club Special Recognition Award
2003	Asian American Federation of California 2003 Public Service Award
2003	U.S. Department of Labor—2003 Mine Rescue First-Aid Bench and Preshift Contest Award (Louisville, KY)
2003	MANA, A National Latina Organization HerMANA Award
2003	Korean Churches for Community Development Award for Service to America and the Asian American Community
2003	Sergeants' Benevolent Association of New York City Police Department Sergeants' Benevolent Award
2004	Fraternal Order of Police President's Award
2004	Institute for Corean-American Studies Liberty Foundation (ICAS) 2003 Liberty Award
2004	Women's Business Enterprise National Council Applause Award
2004	Chinese-American Chamber of Commerce of New Jersey Honor of Distinction Award
2004	National Association of Asian American Professionals Award for Support of Asian American Community and Commitment to Public Service
2004	Asian Pacific American Institute for Congressional Studies (APAICS) Recognition of Political Milestone, "Decade of Firsts"
2004	Women's Business Center 2004 Public Sector Entrepreneurial Visionary Award
2004	U.S. Chinese Bankers Alliance Recognition for Generous Support
2004	Pittsburgh Lifesciences Greenhouse Recognition for Commitment to Ensuring Opportunities to Better Prepare U.S. Workers
2004	Seaman's Church Institute of New York and New Jersey Silver Bell Award for Service to the Maritime Community
2004	Cultural Development Center/Plainview Chinese School of Long Island, NY American Dream Award
2004	Thurgood Marshall Scholarship Fund Recognition for Commitment to Adults and Youth with Disabilities, Community Leadership
2004	Sergeants' Benevolent Association of New York City Police Department Heroism Award
2004	American Society for Competitiveness Award for Promotion of Global Competitiveness
2004	Chinese American Citizens Alliance, Houston, TX Lodge Recognition for Dedication to Public Service
2004	Allies Building Community, Inc. & The Chinatown Steering Committee Public Service Award
2004	Small Business & Entrepreneurship Council (SBE) Small Business Advocate of the Month Award
2005	Independent Women's Forum Woman of Valor Award

Inventory of Awards and Recognitions—Continued

Year	Description of Award/Recognition
2005	National Ethical Coalition of Organizations Foundation, Inc. (NECO) 2005 Ellis Island Medal of Honor
2005	Pitney Bowes Honor for Commitment
2005	XXI Magazine 2004 Communicator Award
2005	Richard G. Lugar Excellence in Public Service Series (Lugar Series) Excellence in Public Service Award
2005	Asian American Pacific Islander Inaugural Ball Committee Recognition for Dedicated Service to Asian Americans
2005	League of United Latin American Citizens (LULAC) Outstanding Leadership Award
2005	Alabama State Senate Recognitions for Contributions as Secretary of Labor
2005	Fraternal Order of Police Exemplary Service Award
2005	Sing Tao Daily Pioneer Award at 40th Anniversary Gala
2005	Fukienese American Unity Association Inc. Recognition for Service to Chinese Community
2005	Korean Community Service Center of Greater Washington Recognition for Commitment to the KCSC & Asian American Community
2005	U.S. President George W. Bush Presidential Quality Award for Management Excellence
2005	Asian Job Service Employer Committee Pinnacle Award for Outstanding Leadership
2006	Recognition on Washingtonian Magazine's The List of the Top 100 Most Powerful Women
2006	City of Baton Rouge, LA Mayor Melvin "Kip" Holden Recognition as Honorary Mayor
2006	City of Baton Rouge, LA Recognition as Honorary Citizen & Designation of "Elaine L. Chao Day"
2006	KY—Organization of Chinese Americans, KY Chapter & Asian Pacific American Community of Greater KY Pioneer Award
2006	Houston Asian Chamber of Commerce Distinguished Achievement Award at 11th Annual Gala
2006	National Association of Hispanic Publications & Foundation Outstanding Leadership Award
2006	The American Legion Recognition in Appreciation of Service
2006	Clare Boothe Luce Policy Institute Conservative Leadership Award
2006	LULAC National Convention Recognition of Achievement as Secretary of Labor
2006	LULAC National Convention President's Citation Award
2006	U.S. Department of Commerce Ronald H. Brown Leadership Award
2006	Chinese American Academic and Professional Society Outstanding Public Service Award
2006	Chen Kung University Alumni Association of Greater New York 2006 Distinguished Special Achievement Award
2006	KY—Henry Clay Society Distinguished Service Award
2006	National Urban League National Public Service Award
2007	League of United Latin American Citizens (LULAC) National Legislative Award at 10th Annual Awards Gala
2007	National Association of Hispanic Publications Recognition of Commitment to Latinas
2007	Asian Pacific American Institute for Congressional Studies (APAICS) Distinguished Lifetime Achievement
2007	U.S.-Mexico Chamber of Commerce Good Neighbor Award
2007	Society of Asian Federal Officers 2007 Person of the Year Award
2007	Fraternal Order of Police (FOP) President's Award
2007	International Mine Rescue Conference Recognition for Leadership in Support of U.S. Mine Rescue Teams
2007	Paralyzed Veterans of America Recognition for Public Service
2007	Assoc. of Chinese Scientists & Engineers Recognition for Outstanding Service
2008	Latina Style Image of Ana Maria Arias (founder of the magazine) Recognition for Exceptional Contribution to the success of the Latina Style 50

Inventory of Awards and Recognitions—Continued

Year	Description of Award/Recognition
2008	Chinese Consolidated Benevolent Association, Council of Presidents Outstanding Leader Award
2008	Cuban American Federation Leadership Award
2008	U.S. Department of Homeland Security, Citizenship & Immigration Services American by Choice Award
2008	Asian American Hotel Owners Association Leadership Award
2008	Phoenix Satellite Television Personality of the Year Award
2008	Asian American Government Executives Network (AAGEN) Excellence in Public Service Inaugural Award
2008	Lung Kong Tin Yee Association of Phoenix, AZ Recognition as Secretary of Labor
2008	Who's Who in Asian America 2008 Legacy Award
2008	City of Westminster, CA Recognition as Honorary Citizen
2008	National Asian Peace Officers Association 2008 National Public Servant Recognition Award
2008	KY—City of Paducah, KY Recognition as Duchess of Paducah
2008	Council on Competitiveness Recognition for Contributions to American Competitiveness
2008	U.S. Asia Institute Recognition of Distinguished Public Service in building U.S. Asia Relations; Given at U.S. Asia Institute 30th Anniversary Gala
N/A	Chinese Language Plaque (Texas)
N/A	KY—University of Louisville Alumni Association Recognition as Adopted Alumni
N/A	Vietnamese Fishermen Association of America Recognition for Support of HR 4009
N/A	U.S. Department of Labor Voluntary Protection Plan Recognition for Support of DOL Voluntary Protection Plan (VPP)
N/A	RightNOW Star Award for Inspiration to Women
N/A	KY—City of Middlesboro, KY Recognition as Honorary Citizen
N/A	KY—Henderson, KY Mayor Recognition as Honorary Citizen
N/A	League of Korean Americans—USA Woman of the Year Award
N/A	PACE Union Local 5–550—Paducah, KY Recognition of Leadership in Department of Labor's Implementation of the Energy Employees Occupational Illness Compensation Program Act of 2000
2010	KY Society of Washington 2010 Henry Clay Distinguished Kentuckian Award
2010	KY Federation of Rep. Women to ELC Lifetime Achievement Award
2010	Museum of Chinese in America Heritage and Family Award to honor Dr. James S. C. Chao and Mrs. Ruth Mulan Chu Chao
2011	Woodrow Wilson Center Woodrow Wilson Award for Public Service
2014	National Dropout Prevention Network Crystal Star Award for Lifetime Achievement for National Impact
2015	Georgetown University Honorary Degree from McDonough School of Business
2015	U.S. China Policy Foundation Award—Outstanding Achievement Award in Public Service
2016	National Taiwan Ocean University Honorary Degree, Doctor of Law

16. Please list each book, article, column, or publication you have authored, individually or with others. 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 and Op-Eds

"A Return to Prosperity is Light Years Away if We Follow Obama's Road Map"
 Gazette Xtra; September 7, 2009

"Anti-Trade Agenda a Real Economy Killer"
 The Heritage Foundation; April 10, 2009

Embracing her old Kentucky home
 Politico
 November 7, 2013

Procrastination no longer an option

The Hill
December 5, 2012

Concentrate on Needs of Employers

The New York Times
November 8, 2012

Winter of recovery not likely with current policies, inaction on taxes

The Heritage Foundation
July 11, 2012

Government and Industry Must Invest

The New York Times
July 9, 2012

Demand More than "New Normal" (co-authored with Douglas Holtz-Eakin)

National Review
May 3, 2012

Our Best Diplomats: Women in the Peace Corps

Time Magazine
March 19, 2012

Americans Are More Generous Than We Think

Time Magazine
January 5, 2012

Remembering Pearl Harbor

The Washington Times
December 6, 2011

The Best Recession Protection: Education

Time Magazine
November 29, 2011

America's jobless ask: Where's the recovery?

The Hill
July 21, 2011

All Americans Need 401(k) Loan Insurance

Roll Call
June 7, 2011

Statement on the passing of Matthew K. Fong, American Patriot and National Leader

ElaineLChao.com
June 2, 2011

A Day of Reckoning for Public Pensions: The bills are due, the coffers are empty

The Christian Science Monitor
October 1, 2010

Another Unhappy Labor Day

The Wall Street Journal
September 2, 2010

How to Get America Back to Work

The Daily Beast
January 10, 2010

Where the Workers Are

Wall Street Journal
December 9, 2003

A Return to Prosperity is Light Years Away if we Follow Obama's Road map

McClatchy-Tribune News Service
September 7, 2009

Left-Wing Proxy Playz

The Washington Times
August 16, 2009

Obama Tries to Stop Union Disclosure

The Wall Street Journal
May 6, 2009

Topic A—The Next 100 Days

The Washington Post
April 26, 2009

Topic A—The Employee Free Choice Act

The Washington Post
April 12, 2009

Anti-Trade Agenda a Real Economy Killer

The Chicago Tribune
April 10, 2009

Two Steps Back on Labor Rights

The Wall Street Journal
March 21, 2009

Our Workers Deserve Secret Ballots

Wall Street Journal
January 14, 2009

Will Obama's Labor Department Help or Hinder Recovery?

The Wall Street Journal
January 1, 2009

The Coming Assaults on America's Competitiveness

Townhall Magazine
December 1, 2008

Defining Democracy Down

The Wall Street Journal
July 20, 2007

Secret Ballot Under Fire for American Worker

The Chicago Tribune
March 1, 2007

Rescuing Your Retirement (co-authored with John Snow and Carlos Gutierrez)

New York Times
November 21, 2005

Helping America's Remarkable Workforce Meet its Challenges

Des Moines Register
September 27, 2005

Utilize Some Well-Trained Talent; Give a Returning Veteran a Job

Atlanta Journal-Constitution
September 5, 2005

Honoring Promises Made to Workers

Seattle Post-Intelligencer
February 15, 2005

We Must Win Fight Against AIDS

Augusta Chronicle
November 29, 2004

New Overtime Rules Protect U.S. Workers

Kansas City Star
August 24, 2004

Women Becoming a Powerful Voice

Miami Herald
March 15, 2004

Challenges in Africa

Louisville Courier-Journal
February 1, 2004

A Chance for Health Care Coverage

Lexington Herald-Leader
September 1, 2003

The IRS v. The People—Chapter 11 “Why the Flat Tax Will Boost Charitable Giving”

The Heritage Foundation
1999

Speeches

Conferral Ceremony of National Taiwan Ocean University Keelung—October 16, 2016
 American Action Forum Panel on Social Commerce—November 19, 2015
 Taipei Economic and Cultural Office in New York—March 2, 2012
 Speech at National Maritime Day Celebration, Baltimore, Maryland, May 22, 2008
 Workforce Innovations 2007, Kansas City, Missouri—July 17, 2007
 U.S. Merchant Marine Academy Alumni Foundation Dinner, New York, New York, September 27, 2006
 Speech at National Maritime Day, Propeller Club, Washington, D.C.; May 22, 2006
 Speech at Women Entrepreneurship in the 21st Century; April 3, 2003

1989

International Business Association, Long Beach, California; February 24, 1989

1988

Women's Propeller Club of New York, New York; January 14, 1988
 American Association of Port Authorities, San Francisco, CA; September 13, 1988
 National Export Traffic League of New York; September 23, 1988
 National Customs Brokers and Forwarders Association of America Washington, D.C., September 27, 1988
 Western Cargo Conference, Vancouver, B.C.; October 7, 1988
 National Transportation Industrial League, Dallas, Texas; November 16, 1988

1987

Computer—Aided Operations Research Center (CAORF) Privatization Ceremony Rings Point, New York; May 16, 1987
 The Propeller Club, Port of New Orleans, New Orleans, LA; May 23, 1987
 Admiral King's Farewell Washington, D.C.; June 5, 1987
 WWS Ports and Terminals Conference New York, NY; June 18, 1987
 Society of Marine Consultants (Delivered for Elaine L. Chao by Patricia A. Connell); October 6, 1987

1986

National Conference of State Legislators, Anchorage, Alaska; May 31, 1986
 Seminar on U.S. International Liner Trades, Cambridge, Massachusetts; June 4, 1986
 Gulf Regional Meeting of USMMA Alumni Houston, Texas; June 21, 1986
 National Defense Transportation Association, Tampa, Florida; October 1, 1986
 Maritime Administrative Bar Association Washington, D.C.; November 13, 1986

17. 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.

2001

January 24—Committee on Health, Education, Labor and Pensions
 Confirmation as Secretary of Labor
 March 6—Senate Subcommittee on Labor, HHS, Education Appropriations
 Ergonomics rule
 April 25—Senate Subcommittee on Labor, HHS, Education Appropriations
 Ergonomics
 October 16—House Committee on Education and the Workforce
 Economic Recovery and Assistance to Workers

2002

February 6 and 7—House Committee on Education and the Workforce
 ENRON collapse: implications for worker retirements
 February 13—House Subcommittee on Labor, HHS, Education Appropriations
 FY 2003 budget request

March 21—Senate Subcommittee on Labor, HHS, Education Appropriations
FY 2003 budget request
April 18—Senate Committee on Health, Education, Labor and Pensions
Ergonomics
May 8—House Subcommittee on Labor, HHS, Education Appropriations
FY 2003 budget request

2003

February 5—Senate Committee on Small Business
Association Health Plans
February 12—House Education and the Workforce
Economic Recovery and WIA Reforms
March 5—House Committee on Small Business
Association Health Plans
March 12—House Committee on Ways and Means
FY 2004 budget request
April 9—Senate Subcommittee on Labor, HHS, Education Appropriations
FY 2004 budget request
April 10—House Subcommittee on Labor, HHS, Education Appropriations
FY 2004 budget request

2004

January 20—Senate Subcommittee on Labor, HHS, Education Appropriations
Overtime regulations
February 12—House Subcommittee on Labor, HHS, Education Appropriations
FY 2005 budget request
March 4—House Committee on Ways and Means
FY 2005 budget request
April 28—House Committee on Education and the Workforce
Overtime regulations

2005

March 5—Senate Subcommittee on Labor, HHS, Education Appropriations
FY 2006 budget request
March 16—House Committee on Ways and Means
FY 2006 budget request
March 17—House Subcommittee on Labor, HHS, Education Appropriations
FY 2006
October 18—Senate Committee on the Judiciary (with Secretary Chertoff)
Immigration reform

2006

February 16—House Subcommittee on Labor, HHS, Education Appropriations
FY 2007 budget request
April 6—House Committee on Education and the Workforce (with Secretary Spellings)
American Competitiveness

2007

March 28—Senate Subcommittee on Labor, HHS, Education Appropriations
FY 2008 budget request
April 26—House Subcommittee on Labor, HHS, Education Appropriations
FY 2008 budget request

2008

March 6—House Subcommittee on Labor, HHS, Education Appropriations
FY 2009 budget request
May 7—Senate Subcommittee on Labor, HHS, Education Appropriations
FY 2009 budget request

2009

January 21—House Republican Forum on President Obama's Labor Agenda

18. 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 believe my background makes me well suited to be U.S. Secretary of Transportation. My previous government service, including serving as U.S. Secretary of

Labor, Deputy Secretary of Transportation, Chairman of the Federal Maritime Commission, Deputy Maritime Administrator at the U.S. Department of Transportation, and transportation banker at two financial institutions, have prepared me not only for the management challenges of a large Federal department, but also for the task of providing leadership and developing legislation and regulatory programs that will enhance transportation safety and infrastructure for our country.

19. 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?

The head of any agency has the ultimate responsibility for ensuring the integrity of the agency's mission and its resources. A first step in fulfilling this responsibility is to identify, recruit and hire the best people possible for the positions that will be open in the incoming Administration to help lead the organization. It would be expected that the leadership team will work together to foster an environment of mutual respect and open communications, to flag any problems or issues for our collective attention before they get out of hand, and to work together to seek the appropriate approvals of major decisions and policies. It has been my experience as a manager and leader to cultivate a collaborative and open management environment. As can be seen from my background, I have an MBA and significant experience in leading large complex organizations. Under my leadership, the U.S. Department of Labor achieved record results in protecting the health, safety, wages, and retirement security of the Nation's workforce. As President and Chief Executive Officer of United Way of America, I worked with the Board and local United Ways to restore public trust and confidence in one of our Nation's premier charitable institutions after it had been tarnished by financial mismanagement and abuse. Good stewardship of the people's resources has always been, and will continue to be, my highest priority.

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

A top priority for DOT is to maintain a culture of good stewardship on behalf of the American people. This means effective enforcement of safety measures; getting the most benefit from the Department's expenditures including strengthening its planning and acquisition practices; and preparing for the future by considering new technologies in our infrastructure. Second, given the Nation's need to improve critical infrastructure, it is important to find ways to expedite the process of making repairs and building new constructions and decreasing the regulatory burdens when appropriate. With or without a new infusion of funds, it is necessary to look at the existing processes for infrastructure development and find more efficient ways to address bottlenecks in planning and permitting. Third, with so many needs everywhere in the country, a big challenge will be to strive for equity between urban and rural areas, among different modes of transportation, and other competing but equally deserving stakeholders.

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.

News Corporation: The Deferred Stock Units to which Nominee is entitled will be paid in cash upon separation from the board, which is anticipated to be January 2017. The amount that Nominee will receive will be based on the stock price of News Corporation at the time of separation; the value at October 31, 2016, based on the then-current stock price, was [REDACTED].

Wells Fargo & Company: The Directors' Stock Compensation and Deferral Plan (DSC) to which Nominee is entitled will be paid in cash, at periods determined by annual elections that she has made. The amount paid will be based on the underlying shares and the current stock price of Wells Fargo & Company at the time payment is made. The aggregate value of the DSC awards at November 30, 2016, based on the then current stock price, was, payable in these approximate amounts and dates, and assuming separation from the board in January 2017: July 2017—48 percent; March 2018—29 percent; March 2019—15 percent; March 2020—4 percent; and March 2021—4 percent. For the portion of DSC units that hasn't been redeemed, Nominee will continue to receive DSC equivalents for dividends on the company's common stock.

Delta Airlines: Nominee is entitled to discounted air fare on Delta Airlines as a result of her service on the board of Northwest Airlines.

Vulcan Materials: The Deferred Stock Units (DSU) to which Nominee is entitled will be paid in cash the April following the year of separation. Assuming separation

in January 2017, the payment would be made in April 2018, based on the then-current market price of the company's common stock. Nominee will continue to receive DSU equivalents for dividends on the company's common stock until the DSUs are redeemed. The value of the DSUs at October 31, 2016, based on the then-current stock price, is [REDACTED]. Although 57 percent of the DSUs are not vested, the board has the authority to grant full vesting.

Ingersoll-Rand: The Directors' Retainer Stock Unit Plan (RSU) will be paid in cash upon separation from the board, which is anticipated to be in January 2017. The amount that Nominee will receive will be based on the company's stock price at the date of separation; the value at November 30, 2016, based on the then-current stock price, was [REDACTED].

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. None.

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. None.

5. Describe any activity during the past ten years 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.

6. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

If there is any conflict of interest, the nominee will follow the recommendation of the OGE.

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:

- 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.

No.

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.

1. Class of Dole Food Co. shareholders v. Directors—filed June 2013 in Delaware Court of Chancery; alleged breach of fiduciary duty by directors; Case dismissed against the directors
2. Class of Dole Food Co. shareholders v. Directors—filed June 2013 in California Superior Court; alleged breach of fiduciary duty by the directors; claims stayed, dismissed.
3. As a director of Wells Fargo Bank, the nominee was named in multiple derivative Wells Fargo shareholder lawsuits filed between September and November 2016 in the U.S. District Court for the Northern District of CA, and in state Superior Court in San Francisco; this litigation alleges breaches of fiduciary duty for certain banking practices and remains in early procedural stages.
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? 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

Brief Bio of Elaine L. Chao

Elaine L. Chao served as the 24th U.S. Secretary of Labor from 2001–2009 and is the first Asian American woman to be appointed to a President's Cabinet in American history.

Secretary Chao has a distinguished career in the public, private and nonprofit sectors. An immigrant who arrived in America at the age of eight speaking no English, she received her citizenship at the age of 19. Secretary Chao's experience transitioning to a new country has motivated her to devote most of her professional life to ensuring that everyone has the opportunity to build better lives.

As Secretary of Labor, she focused on increasing the competitiveness of America's workforce in a global economy and achieved record results in workplace safety and health.

Prior to the Department of Labor, Secretary Chao was President and Chief Executive Officer of United Way of America, where she restored public trust and confidence in one of America's premier institutions of private charitable giving after it had been tarnished by financial mismanagement and abuse. As director of the Peace Corps, she established the first programs in the Baltic nations and the newly independent states of the former Soviet Union. Her government service also includes serving as Deputy Secretary at the U.S. Department of Transportation, Chairman of the Federal Maritime Commission, Deputy Maritime Administrator at the U.S. Department of Transportation, and White House Fellow specializing in transportation and trade in the Office of Policy Development. She has also worked in the private sector as Vice President of Syndications at Bank of America and transportation banker at Citicorp.

Secretary Chao earned her MBA from the Harvard Business School and an economics degree from Mount Holyoke College. Honored for her extensive record of accomplishments and public service, she is the recipient of 36 honorary doctorate degrees.

A popular speaker on jobs, the economy, and America's global competitiveness, Secretary Chao is Distinguished Fellow at the Hudson Institute. She was also a Distinguished Fellow at the The Heritage Foundation. An active volunteer, she currently serves on a number of nonprofit and corporate boards.

The CHAIRMAN. Thank you, Secretary Chao. Before we begin our questions, I want to ask unanimous consent to put 20 letters of support for Secretary Chao into the record. They come from a diverse group of stakeholders ranging from first responders and transportation infrastructure groups to labor and shippers.

Without objection, it's so ordered.

[The information referred to follows:]

SIU



Seafarers
International
Union of
North America,
AFL-CIO

Michael Sacco
President

5201 Auth Way
Camp Springs, MD
20746
301-999-0675
FAX: 301-999-7355



January 5, 2017

Dear Senator:

While the Seafarers International Union of North America is already on record strongly and enthusiastically supporting the nomination of Elaine L. Chao for Secretary of Transportation, I wanted to take this opportunity to reiterate our backing as her confirmation hearing nears next week.

Our organization has enjoyed an outstanding, decades-long working relationship with Secretary Chao. She has earned our complete trust by always standing with us on our key issues, including the Jones Act, the Maritime Security Program and cargo preference. Whether serving at the Department of Labor, the Department of Transportation, or the Federal Maritime Commission, Secretary Chao has always been approachable, fair, effective and forthright.

In short, as I said upon learning of her recent nomination, I truly cannot think of anyone who is better-qualified to serve as our great nation's next Secretary of Transportation. We look forward to her confirmation and to working with her again.

Sincerely,

Michael Sacco
President



January 6, 2017

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Charles Schumer
Democratic Leader
U.S. Senate
Washington, D.C. 20510

The Honorable John Thune
Chairman
U.S. Senate
Washington, D.C. 20510

The Honorable Bill Nelson
Ranking Member
U.S. Senate
Washington, D.C. 20515

Majority Leader McConnell, Minority Leader Schumer and Senators Thune and Nelson:

My name is Gabriel Ojeda and I am the owner of Fritz-Pak Corporation in Mesquite, Texas. We are a small family owned business that manufactures admixtures for the ready mixed concrete that builds our nation's transportation and infrastructure system, creating jobs and accelerating economic growth. I applaud President-elect Donald Trump's selection of former Secretary of Labor Elaine Chao to head the U.S. Department of Transportation.

I believe Secretary Chao's professional qualifications are indisputable. If confirmed, she will bring years of experience and knowledge to the role, having served both Bush administrations in cabinet positions. Secretary Chao also brings to the table a valuable skill set which was honed and developed while serving in leadership roles at various organizations, including the Peace Corps, the United Way of America, the Heritage Foundation and most recently as a distinguished fellow at the Hudson Institute.

Secretary Chao's tenure as labor secretary under President George W. Bush and deputy secretary for transportation as well as deputy administrator of the Maritime Administration under President George H. W. Bush lends an additional wealth of knowledge and equips her with a wide range of policy acumen. The culmination of labor and transportation experience uniquely qualifies her to become the next Secretary of the U.S. Department of Transportation.

I ask you to support President-elect Donald Trump's nomination of Secretary Elaine Chao to serve as Secretary of the U.S. Department of Transportation.

Sincerely,

Gabriel M. Ojeda
President
Fritz-Pak Corporation



January 6, 2017

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Charles Schumer
Democratic Leader
U.S. Senate
Washington, D.C. 20510

The Honorable John Thune
Chairman
U.S. Senate
Washington, D.C. 20510

The Honorable Bill Nelson
Ranking Member
U.S. Senate
Washington, D.C. 20515

Majority Leader McConnell, Minority Leader Schumer and Senators Thune and Nelson:

The National Ready Mixed Concrete Association (NRMCA) applauds President-elect Donald Trump's selection of former Secretary of Labor Elaine Chao to head the U.S. Department of Transportation.

NRMCA represents an industry with more than 2,250 companies and subsidiaries that employ more than 125,000 American workers who manufacture and deliver ready mixed concrete. The Association represents both national and multinational companies that operate in every congressional district in the United States. The industry includes approximately 70,000 ready mixed concrete trucks and 5,000 ready mixed concrete plants.

NRMCA believes Secretary Chao's professional qualifications are indisputable. If confirmed, she will bring years of experience and knowledge to the role, having served both Bush administrations in cabinet positions. Secretary Chao also brings to the table a valuable skill set which was honed and developed while serving in leadership roles at various organizations, including the Peace Corps, the United Way of America, the Heritage Foundation and most recently as a distinguished fellow at the Hudson Institute.

Secretary Chao's tenure as labor secretary under President George W. Bush and deputy secretary for transportation as well as deputy administrator of the Maritime Administration under President George H. W. Bush lends an additional wealth of knowledge and equips her with a wide range of policy acumen. The culmination of labor and transportation experience uniquely qualifies her to become the next Secretary of the U.S. Department of Transportation.

NRMCA asks you to support President-elect Donald Trump's nomination of Secretary Elaine Chao to serve as Secretary of the U.S. Department of Transportation.

Sincerely,

Kerri Leininger
Senior Vice President of Government and Political Affairs
National Ready Mixed Concrete Association

NATIONAL READY MIXED CONCRETE ASSOCIATION

900 Spring Street, Silver Spring, MD 20910 888-84-NRMCA Fax: 301-585-4219 email: nrmca@nrmca.org www.nrmca.org



January 9, 2017

The Honorable John Thune
Chairman
Senate Commerce, Science
And Transportation Committee
512 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Bill Nelson
Ranking Member
Senate Commerce, Science,
And Transportation Committee
254 Russell Senate Office Building
Washington, D.C. 20510

Dear Chairman Thune and Ranking Member Nelson,

The National Stone, Sand and Gravel Association (NSSGA) is pleased to support the nomination of Sec. Elaine Chao to serve as the Secretary of Transportation.

NSSGA represents stone, sand and gravel producers who are responsible for the essential raw materials found in every building, road, bridge and public works project. One of our highest priorities is finding a long-term, robust and sustainable funding mechanism that addresses the Highway Trust Fund shortfalls.

Sec. Chao's previous experience as deputy secretary at the U.S. Department of Transportation (DOT) ensures that someone with knowledge of the issues impacting our industry is at the helm of the department. As head of the U.S. Department of Labor, she has already demonstrated an ability to lead a federal agency that effectively balances the need for regulation while encouraging job growth. We look forward to working with Ms. Chao to implement President-elect Trump's \$1 trillion infrastructure plan.

NSSGA appreciates your consideration of our recommendation. Please contact me if you have any questions or would like any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Johnson", is enclosed within a thin black rectangular border.

Michael W. Johnson
President & CEO



Earl Losier
President

January 9, 2017

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Charles Schumer
Democratic Leader
U.S. Senate
Washington, D.C. 20510

The Honorable John Thune
Chairman
U.S. Senate
Washington, D.C. 20510

The Honorable Bill Nelson
Ranking Member
U.S. Senate
Washington, D.C. 20515

Majority Leader McConnell, Minority Leader Schumer and Senators Thune and Nelson:

My name is Earl Losier and I work for Preferred Materials, Inc. located in Lutz, Florida. We manufacture and deliver the ready mixed concrete that builds our nation's transportation and infrastructure system, creating jobs and accelerating economic growth. I applaud President-elect Donald Trump's selection of former Secretary of Labor Elaine Chao to head the U.S. Department of Transportation.

I believe Secretary Chao's professional qualifications are indisputable. If confirmed, she will bring years of experience and knowledge to the role, having served both Bush administrations in cabinet positions. Secretary Chao also brings to the table a valuable skill set which was honed and developed while serving in leadership roles at various organizations, including the Peace Corps, the United Way of America, the Heritage Foundation and most recently as a distinguished fellow at the Hudson Institute.

Secretary Chao's tenure as labor secretary under President George W. Bush and deputy secretary for transportation as well as deputy administrator of the Maritime Administration under President George H. W. Bush lends an additional wealth of knowledge and equips her with a wide range of policy acumen. The culmination of labor and transportation experience uniquely qualifies her to become the next Secretary of the U.S. Department of Transportation.

I ask you to support President-elect Donald Trump's nomination of Secretary Elaine Chao to serve as Secretary of the U.S. Department of Transportation.

Sincerely,

A handwritten signature in dark ink, appearing to read "Earl Losier", is written over a horizontal line.

Earl Losier
President
Preferred Materials, Inc.



January 9, 2017

The Honorable John Thune, Chairman
and Members
Committee on Commerce, Science,
and Transportation
U.S. Senate
Washington, D.C. 20510

Dear Senator Thune:

I urge the members of the Senate Committee on Commerce, Science, and Transportation to give your strong endorsement to the nomination of Elaine Chao as Secretary of Transportation.

I have known Ms. Chao for nearly 35 years, since our time together as White House Fellows where she was assigned to the White House and I to the Office of the Vice President during President Ronald Reagan's administration. I had an opportunity to work with her again during her stint as Secretary of Labor, when she appointed me to two working groups on key issues under her purview.

She impressed me then, as she continues to do, with her grasp of the intricacies and complexities of the federal government, its obligations to the American people, and her commitment to fulfilling her responsibilities as a leader in that government. Ms. Chao has a wealth of experience in the public and private sectors, has the know-how to get things done in the nation's capital, and is passionate about contributing to the betterment of our nation.

As the former mayor of the City and County of Honolulu, I know of the important role that the U.S. Department of Transportation has in developing the nation's aging infrastructure. Given the interest that many in Washington have in revitalizing the transportation network, from highways and bridges, to airports and harbors, to public transit systems, the agency demands a proven leader who can serve as an advocate for the needs of the American public and work with Congressional leaders to achieve those goals. Elaine Chao is that leader.

Moreover, given her heritage, I believe she can not only bring a unique perspective to the Presidency and executive branch, but serve as an inspiration to the nation's strong and vibrant Asian-Pacific community of which I am a part of.

Elaine Chao is certainly deserving of the Senate's confirmation, and I urge you and your colleagues to look favorably on her nomination. Thank you.

Sincerely,

Mufi Hannemann
President and CEO
Hawaii Lodging and Tourism Association
Former Mayor of Honolulu



January 9, 2017

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Charles Schumer
Democratic Leader
U.S. Senate
Washington, D.C. 20510

The Honorable John Thune
Chairman
U.S. Senate
Washington, D.C. 20510

The Honorable Bill Nelson
Ranking Member
U.S. Senate
Washington, D.C. 20515

Majority Leader McConnell and Minority Leader Schumer and Senators Thune and Nelson:

On behalf of the undersigned organizations, we strongly urge you to support President-elect Donald Trump's nomination of former Secretary Elaine Chao as Secretary of the U.S. Department of Transportation.

Secretary Chao's professional qualifications are indisputable and, if confirmed, we believe she will bring years of experience and knowledge to the role having served both Bush administrations in cabinet positions. Secretary Chao's tenure as labor secretary under President George W. Bush and deputy secretary for transportation as well as deputy administrator of the Maritime Administration under President George H. W. Bush lends an additional wealth of knowledge and equips her with a wide range of policy acumen. The culmination of labor and transportation experience uniquely qualifies her to become the next Secretary of the U.S. Department of Transportation.

Our industries play a vital role in our nation's prosperity and international competitiveness as we provide the construction materials and equipment essential to building America's roads, highways, bridges, dams and ports. Without the products and services that we provide, many of the projects supported in transportation and infrastructure spending would not be realized. Transportation investment provides the nation with a much-needed vehicle for economic growth and an opportunity to build the necessary infrastructure for the 21st century.

We know that transportation investment is a priority for the incoming Trump administration and we look forward to working with Secretary Chao to help promote the importance building and maintaining our nation's multi-modal highway and infrastructure system. We ask you to support her nomination.

Sincerely,
American Coal Ash Association
American Traffic Safety Services Association
Association of Equipment Manufacturers
National Asphalt Pavement Association
National Stone, Sand & Gravel Association
Precast/Prestressed Concrete Institute

American Concrete Pavement Association
Associated Equipment Distributors
Concrete Reinforcing Steel Institute
National Ready Mixed Concrete Association
Portland Cement Association

Lehigh Hanson
HEIDELBERGCEMENT Group

Lehigh Hanson
300 E. John Carpenter Freeway
Irving, TX 75062
Phone Number
Fax Number

January 9, 2017

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Charles Schumer
Democratic Leader
U.S. Senate
Washington, D.C. 20510

The Honorable John Thune
Chairman
U.S. Senate
Washington, D.C. 20510

The Honorable Bill Nelson
Ranking Member
U.S. Senate
Washington, D.C. 20515

Majority Leader McConnell, Minority Leader Schumer and Senators Thune and Nelson:

I am writing to endorse President-elect Donald Trump's selection of former Secretary of Labor Elaine Chao to head the U.S. Department of Transportation.

Lehigh Hanson, Inc. is one of the nation's largest manufacturers and suppliers of construction materials. Our core products are cement, aggregates (crushed rock, sand and stone), ready mixed concrete and asphalt. We have operations in 29 states and approximately 9000 employees nationwide.

Secretary Chao's experience and knowledge across a broad set of disciplines make her uniquely qualified to hold this position. Her service to both Bush administrations in cabinet positions, as Labor Secretary and as Deputy Secretary for Transportation, form the base upon which her knowledge and policy acumen will drive the future of our country's transportation and infrastructure network. It is this type of leadership that we should support to create jobs and accelerate economic growth through a world-class transportation system.

Please support President-elect Donald Trump's nomination of Secretary Elaine Chao to serve as Secretary of the U.S. Department of Transportation.

Sincerely,



Thomas A. Chizmadia
Senior Vice President
Government Affairs, Public Relations and Sustainability

North American Concrete Alliance

January 09, 2017

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Charles Schumer
Democratic Leader
U.S. Senate
Washington, D.C. 20510

The Honorable John Thune
Chairman
U.S. Senate
Washington, D.C. 20510

The Honorable Bill Nelson
Ranking Member
U.S. Senate
Washington, D.C. 20515

Majority Leader McConnell and Minority Leader Schumer and Senators Thune and Nelson:

Members of the North American Concrete Alliance (NACA) strongly support President-elect Donald Trump's nomination of former Secretary Elaine Chao to serve as Secretary of the U.S. Department of Transportation.

NACA is a coalition of concrete-related associations dedicated to addressing industry-wide priorities in the areas of research, education and government affairs. NACA places an emphasis on advocating for increased and efficient federal investment in surface transportation and infrastructure funding.

Secretary Chao has an extensive list of leadership skills and professional qualifications making her the ideal candidate for this post. If confirmed, she will bring years of experience and knowledge to the role. Given her extensive business background, Secretary Chao will be an asset to the broader transportation community as she leads the implementation of the incoming administration's vision to transform our transportation system while creating American jobs and spurring economic growth.

Most notably, Secretary Chao's tenure as labor secretary under President George W. Bush and deputy secretary for transportation as well as deputy administrator of the Maritime Administration under President George H. W. Bush lends an additional wealth of knowledge and equips her with a wide range of policy acumen. The culmination of labor and transportation experience uniquely qualifies her to become the next Secretary of the U.S. Department of Transportation.

NACA asks you to support President-elect Donald Trump's nomination of Secretary Elaine Chao to serve as Secretary of the U.S. Department of Transportation.

Sincerely,

American Concrete Pavement Association
American Concrete Pipe Association
American Concrete Pressure Pipe Association
American Concrete Pumping Association
Concrete Framing Association
Concrete Reinforcing Steel Institute

National Concrete Masonry Association
National Precast Concrete Association
National Ready Mixed Concrete Association
Precast/Prestressed Concrete Institute
Portland Cement Association



January 9, 2017

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Charles Schumer
Democratic Leader
United States Senate
Washington, D.C. 20510

The Honorable John Thune
Chairman
United States Senate
Washington, D.C. 20510

The Honorable Bill Nelson
Ranking Member
United States Senate
United States Senate 20515

Majority Leader McConnell, Minority Leader Schumer, and Senators Thune and Nelson:

The National Precast Concrete Association strongly supports the nomination of former secretary Elaine Chao to serve as Secretary of the U.S. Department of Transportation. With an opportunity to craft bipartisan legislation that would trigger significant rebuilding of the nation's transportation infrastructure, the next secretary of transportation will play a critical role. We are confident that Elaine Chao can fulfill that mission.

In her past position as Secretary of Labor, we found her to be very supportive of small businesses. She is an excellent listener with a vast range of experience that makes her an ideal choice to lead FHWA. We believe she has the vision and the skills necessary to transform the transportation system while creating American jobs and stimulating economic growth.

The National Precast Concrete Association will continue to work closely with the Federal Highway Administration and the Department of Transportation in the coming years and we look forward to Secretary Chao's leadership. We urge you to support her confirmation.

Sincerely,

Ty Gable
President



January 9, 2017

The Honorable John Thune
Chairman
Committee on Commerce, Science, &
Transportation
512 Dirksen Building
Washington, DC 20510

The Honorable Bill Nelson
Ranking Member
Committee on Commerce, Science, &
Transportation
254 Russell Building
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson:

The Portland Cement Association (PCA), the premier policy, research, education, and market intelligence organization representing 92 percent of US cement production capacity and having facilities in all 50 states, welcomes this opportunity to express our support for the nomination of the Honorable Elaine Chao to serve as the Secretary of the U.S. Department of Transportation.

An efficient transportation system is part of a nation's core infrastructure that should not only be maintained, but also continuously expanded and improved to meet the needs of its citizens. With the condition of our roads and bridges declining at an alarming rate, impeding mobility, encumbering users with additional costs, and hampering economic growth. The rehabilitation of the nation's infrastructure must be a high priority.

Our industry has had the opportunity to work with Secretary Chao during her tenure as the Deputy Secretary of Transportation and as the 24th United States Secretary of Labor. We value and respect the thoughtfulness and depth of knowledge that Secretary Chao possesses and look forward to continuing our constructive working relationship.

We once again, strongly support the nomination of Secretary Elaine Chao to be the Secretary of Transportation and urge the Senate to swiftly confirm this nomination.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Johnston", is written above the typed name.

A. Todd Johnston
Executive Vice President

cc: U.S. Senate



David P. Storch
CHAIRMAN, PRESIDENT
AND CHIEF EXECUTIVE OFFICER

January 9, 2017

The Honorable John Thune
Chairman
Committee on Commerce, Science and Transportation
United State Senate
Washington, DC 20510

Dear Chairman Thune,

I am writing to voice my support for the confirmation of Elaine Chao, President-Elect Donald J. Trump's designee as Secretary of the U.S. Department of Transportation.

The role of Secretary at the Department of Transportation is critically important to ensuring the United States economy remains globally competitive. I am delighted President-Elect Trump has selected a talented leader who has demonstrated track record of success in business and in government.

I serve as Chairman and CEO of AAR CORP., the leading provider of aviation services to the worldwide commercial aerospace and government/defense industries. We work extensively with the Federal Aviation Administration (FAA) to ensure the aircraft maintenance and repair work done in the U.S. remains the safest and most skilled in the world. For the last decade, AAR has been the recipient of the FAA Aviation Maintenance Technician (AMT) Diamond Award of Excellence. This award recognizes aviation maintenance companies for training programs aimed at improving safety, quality, reliability and technical knowledge that exceed standard FAA regulatory requirements. We are proud of our track record and we look forward to continuing to work closely with the Department of Transportation and the FAA.

We know secretary-designee Chao is prepared to address the many challenges facing our transportation system; including modernizing our civil aviation infrastructure and ensuring the U.S. system remains the safe and efficient for all users. I urge her speedy confirmation.

Sincerely,

1100 North Wood Dale Road, Wood Dale Illinois, 60191 USA
Dir: 630.227.2020 Fax: 630.227.2029 E-Mail: dps@aarcorp.com



January 9, 2017

The Honorable John Thune
Chairman
Committee on Commerce, Science & Transportation
United States Senate
Washington DC, 20510

The Honorable Bill Nelson
Ranking Member
Committee on Commerce, Science & Transportation
United States Senate
Washington DC, 20510

Dear Chairman Thune, Ranking Member Nelson, and Honorable Members of the Committee:

I am writing to you on behalf of the members of the Alliance for Transportation Innovation (ATI21) to urge your swift confirmation of the Hon. Elaine L. Chao as the nation's next U.S. Secretary of Transportation.

We believe her record of strong leadership and her familiarity with transportation issues will serve the American people well. Furthermore, we are encouraged by her experience gathered from working in several federal agencies over her career, which we think will especially help the incoming Administration tackle the very important issue of self-driving vehicles and coordinate the best approach among numerous jurisdictions for enabling these life-changing technologies as soon as possible.

Secretary-designate Chao enters the position at a time when technology is a viable yet under-utilized solution for advancing our important transportation safety and mobility objectives. The lack of a workable federal standard and an increase in the number of misguided individual state regulatory schemes has resulted in the current policy quagmire that to date has slowed the deployment of self-driving solutions.

The nominee, however, is reason for hope in this era of stifling regulation and government overreach, as we believe she will choose progress over heavy-handed regulation, and work with our industry to find a way to let innovators create a safer driving experience – without delay – for the benefit of all citizens, especially those who are unable to drive themselves.

Our members consider Ms. Chao an ally in the drive to change the lives of the enabled and disabled, restore freedom of mobility to senior citizens, and save countless lives of people from coast to coast – forever. It is for these reasons that the members of the Alliance for Transportation Innovation ask you to move ahead confidently with the approval of Ms. Chao as our next Secretary of Transportation so that we can get to work with her on the issues that will revolutionize and improve every facet of American life.

Sincerely,

Paul R. Brubaker
President & CEO
The Alliance for Transportation Innovation
1250 Connecticut Avenue, NW Suite 200
Washington, D.C. 20036



January 9, 2017

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Charles Schumer
Democratic Leader
U.S. Senate
Washington, D.C. 20510

The Honorable John Thune
Chairman
U.S. Senate
Washington, D.C. 20510

The Honorable Bill Nelson
Ranking Member
U.S. Senate
Washington, D.C. 20515

Majority Leader McConnell, Minority Leader Schumer and Senators Thune and Nelson:

My name is Melanie O'Regan and I work for CalPortland Company located in Seattle, Washington. We manufacture and deliver the ready mixed concrete that builds our nation's transportation and infrastructure system, creating jobs and accelerating economic growth. I applaud President-elect Donald Trump's selection of former Secretary of Labor Elaine Chao to head the U.S. Department of Transportation.

I believe Secretary Chao's professional qualifications are indisputable. If confirmed, she will bring years of experience and knowledge to the role, having served both Bush administrations in cabinet positions. Secretary Chao also brings to the table a valuable skill set which was honed and developed while serving in leadership roles at various organizations, including the Peace Corps, the United Way of America, the Heritage Foundation and most recently as a distinguished fellow at the Hudson Institute.

Secretary Chao's tenure as labor secretary under President George W. Bush and deputy secretary for transportation as well as deputy administrator of the Maritime Administration under President George H. W. Bush lends an additional wealth of knowledge and equips her with a wide range of policy acumen. The culmination of labor and transportation experience uniquely qualifies her to become the next Secretary of the U.S. Department of Transportation.

I ask you to support President-elect Donald Trump's nomination of Secretary Elaine Chao to serve as Secretary of the U.S. Department of Transportation.

Sincerely,

Melanie O'Regan
Vice President/General Manager
Washington Materials Division



Concrete & Supply Co., Inc.
"A Solid Name For Concrete"
CORPORATE OFFICE:
 1811 WEST EDGEWOOD DRIVE
 APPLETON, WI 54913-9708
 (920) 731-9771 • 1-800-762-6536

January 9, 2017

The Honorable Mitch McConnell
 Majority Leader
 U.S. Senate
 Washington, D.C. 20510

The Honorable Charles Schumer
 Democratic Leader
 U.S. Senate
 Washington, D.C. 20510

The Honorable John Thune
 Chairman
 U.S. Senate
 Washington, D.C. 20510

The Honorable Bill Nelson
 Ranking Member
 U.S. Senate
 Washington, D.C. 20515

Majority Leader McConnell, Minority Leader Schumer and Senators Thune and Nelson:

My name is John Carew and I work for Carew Concrete & Supply Co., Inc. located in Appleton, Wisconsin. We manufacture and deliver the ready mixed concrete that builds our nation's transportation and infrastructure system, creating jobs and accelerating economic growth. I applaud President-elect Donald Trump's selection of former Secretary of Labor Elaine Chao to head the U.S. Department of Transportation.

I believe Secretary Chao's professional qualifications are indisputable. If confirmed, she will bring years of experience and knowledge to the role, having served both Bush administrations in cabinet positions. Secretary Chao also brings to the table a valuable skill set which was honed and developed while serving in leadership roles at various organizations, including the Peace Corps, the United Way of America, the Heritage Foundation and most recently as a distinguished fellow at the Hudson Institute.

Secretary Chao's tenure as labor secretary under President George W. Bush and deputy secretary for transportation as well as deputy administrator of the Maritime Administration under President George H. W. Bush lends an additional wealth of knowledge and equips her with a wide range of policy acumen. The culmination of labor and transportation experience uniquely qualifies her to become the next Secretary of the U.S. Department of Transportation.

I ask you to support President-elect Donald Trump's nomination of Secretary Elaine Chao to serve as Secretary of the U.S. Department of Transportation.

Sincerely,
 CAQREW CONCRETE & SUPPLY CO., INC.

John P. Carew
 President



SIOUX CORPORATION

One Sioux Plaza • Beresford, SD 57004-1500 • Tel: (605) 763-3333 • Fax: (605) 763-3334
 * E-mail: sioux@sioux.com • Website: www.siuux.com

January 9, 2017

The Honorable Mitch McConnell
 Majority Leader
 U.S. Senate
 Washington, D.C. 20510

The Honorable Charles Schumer
 Democratic Leader
 U.S. Senate
 Washington, D.C. 20510

The Honorable John Thune
 Chairman
 U.S. Senate
 Washington, D.C. 20510

The Honorable Bill Nelson
 Ranking Member
 U.S. Senate
 Washington, D.C. 20515

Majority Leader McConnell, Minority Leader Schumer and Senators Thune and Nelson:

My name is John W. (Jack) Finger, and I am President/CEO of Sioux Corporation, located in Beresford, SD. For 77 years, our family business has manufactured water heating and chilling systems and steam generators used by ready mixed concrete producers, who build our nation's transportation and infrastructure system, creating jobs and accelerating economic growth. I support President-elect Donald Trump's selection of former Secretary of Labor Elaine Chao to head the U.S. Department of Transportation.

I believe Secretary Chao's professional qualifications are indisputable. If confirmed, she will bring years of experience and knowledge to the role, having served both Bush administrations in cabinet positions. Secretary Chao also has a valuable skill set developed while serving in leadership roles at various organizations, including the Peace Corps, the United Way of America, the Heritage Foundation, and as a distinguished fellow at the Hudson Institute.

Secretary Chao's tenure as labor secretary under President George W. Bush and deputy secretary for transportation as well as deputy administrator of the Maritime Administration under President George H. W. Bush lends additional knowledge and equips her with a wide range of policy acumen. The culmination of labor and transportation experience uniquely qualifies her to become the next Secretary of the U.S. Department of Transportation.

I ask you to support Secretary Elaine Chao to serve as Secretary of the U.S. DOT.

Sincerely,

John W. (Jack) Finger, P.E.
 President/CEO
 Sioux Corporation, Beresford, SD



January 9, 2017

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, D.C. 20510

The Honorable Charles Schumer
Democratic Leader
U.S. Senate
Washington, D.C. 20510

The Honorable John Thune
Chairman
U.S. Senate
Washington, D.C. 20510

The Honorable Bill Nelson
Ranking Member
U.S. Senate
Washington, D.C. 20515

Majority Leader McConnell, Minority Leader Schumer and Senators Thune and Nelson:

My name is Jim Spurlino and I am the owner and CEO of Spurlino Materials located in Middletown, Ohio with facilities in Ohio, Kentucky, and Indiana. We manufacture and deliver the ready mixed concrete that builds our nation's transportation and infrastructure system, creating jobs and accelerating economic growth. I applaud President-elect Donald Trump's selection of former Secretary of Labor Elaine Chao to head the U.S. Department of Transportation.

I believe Secretary Chao's professional qualifications are indisputable. If confirmed, she will bring years of experience and knowledge to the role, having served both Bush administrations in cabinet positions. Secretary Chao also brings to the table a valuable skill set which was honed and developed while serving in leadership roles at various organizations, including the Peace Corps, the United Way of America, the Heritage Foundation and most recently as a distinguished fellow at the Hudson Institute.

Secretary Chao's tenure as labor secretary under President George W. Bush and deputy secretary for transportation as well as deputy administrator of the Maritime Administration under President George H. W. Bush lends an additional wealth of knowledge and equips her with a wide range of policy acumen. The culmination of labor and transportation experience uniquely qualifies her to become the next Secretary of the U.S. Department of Transportation.

I ask you to support President-elect Donald Trump's nomination of Secretary Elaine Chao to serve as Secretary of the U.S. Department of Transportation.

Sincerely,

Jim Spurlino
President

TRANSPORTATION INSTITUTE

5201 Auth Way
Camp Springs, Maryland 20746
(301) 423-3333 (MD)
(202) 347-2590 (Wash., D.C.)
Fax (301) 423-0634
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Pacific Coast Office
World Trade Center - West
2200 Alaskan Way, Suite 110
Seattle, WA 98121
(206) 443-1738
Fax (206) 443-0917

January 9, 2017

The Honorable John Thune
Chairman, Committee on Commerce, Science, & Transportation
511 Dirksen Senate Office Building
Washington, DC 20510

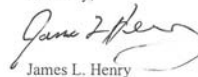
The Honorable Bill Nelson
Ranking Member, Committee on Commerce, Science & Transportation
716 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson:

Transportation Institute, a non-profit organization dedicated to maritime research, education, and promotion, is pleased to support the nomination of The Honorable Elaine Chao as Secretary of Transportation. Secretary Chao possesses a wealth of crucial experience for the post, including her service as Secretary of Labor, as well as positions in the Department of Transportation, Federal Maritime Commission, and the Maritime Administration. This invaluable experience makes her the strongest candidate to lead the Department of Transportation.

During her time in service, Secretary Chao has been an ally of the American maritime industry. She recognizes and values our critical role in U.S. national, economic, and homeland security. We look forward to her leadership and working with her to strengthen and promote the U.S.-flag merchant marine.

Sincerely,



James L. Henry
Chairman and President

JLH:rf



The National Association of Small Trucking Companies

104 Stuart Drive • Hendersonville, TN 37075 • (615) 451-4555 • FAX (615) 451-0041

January 10, 2017

Sen. John Thune
Chairman
Committee on Commerce, Science and Transportation
560 Dirksen Senate Office Building
Washington, D.C. 20510

Sen. Bill Nelson
Ranking Member
Committee on Commerce, Science and Transportation
560 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senators Thune and Nelson:

On behalf of more than 7,000 member companies, the National Association of Small Trucking Companies (NASTC) fully supports the nomination of the honorable Elaine L. Chao as Secretary of the U.S. Department of Transportation (DOT).

NASTC members are small businesses in the highly competitive, long-haul, full-truckload sector. Our members average a fleet of 16 power units. Though small, they provide good jobs that support families in parts of the country where good-paying jobs are scarce. Safety is a top concern of the motor carriers NASTC represents.

Ms. Chao has achieved a record of successful leadership at the highest levels of government, the private sector, and the nonprofit world. She has proven herself capable and competent, including as Secretary of Labor and as Deputy Secretary of Transportation. In her federal service, Ms. Chao has advanced both economic competitiveness and safety gains. She grasps that small businesses are America's job creators, the vital element to our economic success, including in trucking.

Too often, DOT officials lack experience or understanding of the industry. Many come from law enforcement, which colors their perspective and makes them suspicious toward carriers. Their policies prove this bias. Though she has not worked in trucking, Ms. Chao will not be reflexively biased against industry, but will bring a balanced perspective in fidelity to DOT's mission of equally promoting competitiveness, efficiency, and safety.

Notably, she tackled the tough job of restoring trust in a scandal-scarred United Way. Ms. Chao merits the Senate's confirmation of her nomination by President-elect Trump.

Thus, NASTC reiterates its endorsement of Ms. Chao's nomination to the Trump administration cabinet. The Senate should confirm her as Transportation Secretary.

Sincerely,

David Owen
President



INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS®

HAROLD A. SCHAITBERGER
General President

EDWARD A. KELLY
General Secretary-Treasurer

January 10, 2017

The Honorable John Thune
Chairman
U.S. Senate Committee on Commerce,
Science and Transportation
Washington, DC 20510

The Honorable Bill Nelson
Ranking Member
U.S. Senate Committee on Commerce,
Science and Transportation
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson,

On behalf of the over 300,000 professional fire fighters and emergency medical personnel represented by the International Association of Fire Fighters, I am pleased to offer our enthusiastic endorsement of the Honorable Elaine Chao to lead the United States Department of Transportation.

The Department of Transportation plays a vital role in keeping our country safe. As the largest provider of hazardous materials training across the United States, the IAFF works in tandem with the Department to ensure that fire fighters are properly trained and safely equipped to handle potential transportation emergencies, such as pipeline incidents and oil-by-rail disasters. We believe that Secretary Chao will be a strong partner in working with the IAFF and all first responders to enhance transportation safety.

The Secretary's previous role as Deputy Secretary of Transportation under President George H.W. Bush and her subsequent cabinet role at the Department of Labor make her eminently qualified to head the Department of Transportation.

The IAFF also worked closely with Secretary Chao when she led the Department of Labor in President George W. Bush's Administration. We found common ground with her on complex issues, such as FLSA overtime regulations for fire fighters. When our views differed, we maintained an open and honest dialogue. We believe all first responders will have the same open-door policy with Secretary Chao on issues of public safety in her new role, and we strongly support her nomination.

Thank you for your consideration of our views, and for your continued leadership on behalf of our nation's fire fighters and emergency medical personnel.

Sincerely,

Harold A. Schaitberger
General President



1255 23rd Street, NW
Suite 400
Washington, D.C. 20037

Anthony Green
Director, Public Policy
202.662.0606 | agreen@safekids.org

January 10, 2017

The Honorable John Thune
Committee on Commerce, Science, and
Transportation
Chairman
512 Dirksen Senate Building
Washington, DC 20510

The Honorable Bill Nelson
Committee on Commerce, Science, and
Transportation
Ranking Member
512 Dirksen Senate Building
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson:

We write in strong support of the nomination of the Honorable Elaine Chao to be the next Secretary of Transportation, and respectfully urge the Committee to confirm her. This is an important time to address the effectiveness and safety of the U.S. Transportation System, and we believe the Nominee has the skills and experience to lead the U.S. Department of Transportation (DoT).

It should come as no surprise that at Safe Kids we place a special emphasis on the Secretary's indispensable role in preserving and improving the safety of the system, especially for the children who travel on it. The DoT is one of several agencies which act as an indispensable protective umbrella over our kids and help parents do the best they can to keep their kids safe. We are optimistic because in response to the Committee's question about her top three priorities, the Nominee unequivocally said "enforcement of safety measures" would be her job number one.


There are several notable ways in which the DoT plays a crucial child safety role. It is the principal steward of the National Highway System, as well as moving America by water, in the air, on tracks and on trucks. On highway safety, we are at a turning point because, after decades of declining fatalities, we are seeing a spike in road deaths involving people of all ages. Between 2014 and 2015 we saw a 7.2 percent increase in highway deaths, the largest single year increase in 30 years. The fatality increase was 9.7 percent for teenagers.

In addition, DoT sets safety standards for motor vehicles and child restraint systems, and manages the process for removing dangerous products from the roads. The recall system has been severely tested in recent years by recalls in the millions of products removed from the marketplace or fast-tracked for life-saving repairs. It provides national leadership on creating safe school zones, developing bike lanes in cities and promotes efforts to make different modes of travel move more safely. The development of autonomous cars and drones is a perfect example of the importance of the balancing role the Department plays. They are innovations which can bring significant economic progress but with compelling safety challenges. For example, how does an autonomous motor vehicle determine a child is securely and correctly restrained in a car seat?

Ms. Chao has the range of experiences necessary to fulfill the Secretary's mandates at this critical time. Having served in high-level roles at DoT, she has a deep appreciation of what the Department can achieve with clear direction and strategic goals. Ms. Chao understands the proper role of a cabinet secretary, having served as Labor Secretary under President George W. Bush for two terms. She is a committed public servant who understands non-profit community. She joined The United Way of America when it needed her kind of strength to restore our confidence in that important U.S. institution. Her experience in finance will be critical in searching for and implementing smart ways to fund the infrastructure plans of the new Administration, which we welcome.

We hope the Committee will vote in favor of Ms. Chao's confirmation so she can begin her work at DoT with the vigor and effectiveness we have become accustomed to from her long career of service to the nation.

Sincerely,


Anthony Green
Director, Public Policy



safekids.org



January 10, 2017

Sen. John Thune, Chair
 Sen. Bill Nelson, Ranking Member
 Senate Commerce, Science and Transportation Committee
 512 Dirksen Senate Building
 Washington, DC 201510

Dear Members of the Committee,

Women's Transportation Seminar (WTS) is an international organization with over 6500 members whose mission is the advancement of women in transportation. We would like to submit this letter of support for the confirmation of Elaine Chao for Secretary of the US Department of Transportation.

Ms. Chao's professional history makes her highly qualified to lead this organization and create a vision for a sustainable, innovative and efficient national transportation system. Her previous experience as Secretary of Labor and as Deputy Secretary of Transportation allows Ms. Chao a unique perspective of all of the elements required to lead an agency that is so important in improving our infrastructure and driving our nation's economy.

Please accept this letter of endorsement on behalf of WTS International.

Sincerely,

A handwritten signature in black ink, appearing to read 'Diane Woodend Jones', with a long, sweeping horizontal line extending to the right.

Diane Woodend Jones
 Chair



January 11, 2017

The Honorable John Thune
Chairman
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, DC 20510

The Honorable Bill Nelson
Ranking Member
Committee on Commerce, Science,
and Transportation
United States Senate
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson:

On behalf of the National Electrical Contractors Association (NECA), I am writing to you and the members of the committee to offer our strong support of President-elect Trump's nomination of Elaine L. Chao as Secretary of Transportation. We are excited at the opportunity to work with her in this role as she assumes the responsibility of rebuilding our nation's infrastructure.

NECA is the nationally recognized voice of the electrical construction industry. Our organization represents 4,000 electrical contracting companies, spanning 119 U.S. chapters in addition to several affiliated international chapters around the world. NECA contractors play a crucial role in the building and maintenance of our transportation system. Our members light our nation's highways and streets; connect rail switches and catenaries; install complex electrical systems at airports, and much more.

We believe that Secretary Chao is exceptionally suited to perform the task before her in rebuilding our nation's infrastructure and growing our economy. We urge swift confirmation of her nomination.

Sincerely,

John M. Grau
Chief Executive Officer

NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION

3 Bethesda Metro Center • Suite 1100 • Bethesda, MD 20814 • 301 657 3110 • 301 215 4500 FAX
www.NECANET.ORG



January 11, 2017

The Honorable John Thune
Chairman
Senate Committee on Commerce,
Science and Transportation
United States Senate
Washington, DC 20510

The Honorable Bill Nelson
Ranking Member
Senate Committee on Commerce,
Science and Transportation
United States Senate
Washington, DC 20510

Dear Chairman Thune and Ranking Member Nelson,

On behalf of the National Retail Federation (NRF), we are writing to express our strong support for the nomination of Elaine Chao as the next Secretary of the Department of Transportation. Mrs. Chao has an incredible history, knowledge and experience within the transportation industry and we think she is perfectly suited to be the next Secretary. We encourage Senators to support her nomination.

NRF's members are among the nation's largest shippers, moving hundreds of billions of dollars worth of merchandise through the nation's ports, rail lines, and highways. The condition of this interconnected supply chain and its ability to move freight quickly, efficiently and safely are vital to retailers' businesses, as well as those of American manufacturers, agricultural producers and the millions of workers they employ. The next Secretary of Transportation must address ongoing issues of infrastructure funding while ensuring our transportation systems are truly state of the art and able to handle the expected increases in freight flows.

With her previous experience within the Department of Transportation as the Deputy Secretary of Transportation, Deputy Administrator of the Maritime Administration and also as Chair of the Federal Maritime Commission, Mrs. Chao has the background and experience to address some of the key supply chain issues facing our nation and our global competitiveness.

NRF is the world's largest retail trade association, representing discount and department stores, home goods and specialty stores, Main Street merchants, grocers, wholesalers, chain restaurants and Internet retailers from the United States and more than 45 countries. Retail is the nation's largest private sector employer, supporting one in four U.S. jobs – 42 million working Americans. Contributing \$2.6 trillion to annual GDP, retail is a daily barometer for the nation's economy.

We look forward to working with Committee members and the new Secretary on our key supply chain priorities. If you have any questions, please contact Jonathan Gold, NRF's Vice President for Supply Chain and Customs Policy.

Sincerely,

David French
Senior Vice President
Government Relations

NATIONAL RETAIL FEDERATION
1101 New York Avenue, NW, Suite 1200
Washington, DC 20005
www.nrf.com



January 12, 2017

The Honorable John Thune, Chairman
 The Honorable Bill Nelson, Ranking Member
 U.S. Senate Committee on Commerce, Science and Transportation
 512 Dirksen Senate Building
 Washington, DC 20510

RE: Nomination hearing for Elaine Chao: Drones and Connected Vehicles

Dear Chairman Thune and Ranking Member Nelson:

EPIC is a public-interest research center established in 1994 to focus public attention on emerging privacy and civil liberties issues. EPIC has taken a particular interest in the unique privacy problems of Unmanned Aerial Vehicles (UAVs or "drones"), and has sued the FAA for its failure to establish privacy safeguards to protect Americans.¹ EPIC has also testified before Congress regarding the privacy and data security implications of autonomous vehicles.²

Chairman Thune noted yesterday that drones and autonomous vehicles are two significant issues facing the next Secretary of Transportation. EPIC agrees. Specifically,

¹ *EPIC v. FAA*, No. 15-1075 (D.C. Cir. Filed Mar. 31, 2015); *See also Domestic Unmanned Aerial Vehicles (UAVs) and Drones*, EPIC, <https://epic.org/privacy/drones/>; *See also EPIC, EPIC v. FAA, Challenging the FAA's Failure to Establish Drone Privacy Rules*, <https://epic.org/privacy/litigation/apa/faa/drones/>

² EPIC Associate Director Khaliyah Barnes, Testimony Before the U.S. House of Representatives, Committee on Oversight and Government Reform, Subcommittees on Information Technology and Transportation and Public Assets, *The Internet of Cars* (Nov. 18, 2015), <https://epic.org/privacy/edrs/EPIC-Connected-Cars-Testimony-Nov-18-2015.pdf>. *See also* Marc Rotenberg, *Are Vehicle Black Boxes a Good Idea?* Costco Connection, (Apr. 2013), <http://www.costcoconnection.com/connection/201304?pg=24#pg24>; Marc Rotenberg, *Steer Clear of Cars that Spy*, USA Today (Aug. 18, 2011), http://usatoday30.usatoday.com/news/opinion/editorials/2011-08-18-car-insurance-monitors-driving-snapshot_n.htm.

1. The FAA Should Establish Comprehensive Privacy Rules for Drones.

Drones pose a unique threat to the privacy of Americans. These small, autonomous devices routinely record images of people and have the ability to track people and even record private communications.³ The 2012 FAA Act made clear that the FAA was to undertake a “comprehensive plan,” including privacy safeguards, prior to permitting the deployment of commercial drones in US national airspace. Moreover, more than one hundred experts and organizations have petitioned the FAA to establish a privacy rule. Yet, the agency has failed to fulfill its statutory obligations or to follow the advice of experts.

2. There Should Be Comprehensive Privacy Laws and Safety Mandates for Connected Vehicles

Connected vehicles, now on the streets in the United States, raise substantial privacy risks. Connected cars collect and broadcast troves of sensitive personal data. This data can be used for many purposes unrelated to the operation of the vehicle, including tracking, marketing, stalking, and surveillance. Last year, Congress enacted legislation, based on this Committee’s work, that begin address these issues, but far more needs to be done.⁴

Connected vehicles also raise significant safety concerns within the broader Internet of Things, an ever-expanding network of devices, people, and machines.⁵ Cars make up a significant segment of the network, with vehicle technologies offering consumer services such as on-board navigation and tire pressure monitoring. But autonomous cars have hidden risks much like the camera-equipped Google “StreetView” cars that captured not only digital imagery but also recorded WiFi hotspot locations and intercepted local WiFi communications, including “personal emails, usernames, passwords, videos, and documents.”⁶ There is also the risk of remote hacking, an ever increasing risk as more of a vehicle’s functionality is connected to the network.⁷

Current policy approaches, based on industry self-regulation, fail to protect driver privacy and safety. EPIC recently expressed our concerns to the NHTSA and urged the agency to issue

³ See, e.g., *Crimes – Unmanned Aircraft Systems – Unauthorized Surveillance*, Hearing on H.D. 620 Before the H. Jud. Comm. of the General Assembly of Maryland (2015) (statement of Jeramie D. Scott, National Security Counsel, EPIC); *The Future of Drones in America: Law Enforcement and Privacy Considerations* Hearing Before the S. Judiciary Comm., 113th (2013) (statement of Amie Stepanovich, Director of the Domestic Surveillance Project, EPIC), available at <https://epic.org/privacy/testimony/EPIC-Drone-Testimony-3-13-Stepanovich.pdf>.

⁴ Driver Privacy Act of 2015, S. 766, 114th Congress (2015).

⁵ *Internet of Things*, EPIC, <https://epic.org/privacy/internet/iot/> (last visited January 12, 2017).

⁶ *Joffe v. Google, Inc.*, 746 F.3d 920, 923 (9th Cir. 2013); see *Investigations of Google Street View*, EPIC, <https://epic.org/privacy/streetview/> (last visited Jan. 12, 2017).

⁷ See EPIC, *Cahen v. Toyota Motor Corporation: Whether drivers can sue for privacy and security vulnerabilities in connected car*, <https://epic.org/amicus/cahen/>

mandatory rules to address the myriad risks posed to drivers operating connected vehicles in the United States.⁸

Drones and autonomous cars are two of the most pressing issues facing the next Transportation Secretary. We appreciate the Committee's interest in these issues.

We ask that this letter be entered in the hearing record. EPIC looks forward to working with the Senate Commerce Committee going forward.

Sincerely,

Marc Rotenberg
Marc Rotenberg
EPIC President

Caitriona Fitzgerald
Caitriona Fitzgerald
EPIC Policy Director

Kimberly Miller
Kimberly Miller
EPIC Policy Fellow

⁸ *EPIC Comments on the Federal Automated Vehicles Policy*, Nov. 22, 2016, <https://epic.org/apa/comments/EPIC-NHTSA-AV-Policy-comments-11-22-2016.pdf>.



The Fertilizer Institute

Nourish, Replenish, Grow

January 23, 2017

The Honorable John Thune
Chairman
Committee on Commerce, Science, & Transportation
512 Dirksen Senate Building
Washington, DC 20510

The Honorable John Barrasso
Chairman
Committee on Environment & Public Works
410 Dirksen Senate Building
Washington, DC 20510

The Honorable Bill Nelson
Ranking Member
Committee on Commerce, Science, & Transportation
254 Russell Senate Building
Washington, DC 20510

The Honorable Tom Carper
Ranking Member
Committee on Environment & Public Works
456 Dirksen Senate Building
Washington, DC 20510

Dear Chairman Thune, Chairman Barrasso, Ranking Member Nelson, and Ranking Member Carper:

I write on behalf of the members of The Fertilizer Institute (TFI) to strongly endorse the nomination of The Honorable Elaine Chao to be Secretary of the U.S. Department of Transportation (DOT). Ms. Chao's distinguished service and proven leadership in both the public and private sectors makes her genuinely qualified for this important position.

TFI represents the nation's fertilizer industry including producers, importers, retailers, wholesalers and companies that provide services to the fertilizer industry. The U.S. fertilizer industry is one of the world's largest. The United States is the fourth-largest producer of nitrogen-based fertilizers in the world and the second largest producer of phosphate. The U.S. fertilizer industry generates more than \$139 billion in economic benefit and provides 80,099 direct jobs and 372,603 indirect jobs for a total of more than 452,702 U.S. jobs.

Fertilizer is a key ingredient in feeding a growing global population, which is expected to surpass 9.5 billion people by 2050. Half of all food grown around the world today, for both people and animals, is made possible through the use of fertilizer.

A reliable transportation network is vital to moving fertilizer around the nation. A ton of fertilizer might travel by ocean-going ships, railroads, river barges and trucks before ultimately reaching the farmer. If farmers do not receive their fertilizer in a timely manner, there are potential consequences for food security and the environment. We are confident that Ms. Chao will be an outstanding leader who will work to ensure that our nation's transportation infrastructure is the best in the world.

The Fertilizer Institute strongly urges your support for the nomination of The Honorable Elaine Chao to be Secretary of the U.S. Department of Transportation.

Sincerely,

Chris Jahn

Capitol View
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The CHAIRMAN. Secretary Chao, I think I counted at least a half a dozen references to working with Congress, and more specifically, to working with this Committee in your testimony. I know you appreciate the importance of cooperation between the branches of our government. Nevertheless, these hearings give us an opportunity to underscore that point.

So if confirmed, will you pledge to work collaboratively with this Committee and provide thorough and timely responses to our requests for information as we work together to address transportation policy?

Secretary CHAO. I'll look forward to working with this Committee and also the Congress on all these issues of concern.

The CHAIRMAN. Planes, trains, and automobiles are particularly important in a rural state like South Dakota, where long distances often separate people from economic hubs, the markets for their goods, and even hospitals.

Secretary Chao, I appreciated your recognition of the need and challenge of achieving equity between urban and rural areas in your top priorities for the Department, and as a Senator from the state of South Dakota, this balance is especially important to me and to my constituents.

The FAST Act struck a careful balance to ensure that we appropriately invested in both urban and rural infrastructure critical for connecting the country, supporting mobility options for all Americans, and moving agricultural, manufactured, and other essential products to the market. To what extent do you see the funding allocations in the FAST Act as providing a framework for thinking about potential allocations under any infrastructure proposal put forward by the administration?

Secretary CHAO. I think the President-elect's vision for an infrastructure proposal is ambitious and forward-looking, and comprehensive. We will be starting a task force and a process to address these issues. The FAST Act was a tremendous accomplishment by the last Congress. And there are many, many other financing options which should be considered as well. And we would hope that as we go into the future, that we'll also be creative, innovative, and consider all options as well because, as mentioned, the government does not have the resources to address all the infrastructure needs within our country, so all of us need to put our best thinking forward as to how to address the aging infrastructure.

The CHAIRMAN. Would you strive also to try and strike the balance or achieve the balance when it comes to funding allocations between urban and rural areas that was accomplished in the FAST Act?

Secretary CHAO. Absolutely. I've lived on the East Coast, and the West Coast. I now live in Kentucky. I'm very, very familiar with the balance that needs to be kept between the urban and the rural areas.

The CHAIRMAN. Another area of importance for South Dakota and for a lot of the Members on this Committee is the availability of reliable and affordable commercial air service, which has the ability to allow access to and from geographically isolated areas of the country to hubs in metropolitan areas. And while it's a convenience for travelers, commercial aviation is something that often

helps communities attract businesses, create jobs, and spur economic development.

Various factors have altered the market, and unfortunately, in some cases, threatened or eliminated access to commercial aviation for rural communities. If confirmed, what will you do to improve commercial aviation connectivity to rural communities?

Secretary CHAO. Rural communities are a critical part of our country, and their access to affordable and easy air service is an issue and something that we have talked about in many, many ways over the years. So I look forward to working with the Congress on continuing the EAS program and finding ways in which we can improve it as well.

The CHAIRMAN. New technologies, I mentioned in my opening remarks, like autonomous vehicles, have the potential to improve our transportation system by saving lives, increasing mobility, and improving fuel economy. The Department has begun developing a framework for autonomous vehicles, as you noted in your testimony, but the Federal role is still at a very early stage of development.

So I welcome your goal of making the Federal Government a catalyst rather than an impediment for technologies that improve safety and efficiency. If confirmed, how will the Department, under your leadership, keep pace with evolving advanced technologies and foster innovation?

Secretary CHAO. Innovation and creativity is a hallmark of America. We are famous throughout the world because of the ingenuity and creativity that we have shown, and we have led the world on so many fronts because of the new technologies that our country has been able to pioneer. We are now seeing the advent of autonomous vehicles, artificial intelligence, smart cars, and also drones.

While the benefits are very much known, there are also concerns about how they will continue to develop. And I will work with this Committee and the Congress to address many of these concerns, but we need to do so in a way that will not dampen the basic creativity and innovation of our country.

The CHAIRMAN. Thank you, Secretary Chao.

Senator Nelson.

Senator NELSON. Mr. Chairman, I want to welcome the four new Members on the Democratic side. They have certainly helped the ratio of male to female that you talked about: Senators Baldwin, Duckworth, Hassan, and Cortez Masto. And I hope to announce the Ranking Members of the Subcommittees very shortly.

I'm just going to ask one question. I want to give our Members the opportunity to ask about the plethora of subjects that this Committee handles, and then I'll do any cleanup at the end.

The question of privatization of air traffic control. The opposition of DoD. The fact that whereas the business roundtable supports the privatization, there is dissention within that organization. On the other side, the Aerospace Industries Association opposes privatization. Do you want to offer any of your thoughts on this?

Secretary CHAO. I would like to get confirmed first.

[Laughter.]

Senator NELSON. Oh.

Secretary CHAO. Obviously, this is an issue of great importance and this is a huge issue that needs to have national consensus, and for that national consensus to occur, there needs to be a dialogue, a great discussion, a national discussion. The administration has not made a decision on this point, and I expect that come January 20, this will be one of the issues in which the White House will be determining the position of the administration.

I am open to all ideas. I'm very cognizant of those who are in favor of it. I'm also very cognizant of those who are concerned about the safety aspects of it.

Senator NELSON. OK.

Secretary CHAO. So I will obviously work with the Congress and also with this Committee on all those issues.

Senator NELSON. Well, in view of your answer, let me just say that we will collaborate extensively—

Secretary CHAO. Yes.

Senator NELSON.—with you with regard to this. And it is so important that we get a full FAA reauthorization, a multiyear. The Chairman and I worked it out where we would get basically one year and get a number of important things etched into law in that bill, but for the certainty of the airline industry in the future, for the future of the next generation of air traffic control, et cetera, we need this multiyear FAA reauthorization bill, and there is a huge contention between the House and the Senate over this issue of privatization. So we will be consulting with you and collaborating and communicating with you extensively on this.

Thank you, Mr. Chairman.

Secretary CHAO. I look forward to it.

The CHAIRMAN. Thank you, Senator Nelson.

Senator Wicker.

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

Senator WICKER. Madam Secretary, I think most Members of this Committee are delighted that you have been chosen for this position. I think you'll be confirmed with a nice bipartisan vote. And I think we'll be consulting and collaborating with you on a wide variety of issues because you have quite a bit of jurisdiction.

I think what I heard you say with regard to Senator Nelson's question is if we're going to make a major change, as has been proposed, then there needs to be a national consensus on that and that there needs to be more of a national conversation. And certainly I appreciate your assurances that Congress will be consulted on this, so I appreciate that.

I would also simply like to underscore that in response to Senator Thune's question about rural America, you expressed support for the essential air service. And I would just use part of my time today to say I think the point there that I would underscore in endorsing your statement, Madam Secretary, is that it is a bargain for job creators and economic developers in the United States to have this assurance. And so I appreciate hearing that from you.

I would like to just touch briefly on three other things, and those would be the Federal Contract Tower Program, the Merchant Marine Academy, and the Jones Act.

Now, with regard to the Federal Contract Tower Program, this has been one of the FAA's most successful Government-industry partnership programs, and it is critical to air traffic control safety in 253 smaller airports, including 7 in my home state of Mississippi.

What are your plans to ensure that this program would enjoy strong bipartisan and bicameral support in Congress, continues to provide these important air traffic control services for our traveling public and our small airports?

Secretary CHAO. I would hope to work with the Congress. Obviously, I've always done that in the past. This is a very important issue. I look forward to working with you on it.

Senator WICKER. OK. Well, I look forward to a continuing conversation on that also.

Now, as you may know—and I think we had this conversation when you came by early on for a visit, which I appreciated—I'm a member of the Board of Visitors at the Merchant Marine Academy. This has been one of the finest collegiate degrees a young American man or woman could receive in the United States of America. And we've had some bumps and hiccups along the way.

On January 6, I was pleased to learn that Secretary Foxx has lifted the suspension of the Sea Year on commercial vessels for students—for midshipmen—at the Merchant Marine Academy. I want to encourage you to continue efforts to ensure the integrity of this critical training program for our future Merchant Marine mariners.

The Merchant Marine Academy is operating also under a warning with regard to accreditation. Now, this is unimaginable to me based on where this Academy has been historically in terms of academic achievement. The accreditation warning presents a serious risk.

I hope you have plans. And my question to you is, Will you make it a priority, Madam Secretary, to ensure that the Academy will stay on track to address the cited deficiencies prior to the April 2018 deadline? And will you agree with me that the alumni of this fine institution have a lot of knowledge and wisdom that they can impart to us, as Government policymakers, in this regard?

Secretary CHAO. Senator Wicker, during my courtesy visit with you, you were very concerned about this issue, and I listened very carefully to what your concerns are, which you echoed once again here today. I have been to Kings Point when I was Deputy Maritime Administrator. I know the facility very well. This is a huge issue, and I can assure you that if confirmed, this will be the first issue that I take up at MARAD.

Senator WICKER. Well, thank you very much. And then just briefly, because my time is fleeting, a vitally important part of our maritime industry is the Jones Act, which this Committee has jurisdiction over. I hope you will be a strong supporter of the Jones Act and advocate for our domestic maritime sector, as a bipartisan majority of this Committee has always done.

Secretary CHAO. The Jones Act is the law of the land, and it will be obeyed, unless the Congress changes its mind on that.

Senator WICKER. Thank you.

The CHAIRMAN. Thank you, Senator Wicker.
Senator Cantwell.

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

Senator CANTWELL. Thank you, Mr. Chairman.

And welcome and congratulations on your nomination. I think we had a chance to discuss the state of Washington and how rapidly it is growing, how the fact that being a gateway to the Pacific has made our transportation system one of the key cornerstones of our economic success, that our state and local governments are making strategic investments. In 2014, Washington businesses, though, lost \$800 million because of congestion. And we have very challenged infrastructure issues.

For the third consecutive year, Sea-Tac is the fastest growing airport in the United States. In the last 3 years, the passenger volume has increased by 32 percent. Railroads are moving over 105 million tons of freight each year; Sound Transit is the fastest growing light rail service in the country; the Northwest Seaport Alliance, the largest cargo center; and our GDP in the state grew by 3 percent compared to the Nation as a whole, which was 2.5; and Washington employment grew 3.5 percent, the fastest in the Nation, adding 109,000 jobs in 2016.

So we have growth, we have an economic engine, but we desperately, desperately, desperately, desperately need the infrastructure investment.

So I listened to your words very carefully as you phrased out ways in which to get that infrastructure investment. I'm all for creativity. I would say that our last transportation bill stretched us to the limits. There are no more SPRO dollars to get for infrastructure investment, and so it is very important that we move forward.

So I just have a couple of questions. You can just answer yes or no. It's not trick yes or no questions, it's more just trying to get a sense of what you will prioritize as far as funding.

So do you support the legislation that this Committee passed that was implemented, the Freight Act and funding FASTLANE Grant programs to move freight more cost effectively through the United States and continuing to fund that program?

Secretary CHAO. In concept, of course we want to make sure that freight is moved efficiently. It adds to the productivity of our country, it's good for the economy.

As for the second part of your question, I'm not quite sure yet because I've not been briefed on what the current situation is, but if confirmed, I'll be more than glad to do that.

Senator CANTWELL. OK. When it comes to the FAA, my colleague mentioned this, so I just want to be clear. Do you support coming up with additional funding, however it works out, do you support a new infrastructure investment in our airports?

Secretary CHAO. We need more resources to build, repair, refurbish our infrastructure, including those that relate to the aviation sector, yes.

Senator CANTWELL. OK. I mentioned Sound Transit, one of the fastest growing commuter systems in the country. There are projects that are already in the pipeline. Do you support continuation of those projects? And you mentioned creativity, one of the things that they've been able to use is the Master Credit Agree-

ments so that they can get more affordable loan rates. Are those the kinds of programs you would support for Sound Transit?

Secretary CHAO. At this point, if I'm confirmed, I need to take a look at those projects. There are many projects that are on the books, and there are different reasons why some are faster, some are slower. So I need to take a look at what is happening with each of those projects.

Senator CANTWELL. OK. I would like to follow up with you, if I could, on that in writing to see if we can get an answer to that.

Secretary CHAO. Of course.

Senator CANTWELL. And then when you and I visited, I mentioned this issue of the volume of crude by rail going through the state of Washington, extraordinary growth rates of trains that have every city in my state concerned about the volatility of this product.

Department of Energy and DOT are working on an analysis of the volatility of that product. Will you continue to support that research?

Secretary CHAO. You and I have talked about this at length. The prospect of having these products go through urban areas is of great concern. But, again, until I'm confirmed and I have an opportunity to be briefed on all of these, it would be premature for me to say anything at this point.

Senator CANTWELL. OK.

Secretary CHAO. But I will work with you on this.

Senator CANTWELL. Well, I definitely came here very interested in your nomination and very enthusiastic about the prospects of a former cabinet member moving over to focus on something that has been very, if you will, administrations sometime choose someone of the opposite party just because of the bipartisan nature of transportation. And so I would hope that you could look at some of these—

Secretary CHAO. Absolutely.

Senator CANTWELL.—and give me a more specific answer. I'm not trying to box you in as much as the main debate for my state right now is, are we going to fund infrastructure investment? And so we need to know that you are going to step up and say yes to that and work creatively with us to find those solutions.

Secretary CHAO. The way you have just phrased the question, absolutely.

Senator CANTWELL. OK.

Secretary CHAO. Yes.

Senator CANTWELL. But the specifics you have—

Secretary CHAO. I do need to—if I'm confirmed, I do need to take a look at the specifics.

Senator CANTWELL. OK. I'm going to send you a few more in writing.

Thank you so much, Mr. Chairman.

Secretary CHAO. Thank you.

The CHAIRMAN. Thank you, Senator Cantwell.

Senator Blunt.

**STATEMENT OF HON. ROY BLUNT,
U.S. SENATOR FROM MISSOURI**

Senator BLUNT. Thank you, Chairman.

Secretary Chao, it's wonderful to have you here. I think—I don't know that any other Committee will have somebody that goes through this process this year who has already been confirmed four times, so far without a dissenting vote on the Senate floor. You're in the process of setting a record that it will be hard for anybody else to meet in the future.

We had a chance to work together when you were at the Department of Labor, the Secretary of Labor. I thought you did a tremendous job there, but one of the things I liked best about your focus there was on compliance even more than on enforcement. And I wonder if you would talk a little bit about that theory of trying to get people into compliance as a principal focus rather than the heavy hand of enforcement as your first place to go.

Secretary CHAO. A lot of times, the rules and regulations can be very confusing. And so the government, whether it be at the Federal, State, or local levels, I believe has a responsibility to engage in outreach to help the regulated community understand what is required of them. This benefits not only those who are being protected, which is the sole criteria, of course, but also it builds a culture, for example, of safety that benefits those who are being protected because workers alone cannot protect themselves, they need the rules and regulations and the laws, they need the cooperation of the government, they also need the cooperation of their employers.

But working together, by making it very clear what the obligation of the employer is and how best to understand the plethora of Federal, local, state and local regulations to make it transparent and easily understandable, that's the best way to protect workers, and that was the philosophy in compliance that we followed.

Senator BLUNT. You know, I think another area that comes into that immediately, too, all of our appropriate discussions on infrastructure—and, you know, in Kentucky and Missouri, really transportation is our greatest advantage. The rivers come together, the highways come together, the rail systems come together, and obviously not as dependent on geography, but air as well. But I think it's really important that we now be thinking intermodally how all of those things work.

And I believe 10 years from now we'll look back at this moment where world food demand is going to double in 3 or 4 decades, and such great economic opportunities, and either think it was a good thing we got started right now looking at that intermodal opportunity or, why didn't we do that?

And I'm wondering what your thoughts are as to the inland port structure, the rail structure, and the highway structure, how those things, along with air, come together.

Secretary CHAO. Intermodality is a concept that has been discussed since the 1970s, and as we've progressed since then, we've improved many aspects, but not nearly enough. We still have sectors of the economy, different modes of transportation, viewing each other as competitors, whereas we should all be working together in an integrated intermodal system.

And so as we consider the infrastructure of the future, we need to focus more on how different modes of transportation can be seamless partners and service deliverers to provide a more efficient and productive transportation system for the benefit of the consumer, the shippers, and overall quality of life for our country.

Senator BLUNT. I think that competitive model where we're all trying to figure out how we compete as a country by making inter-modal transportation work more effectively is a much more realistic model than thinking of each transportation mode individually: trucking, barge, and rail. It's how you use this whole system in a way that makes us as competitive as we need to be and can be.

And one last thought on streamlining, which you've mentioned. You know, in both the last highway bill and the railroad bill, we've created some opportunities where you're working in existing space for a more fast-tracked process that lets you go ahead and improve that rail spur, that rail line, that bridge that's already standing there. Just a few minutes on your thoughts on streamlining that regulatory process to get things done.

Secretary CHAO. If I'm confirmed, I think one of the major things that I will be looking at is the issue that you discussed and also the intermodal compatibility and interaction that can occur. We are seeing more cooperation between the different modes of transportation, but, again, more needs to be done. Part of it is the lack of Federal resources and resources to improve our infrastructure, but all of that is connected to the question that you have raised. And, again, if confirmed, that would be an issue that we would be having with this Committee and the Congress on how to improve the situation.

Senator BLUNT. Thank you, Secretary.

Thank you, Chairman.

The CHAIRMAN. Thank you, Senator Blunt.

Senator Klobuchar.

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

Senator KLOBUCHAR. Thank you very much, Mr. Chairman.

And congratulations on your nomination, and we're excited to work with you going forward. I'm not going to pose an exact question about infrastructure except to say how important it is in our state. We are the state that had the 35W Bridge collapse in the middle of that summer day. It got rebuilt with good bipartisan work in a year. It was my first few years in the Senate, and I'll never forget that. And I've been devoted to this issue of infrastructure ever since.

I've joined with Senators Warner and Blunt on their proposal for financing authority. And as Senator Cantwell has pointed out, there are a lot of ideas out there, and I was heartened by the fact that the President-elect listed this as a number one issue on election night, which all of America saw. So I'm hoping that we can come together on something that makes sense to up our infrastructure in our country, which would include broadband. And a number of the Members here are members of our broadband caucus. I'm one of the co-chairs, and you and I discussed that.

But I thought I would get to some specific questions. First some air questions. Both Democratic and Republican administrations have pursued an expanded Open Skies agreement to provide U.S. consumers, carriers, and airports with more choice, access to new destinations. I'm concerned that recent actions by some companies, like Norwegian Air International, and some countries, like the UAE and Qatar, are undermining our Open Skies agreements, hurting American workers, because of the way they're financing their airlines.

Could you work with me on this to make sure that our American airline workers aren't harmed by unfair competition from abroad? Competition is great, but not when it's not an even playing field.

Secretary CHAO. Thank you for offering that. I look forward to working with you on this important issue, if confirmed.

Senator KLOBUCHAR. Thank you very much. The first item on the NTSB's list of most wanted safety improvements for 2016 was reducing fatigue-related crashes. We have all seen a number of horrific crashes in the last few years, including Colgan Flight 3407. We have worked really hard on this issue for passenger flights. Senator Boxer, who is no longer with our Committee, as she retired, and I worked on a bill with Captain "Sully" Sullenberger, from the "Miracle on the Hudson," involving cargo flights and having some rules in place that make sure that their pilots are flying safe.

Secretary Chao, do you share my commitment to increasing aviation safety, working on this cargo issue, and continuing to have this as a priority?

Secretary CHAO. I look forward to working with you on all these issues if I'm confirmed.

Senator KLOBUCHAR. OK. Thank you. You and I also talked about the general aviation. Minnesota is home of Cirrus in Duluth. We make small jets. It's an expanding industry with a lot of exports nationally, and Senator Murkowski and I passed a bill, we finally got the rules done, to speed up the approval process for their safety additions, and I'm hoping you will continue to help us. It's an important manufacturing industry to America.

Secretary CHAO. If confirmed, I look forward to working with you on that.

Senator KLOBUCHAR. OK. So now we go to snowmobiles. You know, we've got to end good here. The Recreational Trails Program, it's extremely important. It funds off-highway vehicles, snowmobiles, and non-motorized trail uses. It's one of these issues where we've actually had the cross-country skiers and the bicyclists working with the motorized vehicles. It derives its funding from gas taxes paid by off-highway vehicle users when they fill up their machines. And I hope that you will work with us going forward on that issue as well. It's maybe not the first thing you thought of when you got up this morning, but that's been a very—a positive program for recreational use.

Secretary CHAO. I look forward to working with you on it. Thank you.

Senator KLOBUCHAR. OK. Last, just thoughts on rail safety. We have got a lot of issues in our state. You and I talked about the fact that we are at this hub where the oil is coming in from North

Dakota and some from Canada, and we're glad that we've had more production in our country, but that, combined with the biofuels, we've had a number of derailments. I look at Senator Baldwin in Wisconsin as well. And just your thoughts on that, rail safety.

Secretary CHAO. Rail safety is number one. There is no question about that. And so safety will continue to be the number one priority and responsibility of the Department of Transportation. And if confirmed, I look forward to working with you—we've talked about this during our courtesy visits—and with all Members of the Committee and the Congress on this very important priority.

Senator KLOBUCHAR. OK. Thank you.

Secretary CHAO. Thank you.

Senator KLOBUCHAR. And I will put some questions on the record on distracted driving. I've been leading those efforts, and we've had some success. It's a very hard issue, but overall nationally, a 7 percent increase in traffic fatalities from 2014 to 2015. Secretary LaHood, actually this was one of his top priorities when he was in, and I hope that we can reinvigorate those efforts and make this a top priority.

Secretary CHAO. Thank you.

Senator KLOBUCHAR. Thank you.

The CHAIRMAN. Thank you, Senator Klobuchar.

Senator Fischer.

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

Senator FISCHER. Thank you, Mr. Chairman.

Welcome, Madam Secretary. It is a pleasure to see you today, and I want to add my congratulations on your nomination.

I appreciated you coming in for a private meeting that we had in our office, and I thought we covered a variety of issues, and I just want to touch on a few of those today with you.

Of course, on everybody's mind is the Highway Trust Fund. When you hear the President-elect speak about infrastructure and putting money into infrastructure, part of that, I would assume, would go to the Highway Trust Fund. We are looking at a shortfall of \$107 billion over the next 5 years following the expiration of the FAST Act. And what are your thoughts on addressing that long-term solvency of the Federal Highway Trust Fund?

Secretary CHAO. The Highway Trust Fund is in bad shape. Because of the declining miles—because of the increased miles per gallon that cars normally get, the gas tax, which was 90 percent of the funding of the Highway Trust Fund, is not as great a funding source as it used to be. And the Fund annually spends \$47 billion, takes in \$37 billion, that's a \$10 billion deficit every year. You can't make that up on volume.

So this is a huge issue. And the pay-fors for any infrastructure proposal are all challenging and all have their particular champions and also detractors.

So once again, if confirmed, I look forward to working with this Committee and also the Congress on this priority, among the top priorities, of this President-elect. And the Highway Trust Fund will go bankrupt by 2021 if we don't do something. So we all know this.

Senator FISCHER. Yes. Yes. This is an issue I worked on in my state as a state senator. We were successful in thinking outside the box on some policy issues, and in a couple weeks, we'll be putting forward a proposal here to start that conversation on how we're going to be funding our highways.

Another thing that I've worked on in this Committee, Secretary Chao, is addressing and reduce the growing number of those unnecessary regulations that we face. And during the last Congress, the Subcommittee on Surface Transportation, that I chaired, held nearly 20 hearings and events on how best that we can keep goods moving across this country and do so safely. So I was pleased to be able to have language in the FAST Act to reform the Federal Motor Carrier Safety Administration's regulatory process by making it more transparent and responsive and open to input from our stakeholders.

I would ask you, what do you think is the best way that we can keep passengers and freight moving across our system? And how do you plan to approach looking at regulations that many consider to be a burden on how we are moving goods and people across this country?

Secretary CHAO. You and I had a long conversation during our courtesy meeting, which I'm very grateful that you granted, about many of the transportation issues in your state, and it was very clear from your career in the past, as part of the state legislature, that you are quite an expert on all of these transportation issues yourself. So it was a real benefit for me to learn from you and hear your points and also see your passion for protecting the interest of your state.

What was your question? I'm so sorry.

Senator FISCHER. How are we going to—

Secretary CHAO. Oh, the regulations. Sorry. So on the regulations, I think the great challenge for all regulators is to balance the ultimate goal obviously of safety, but also to make sure that the regulations that are enacted are based on sound science, on true data, and that the underlying analysis is solid. That is the best way that we protect consumers and passengers.

Senator FISCHER. Right. I agree with you on that. Another point, we're looking at shortages with regards to commercial truck drivers, with airline pilots, and that has a direct impact, not just on our transportation system, but on our country as a whole, when we're not able to move people, when we're not able to move and see products and see commerce grow. So I look forward to working with you on that as well.

My time is up. But I thank you for being open to all of the issues that your portfolio is going to encompass when you take over the Department as the new Secretary. Thank you.

Secretary CHAO. Thank you.

The CHAIRMAN. Thank you, Senator Fischer.
Senator Moran.

**STATEMENT OF HON. JERRY MORAN,
U.S. SENATOR FROM KANSAS**

Senator MORAN. Mr. Chairman, thank you very much.

Elaine, welcome to the Committee. Robba joins me in offering our congratulations to you on this nomination.

Secretary CHAO. Thank you.

Senator MORAN. And while I've always been an admirer of your abilities, it's your nieces that I'm most admiring this morning. They are well behaved, apparently are seemingly attentive to what's being said here, and perhaps the only people in the audience that seem to be interested in what Members of the U.S. Senate are saying.

[Laughter.]

Senator MORAN. So I appreciate the suggestion that what we're saying is of interest to them, and I would commend your sister and her husband for raising apparently good daughters, so congratulations to your family as well.

Secretary CHAO. Thank you.

Senator MORAN. Senator Nelson raised the topic of privatization of air traffic control. One of the justifications that's been used, and I'm very concerned with that privatization, so I join Senator Nelson in that regard, but one of the justifications that proponents of that privatization have utilized is the failure of the FAA to in a timely manner implement NextGen, to bring the latest technologies and safety to our air traffic control system, and the knock is that by the time the Department of Transportation completes its work on NextGen, its technologies will already be outdated.

So my question is maybe you can help us eliminate one of the reasons that people advocate for privatization by telling us how we could have faster, quicker, more efficient implementation of technologies designed to improve our air traffic control system and the safety that it provides.

Secretary CHAO. When I was Deputy Secretary in President George H.W. Bush's administration, and the organization of the air traffic control was a huge issue then. A lot has changed, a lot has been done, but more needs to be done. Obviously, as times change and the lag in the ability of the organization to keep up with the modernization that is required, this is a huge issue.

I am very much aware of those who are for it, those who are against privatization. I know that you, with your state of many general aviation interests, have not been a proponent.

We need to have a national discussion about this. And so I look forward to working with the Congress, especially with the FAA reauthorization bill coming up on September 30 of this year, on addressing many of these very important aviation issues if I'm confirmed.

Senator MORAN. Well, Ms. Chao, I appreciate that, and am certainly interested in working on the privatization issue. I would just reiterate my belief that one of the ways we can diminish the demand for a different air traffic control system is to get the technology in place necessary for the latest updated advanced air traffic control system even under its current governance structure.

You're right. Wichita, Kansas, is the air capital of the world. We manufacture more general aviation aircraft than any place in the country, and that would give me the opportunity to highlight the importance of something that's developing today, and that involves the certification process, the method by which we get new aircraft

to market. And getting that done in a timely fashion enables Wichita, Kansas, and our manufacturers, and the aerospace and aviation industry in our country to compete in a global market.

Reforms that encourage the full use of Organization Designation Authorization, ODAs, is important to us, meaning that it is moving in a direction of self-certification. The FAA has been helpful in recent times in accomplishing that, and I would bring that issue to your attention.

The FAA and industry are moving toward a risk-based safety oversight approach, and I would encourage you to encourage the FAA to continue that process so that we can get the latest technologies in our manufacturing sector utilized, new products in the market, and better able to compete in a global economy. Any reaction or response?

Secretary CHAO. I would certainly hope to do that. Yes, thank you.

Senator MORAN. I appreciate that. I would only mention because, as was indicated earlier by one of my colleagues, as the clock has already turned to red that his time was fleeting, my time is fleeting. And I would be interested in visiting with you because the Subcommittee that I've chaired on this Committee in the past dealing with the vehicle-to-vehicle technology, and we have jurisdiction over NHTSA, and we look forward to working with you and hearing your views on how we can implement safety in the latest technologies.

There seems to be a theme here in my conversation, which is technology provides us great advantages, and we want to work with you to see that it is readily available to the industry and to the consumer.

Secretary CHAO. I look forward to working with you if confirmed.

Senator MORAN. Thank you, ma'am.

The CHAIRMAN. Thank you, Senator Moran.

And following up on that point, I think the reason that there has been such a discussion about FAA and reform is because the promised benefits of NextGen have not been realized.

Secretary CHAO. I understand.

The CHAIRMAN. And there is plenty of documentation to that effect. And you've indicated an open mind about how to proceed. I have an open mind, too. But it's going to require that we work together. And it's certainly important that travelers, taxpayers, and people in the aviation stakeholder community realize the benefits of this and make sure they're getting a good return on the billions that have already been spent.

Senator NELSON. And, Mr. Chairman, let me just chime in on that issue. What we're doing with NextGen is we're basically going to have air traffic control off of satellites instead of radars, and as a result, you can vector an aircraft much more efficiently to its designated airport. At the same time, aircraft can be aware of each other so that you've got real-time awareness in air traffic control in the cockpit. The technology is there, we just need to implement it. And those contracts are being vigorously performed in the FAA. I just wanted to add that, Mr. Chairman.

The CHAIRMAN. Senator Nelson.

Senator Blumenthal is back.

**STATEMENT OF HON. RICHARD BLUMENTHAL,
U.S. SENATOR FROM CONNECTICUT**

Senator BLUMENTHAL. Thank you very much, Mr. Chairman.

Welcome, Ms. Chao, and thank you for your past service. I look forward to working with you. And I might just say, although Senator McConnell has left, he and I have something in common, which is we both married above ourselves.

[Laughter.]

Senator BLUMENTHAL. And my wife, Cynthia, is a friend and admirer of yours. And welcome to our Committee.

Secretary CHAO. Thank you.

Senator BLUMENTHAL. I look forward to working with you on issues that concern investment in infrastructure. You and I have talked a little bit about the need to modernize and upgrade our deteriorating railroads and bridges.

We see this issue particularly in Connecticut on our roads and bridges, but also the safety and reliability and speed of our rail system, which needs to be significantly improved, and that requires real investment, public resources, not just tax credits.

And you and I have talked about the need for a public-private partnership. I hope that we can work together to make that happen and build a bipartisan consensus in favor of it, as I think is very possible.

I also think that safety in our other kinds of transportation is very important. As you well know, a lot of the recommendations made by the agencies that will be under your jurisdiction very simply have not been implemented according to the latest numbers from the National Transportation Safety Board. There are hundreds of open safety recommendations, 305 at the Federal Aviation Administration, 61 at the Federal Railway Administration, 91 at NHTSA. These recommendations are essentially potentially life-saving for people who are affected by them, and the agencies have failed to fulfill recommendations.

And so my first question to you is, What are your plans to close those recommendations and make sure that they are implemented?

Secretary CHAO. As mentioned, safety is a top priority of the Department. If confirmed, one of my first tasks will be to get briefed on all of these outstanding issues, and I look forward to working with you and your Committee on all of this.

Senator BLUMENTHAL. I know there's a tendency sometimes to be dismissive about these kinds of recommendations. I hope that you will make them a priority.

Secretary CHAO. If confirmed, I will look at them very seriously.

Senator BLUMENTHAL. And make sure that they are implemented, because I know you're a doer, and these recommendations need doing.

Let me turn to one of the areas where technology is tremendously important. You mentioned technology in your opening statement. Positive Train Control, not a new technology, it has been around for many years. The deadline for implementing it was 2015, which then was extended until 2018, over opposition from a number of us, including myself, and, again, you and I have talked a little bit about it. Would you plan to make sure that that deadline

is fulfilled and that, in fact, Positive Train Control, which is a life-saving technology, is implemented by 2018?

Secretary CHAO. If confirmed, I hope to get briefed on this, and if there's a deadline, as you mentioned, of that particular date, I would look at it very seriously. And, again, I want to get an up-to-date briefing on what's going on, on that, and I did promise you that I would do that.

Senator BLUMENTHAL. You had promised.

Secretary CHAO. Yes.

Senator BLUMENTHAL. And I hope the promise again is not just to be briefed, but also to take action, because we've seen in the Northeast, the consequences of the failure to implement it in a number of the rail catastrophes that have happened, at Spuyten Duyvil in Pennsylvania, and others where these disasters could have been stopped with Positive Train Control.

One last question relating to the plan recently issued by the Federal Railway Administration, which would in fact reroute some of the rail going through Connecticut in bypasses, through areas like Old Lyme, where they would have disastrous effects on the environment, culture, historic landmarks, and quality of life.

I would ask your commitment that you will review this plan and change it in response to the overwhelming outcry from people in Connecticut that the recently implemented FRA plan simply is unworkable, and it is also unaffordable.

Secretary CHAO. You and I have spoken about this before during our courtesy visit, and I will certainly review this very carefully if confirmed.

Senator BLUMENTHAL. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Blumenthal.

Senator Schatz and Senator Sullivan.

**STATEMENT OF HON. BRIAN SCHATZ,
U.S. SENATOR FROM HAWAII**

Senator SCHATZ. Thank you, Mr. Chairman.

Thank you, Secretary Chao, and thank you to your family for their commitment to public service and their commitment to you. This morning was historic, at least for me; it was the first time I saw Leader McConnell hug anyone.

[Laughter.]

Secretary CHAO. I'm glad it was me.

[Laughter.]

Senator SCHATZ. So, Secretary Chao, we have a serious safety crisis on our roads. More than 35,000 people died in crashes in 2015. As Senator Klobuchar mentioned, that's a 7 percent increase over the previous year, and the largest increase in 50 years. The early estimates show that that number will surpass 40,000 in 2016.

And these are not just car-on-car accidents, we're also failing those that walk along the roads. In 2015, 10 percent of all roadway deaths were pedestrians. Seniors are 50 percent more likely than other pedestrians to be struck and killed by a car, and this problem is particularly bad in the state of Hawaii, where we have the unfortunate distinction of having the highest rate of pedestrian fatalities among our elderly in the country.

These deaths are preventable. They're preventable through the implementation of best practices. Senator Heller and I have worked on the implementation of Safe Streets, and we worked with the current Secretary of Transportation to try to get metropolitan planning organizations, departments of transportation services, and state departments of transportation to implement Safe Streets.

Do we have your commitment to work on pedestrian safety and the implementation of a Safe Streets agenda?

Secretary CHAO. We've talked about this as well. I look forward to working with you on that if confirmed.

Senator SCHATZ. Thank you, Secretary. Following up on Senator Wicker's question regarding the Jones Act. It is bipartisan consensus, as you know. It's the foundation of the domestic U.S.-Flag maritime industry. And it is also essential to our national security. U.S.-Flag Vessels and American Merchant Marines support our warfighters, transporting medical supplies, food, and other cargo to troops in combat.

The military's confidence in a fleet of U.S.-Flag ships to move cargo to troops deployed in places like Iraq and Afghanistan allow the Navy to save limited cargo space for weapons, fuel, and other essential goods, and that's why every Secretary of Defense, every Secretary of the Navy, for generations has supported the Jones Act, and with the usual caveats.

But understanding that you have a unique role as the former MARAD Administrator, former Deputy of Transportation, and the former Secretary of Labor, and your private sector experience in the shipping context, can you talk about the importance of the Jones Act from both a national security standpoint and from an economic security standpoint?

Secretary CHAO. The Jones Act is a very important program that secures national security. We have seen two wars now in the last 25 years. I'm of an age where I have seen two wars in pivotal areas of the world. If we did not have the Merchant Marine assets to assist the great halls on these campaigns, the military naval campaigns, our country would not have been able to supply our troops, bring the necessary equipment. All of that is not done on the gray bottoms, gray hull bottoms, but, rather, Merchant Marine bottoms.

This is an area that I'm very familiar with, and I have great interest in as well. And the national security provided by the Merchant Marine fleet of this country is part of the way that we are able to be effective overseas and protect this country. So I am a great proponent of the U.S.-Flag Merchant Marine fleet.

Senator SCHATZ. Thank you very much. And my final question is just following up on our conversation during our courtesy visit. Hawaii is the most isolated populated place on the planet, and so our unique geography and topography, the fact that we're an island state, means that our maritime needs, our aviation picture, our broadband infrastructure needs, and our surface transportation needs are different, and not dissimilar to Senator Sullivan's unique situation, representing the state of Alaska.

We would just ask for your continued understanding both as we're crafting statutes, but also as you make rules, and also as you interpret existing rules and statutes, and even procedures, to un-

derstand that every place says they are different, and that is only true in Hawaii and Alaska.

[Laughter.]

Secretary CHAO. We've talked about this, and I appreciated your sharing with me the concerns of your state. I look forward to working with you.

Senator SCHATZ. Thank you very much.

The CHAIRMAN. Thank you, Senator Schatz.

Senator Sullivan.

**STATEMENT OF HON. DAN SULLIVAN,
U.S. SENATOR FROM ALASKA**

Senator SULLIVAN. Thank you, Mr. Chairman.

And, Madam Secretary, congratulations. I certainly agree with the Chairman that you are an ideal candidate for this position. My wife, Julie, sends her congratulations as well.

Secretary CHAO. Thank you.

Senator SULLIVAN. And I want to begin by thanking you for your exceptional service to our Nation. When you look at your background, it's just remarkable what you've done for this country.

And I also just want to mention that you and your family, including your nieces, are a great example for all Americans, and I hope a lot of people are watching to hear the story of your family. It's very powerful.

I appreciate your focus on modernizing the transportation system, but I really want to emphasize that it's going to be very difficult to do that without modernizing the Federal Permitting System. And you and I have had the opportunity to discuss some of these challenges, but just last year in a hearing in this Committee, we had the head of the Seattle Airport, Sea-Tac Airport, when he talked about it took 4 years to build the new runway at Sea-Tac, but 15 years, 15 years, to get the Federal permits to start building.

There are stories all across the country that I know you're familiar with. In Alaska, we've had many nightmare scenarios. It took 20 years almost to permit a gold mine in my state.

And, you know, our country used to be the envy of the world in terms of building infrastructure projects responsibly on time. The 1,500-mile Alaska-Canada Highway was built in under a year, and now in America it takes on average 6 years to get a permit for a bridge.

So if we're looking at infrastructure, the major infrastructure initiative, which I support, if we're not also undertaking major Federal permitting, I think that we're not going to be successful in our infrastructure initiative. Do you see this as a major problem, and will you work with us both from your regulatory authority standpoint and legislation that we would undertake here and on the EPW Committee to try to address this?

Secretary CHAO. Yes, I would. Senator, you wrote a very, very good article in the *Wall Street Journal* about this particular issue, and what we hear from many investors and outside interests, just various stakeholders, is the duplicative and bureaucratic permitting that sometimes may occur. We want to make sure that the regulatory process works, but that also means getting rid of some of the redundancies and some of the unnecessary burdens.

So you've certainly been a leader on that, and I look forward to working with you.

Senator SULLIVAN. Well, we look forward to working with you as well. I would note that both the EPW Committee former Chairman Inhofe and Chairman Thune, we're all very committed to that.

One other area—and we want to work with you. And in that *Wall Street Journal* op-ed that you mentioned, I appreciate you commenting on that, but we are working on a major permitting reform bill called the “Rebuild America Now Act,” and I certainly look forward to working with you and the rest of the Trump administration on those kind of permitting reforms.

One other area I just wanted to mention, we have all these opportunities with regard to energy in this country. We're once again the world's energy superpower, and yet the Obama administration has clearly politicized and delayed the permitting of pipelines. The Keystone XL pipeline took 8 years until the President finally pulled the plug on that. And the irony is, is that pipelines are much more safe than delivering by rail.

So can we get your commitment to help us streamline the permitting of pipelines and to depoliticize what has become a very politicized permitting process with the current administration on that important area of permitting?

Secretary CHAO. I look forward to working with you on this issue, as we've discussed, if I get confirmed.

Senator SULLIVAN. Thank you. And, finally, I will turn a little bit, as Senator Schatz had mentioned, to talk about Alaska and some of the rural areas. You know, we're a very resource-rich but infrastructure-poor state.

At almost 600,000 square miles of land, Alaska is more than two and a half times the size of Texas. We like to say in Alaska, if you split Alaska in two, Texas would be the third largest state in the country. But we only have 10,400 miles of paved roads compared to Texas, which has 313,000. Another comparison, Alaska is 118 times the size of Connecticut, but we have less than half the roads that Connecticut has.

So if confirmed, will you commit to come to Alaska with me to meet with my constituents to help us address the unique challenges and opportunities with regard to infrastructure, roads, bridges, pipelines in Alaska that are not only important to my constituents, but really important to the Nation?

Secretary CHAO. I would be delighted to. In our courtesy meeting, Senator, you mentioned how important your office is in terms of convening important stakeholders to address these issues. And I'll be more than glad to help convene and also to help and to participate in those as well.

Senator SULLIVAN. Great. Thank you. Thank you again for your great service to our country.

The CHAIRMAN. Thank you, Senator Sullivan, and the newly minted Chairman of the Ocean Subcommittee. So we're all for more roads in Alaska.

Next up is Senator Peters followed by Senator Inhofe.

**STATEMENT OF HON. GARY PETERS,
U.S. SENATOR FROM MICHIGAN**

Senator PETERS. Thank you, Mr. Chairman.

Secretary Chao, it's great to have you here. And I'll concur with my colleagues that it's a privilege to have you testifying before us today.

Secretary CHAO. Thank you.

Senator PETERS. I also appreciate your story and your family's story. It's a true American story and shows the power of immigration and how immigration has brought many wonderful people to our shores to pursue their version of the American dream. So thank you for being an embodiment of that.

Secretary CHAO. Thank you.

Senator PETERS. I also want to thank you for the time which you spent with me in my office talking about a variety of issues. And I think it was fairly clear at the end of the meeting you know that I am focused primarily on automobiles, being from Michigan, and some of the incredible things that are going to be happening when it comes to autonomous vehicles, or as I refer to them, as self-driving vehicles.

"Autonomous" sounds a little sinister; it sounds like you get in the car and it just takes you where it wants to go, it's autonomous. You actually will tell it where to go, it's going to drive for you, and will have incredible benefits when it comes to things such as safety. We heard from Senator Schatz and others.

I was just at the Detroit Auto Show before coming here. The whole focus of that is mobility. We think, NHTSA believes, we can eliminate nearly all auto crashes. Eighty percent of auto crashes could be eliminated, saving tens of thousands of lives. This is transformational technology on par with the first car to come off of the assembly line, it's that big.

But as we talked about, it is also an area where there is intense competition, and who gets there first with this technology from an international perspective will have a significant competitive advantage. We know the Asians are moving on this very aggressively. We know the Europeans are moving very aggressively.

We also know our American auto companies are doing a phenomenal job. In fact, Ford Motor Company has announced that they will have a production vehicle by 2021, a mass production vehicle, a self-driving vehicle, available. That's roughly 5 years. We may actually see that accelerating.

So I want to just touch on a couple of issues. We know that speed, though, is critical. And we've got tough competition, as I mentioned, so we need to move this forward. One aspect that we talked about is test facilities to test these technologies.

Secretary CHAO. Yes.

Senator PETERS. We are in a competition right now with a number of sites around the country. There may be multiple ones that are selected as early as next week to do this kind of testing. I would hope that you would want to be, will be, fully engaged after those facilities are selected to work on collaborative ways that we can work with the Federal Government to help industry fully use those facilities to test vehicles and get your thoughts on that.

Secretary CHAO. I would certainly want to do that.

Senator PETERS. I appreciate that. And the other aspect is Federal policy. These technologies are going at an exponential rate. Federal policy tends to move much slower than that. Do you have some specific ideas as to how we speed that process up, but understanding, as you have said over and over again, safety is paramount?

The public already will be a little bit concerned about a self-driving vehicle, and so any kind of accidents that occur will have a tremendous public blowback. We can't have that. The industry doesn't want it. We certainly can't do that. But on the same token, we need to be able to allow innovation to go and test vehicles not just on test tracks, but getting them out on the road. Any thoughts as to what you would be open to see on that?

Secretary CHAO. I'm very open to working with you on it. We've talked about it. You're obviously a tremendous proponent for your state and for the manufacturers that are in your state. I thought it was very interesting, with Senator Heller here as well, that you talked about testing grounds and how sometimes snow and cold weather are actually advantages in testing grounds.

But what we are seeing is obviously technology outstripping the consumer ability to accept and understand some of the technology. So I think it behooves all of us, as a country, as a society, to bring greater familiarity and greater comfort for those who are passengers and other stakeholders who will be eventual users of this technology to understand the benefits, the limitations, and also what it means going forward in the future. So it requires a national discussion, and I look forward to doing that with you. Thank you.

Senator PETERS. Well, I will look forward to that as well.

One final question, and it's another important issue for me. Back in 2005, following Hurricane Katrina, President Bush and the Department of Labor, which was under your leadership at that time, suspended Davis-Bacon provisions on Federal contracts in the Gulf Coast. This action was very concerning to me, as I know many others, because even a temporary suspension of Davis-Bacon will drastically reduce wages to American workers who are tasked to rebuild their community.

Now, I know President-elect Trump has stated that his administration will follow a mantra of "Buy America, Hire America," and we hope that part of that mantra also means that there are fair wages paid to those Americans who are doing that work.

And that's why just a final question, Can you commit now to us to the application of Davis-Bacon for all Department of Transportation contracts issued under your leadership?

Secretary CHAO. Well, Davis-Bacon is currently the law, and unless the Congress changes that, it is the law.

Senator PETERS. So the suspension we saw in the past is not—

Secretary CHAO. The suspension in Katrina was very, very extraordinary.

Senator PETERS. Right.

Secretary CHAO. It was extraordinary circumstances in which we needed to get rebuilding going at a very fast rate to enable obviously very distressed communities to come back to life.

Senator PETERS. So you support the basic foundation of Davis-Bacon as well, and that's something you will continue to support as Secretary?

Secretary CHAO. Well, as I mentioned, Davis-Bacon is the law, and will be the law unless the Congress changes it.

Senator PETERS. Right. Well, thank you. I appreciate that.

The CHAIRMAN. Thank you, Senator Peters.

Senator Inhofe and then Senator Baldwin.

**STATEMENT OF HON. JIM INHOFE,
U.S. SENATOR FROM OKLAHOMA**

Senator INHOFE. Thank you, Mr. Chairman. And I say to you and the Ranking Member that I am just delighted to be on this Committee, and I'm looking forward to it.

You know, I think, keep thinking, last night I was with you and your family, your daddy, how much—how popular—how excited your daddy is right now—

[Laughter.]

Secretary CHAO. Thank you.

Senator INHOFE.—thinking about the things that are going on and that he is responsible for you and your performing. And your cute little nieces, I guess they are, I have really enjoyed.

Secretary CHAO. Yes, Miranda and Jessica.

Senator INHOFE. Yes, yes, they're great.

[Laughter.]

Senator INHOFE. Well, anyway, but I say that because, as you know, I've got 20 kids and grandkids. You've got some more work to do, but that's all right.

[Laughter.]

Senator INHOFE. Let me share a couple of things with you that perhaps even you didn't know. I think you probably did know this. I think a lot of the Members of this Committee did not know this, that I've been on a committee that's like this, Environment and Public Works has a lot of jurisdiction here also in transportation, for 21 years. Prior to that, 8 years on the T&I Committee in the House of Representatives. So I've been around this thing for a long time. Our biggest problem used to be when I was in the House that we had too much surplus in the Highway Trust Fund.

Secretary CHAO. Not anymore.

Senator INHOFE. Yes. And you outlined in your opening statement why that changed. But that was actually a fact. In fact, I remember when Bill Clinton was first President of the United States, he was looking for some money to rob out of some of their accounts, and he took \$16 billion out of the Highway Trust Fund. So those days are behind us, and we can't go back to them, but nonetheless, it's kind of fun to review the history.

Let me share something else. And then I'm going to ask unanimous consent that two articles be made a part of the record this morning.

That's a UC, Mr. Chairman.

The CHAIRMAN. Without objection.

[The information referred to follows:]

WHAT IS ELAINE CHAO'S LEGACY?

Elaine Chao's *Labor Department* was busy as 2008 wound down, giving emergency grants to a few states and touting its convictions of 15 union officials in the first two months of FY2009 and a 15 percent cut in real terms since 2001 in the department's huge discretionary budget. The Employee Benefits Security Administration, a DOL unit, announced a record \$11.9 billion had been recovered for pension and other employee benefits plans during the eight years Chao has been Labor secretary. But where was the list of safety and health accomplishments for Chao, who took office eight years ago this month and stayed on to become the longest-serving secretary of Labor since World War II? She again cited the lowest U.S. injury and illness rate on record.

Here's how her bio page on www.dol.gov sums up Chao's achievements:

"During her tenure, the Department updated the white collar overtime regulations under the Fair Labor Standards Act, which has been on the agenda of every Administration since 1977. The most significant regulatory tort reform of President Bush's first term, the new regulations provided millions of low-wage vulnerable workers with strengthened overtime protection. In 2003, the Department achieved the first major update of union financial disclosure regulations in more than 40 years, giving rank and file members enhanced information on how their hard-earned dues are spent. The Department has set new worker protection enforcement records, including recovering record back wages for vulnerable low wage immigrant workers. The Department has also launched comprehensive reform of the Nation's publicly funded worker training programs, to better serve dislocated and unemployed workers. On August 17, 2006, President Bush signed the Pension Protection Act, which protects the 44 million workers whose retirement security rests upon private sector defined benefit pension plans."

One month after Chao took office in February 2001, Congress and President Bush repealed OSHA's ergonomics standard. She outlined her approach in two early speeches in which the chief theme was her interest in finding "fresh ideas, fresh approaches, and new partnerships to help us prepare the 21st century workforce," she said.

"And if we really are going to protect workers, we must put more emphasis than ever before on prevention and compliance assistance—rather than just after-the-fact enforcement," Chao said March 6, 2001. "Each time I approve a major fine against a company—for safety violations that were discovered after an accident that cost the life of an employee—I can't help but feel a twinge that if we had just worked harder on prevention, we wouldn't be in the impossible position of trying to calculate the value of a lost human life."

"So while I am committed to enforcement, I believe that the necessary predicate to enforcement must be better prevention. At the same time, I think the Department of Labor has a broader mission that I believe it can fulfill: to become the Department of the Workforce, contributing to America's economic development by investing in its most precious capital resource: its workers."

Eight years later, on Oct. 2, 2008, her speech at a U.S. Chamber of Commerce "Labor Policy at a Crossroads" event was devoted to attacking the union-supported Employee Free Choice Act and urging Congress not to embrace a European-style interventionism that tells employers how they must provide pensions and health care to their workers. She talked of "fostering cooperation between employers and workers to update technology, educate and train workers, and fill the jobs of the new economy."

Chao headed a cabinet department longer than anyone else during George W. Bush's presidency, and she never backed away from his agenda. To some within the safety and health community, that's the problem.

"It's almost gotten to the point where, is OSHA even relevant today, and is it having any impact in the workplace?" *AIHA* President Lindsay E. Booher, CIH, CSP, asked during a December interview. "I think ultimately the buck has to stop with the [OSHA] assistant secretary and the secretary. They seem to be proud of the way the injuries have come down, and I don't know how factual those [injury numbers] are."

Few U.S. Labor secretaries have equaled the longevity of Chao, the 24th secretary thus far. The first person to hold the office, William B. Wilson, served from March 6, 1913, to March 4, 1921, and the second, James J. Davis, served almost 10 years,

from March 5, 1921 to Nov. 30, 1930. The most famous secretary was Frances Perkins, who served from March 4, 1933 to June 30, 1945—12 years, the longest tenure ever, and through the bulk of World War II, which required the transformation of American industry and wrought lasting changes in the U.S. workforce. Her tenure also saw the enactment of the bedrock labor laws still in effect, including the Fair Labor Standards Act (1938), which dictates the minimum wage and regulates employers' use of overtime.

Chao's resume includes serving as deputy secretary at the U.S. Department of Transportation, chairman of the Federal Maritime Commission, and she was a Distinguished Fellow at The Heritage Foundation before Bush nominated her to lead DOL.

She has an MBA from the Harvard Business School and an undergraduate economics degree from Mount Holyoke College. She is married to the U.S. Senate's Republican leader, Mitch McConnell of Kentucky.

The Next Secretary's Priorities

President-elect Barack Obama nominated U.S. Rep. Hilda Solis, D-Calif., to replace Chao in the new administration. Chao's successor faces big challenges, given the U.S. economy's problems and rising unemployment. AIHA President Booher said he'd like the new secretary to reaffirm that health and safety excellence confers a competitive advantage to a business—and then turn that into action by requiring U.S. companies to write and implement their own safety and health management plans.

ASSE voiced a similar opinion Dec. 19 and said it had discussed its goals for the new administration's safety and health approach with the Obama transition team. "OSHA should encourage employers to take proactive responsibility for safety and health through risk-based regulatory approaches and compliance assistance resources," ASSE advised. "Europe, Japan, China and committed U.S. employers already use such approaches. OSHA is falling behind the world in not incorporating risk-based safety and health management approaches."

"We've got to update the PELs," Booher added. "We can't have credibility with PELs written in 1968. That's embarrassing. This is a political problem, not a technical problem."

Singapore and other Asian countries are writing better exposure standards, he noted. Asked whether the United States is world class in safety and health, he answered, "I think we're saying it, but we're just not walking the talk."

Solis' congressional record and Obama's campaign statements indicate they will break sharply from some of Chao's priorities. Solis supports the Employee Free Choice Act, a favorite bill of organized labor that is anathema to employer groups. She supports equal pay for women, ensuring health care for Latinos and other underserved minorities, and enacting a U.S. ban on asbestos in any product. Like U.S. Rep. George Miller, a fellow California Democrat who chairs the Education and Labor Committee, Solis condemned DOL's December 2008 rule changes in guest worker programs as a mean-spirited attempt to cut farm laborers' wages and rights. (DOL said the H-2A rule changes, set to take effect Jan. 17, protect farmworkers' wages by setting them at local prevailing wage rates.)

Solis, who came to Congress in 2000 and won five terms, might have been a good choice for EPA administrator. She served three terms as chair of the Congressional Hispanic Caucus' Task Force on Health and the Environment and was vice chair of the House Environment and Hazardous Materials Subcommittee, which is a subcommittee of the House Committee on Energy and Commerce.

She and Chao might agree on the necessity of training America's workers for the 21st Century. Solis is the author of the Green Jobs Act and will champion "green jobs," as Obama has.

Senator INHOFE. All right. These articles are articles that were very complementary to you when you had your previous Secretary position of Labor. And they talk about how you got on the job. I wouldn't bring this up except it's in writing here, and on virtually the first day, you got everybody in there and said, "This is what we—these are our problems, these are going to be our solutions, and we're going to stay on top of them," and you never slowed down from the very beginning.

Secretary CHAO. Thank you so much.

Senator INHOFE. And I would hope and would ask that you do the same thing in this job. And I do happen to know, because they've contacted us, that in the audience here we have people who were strong supporters of you and worked for you during those years. They're all gone and doing grand things now, but they still have that allegiance and that love for you.

In fact, I have to say this, in the years that I've been here, and that's 30 years now, I've never seen anyone come into, get the nomination for a position, that people loved more than you. There has got to be a reason for that.

All right. Let me—a couple of specific things that I do want to get in, and one is we've been talking about the big issue, the privatization, and all this. I think I might be the only active commercial pilot on this Committee, and so I deal with this. And on controllers, I know that there are other options out there, as have been pointed out by the Ranking Member, but they've done a great job, and we need to make sure that we do this thing right.

I see as a problem, just an observation to me, my communications normally with the general aviation community, because I've been involved in it for so many years, but it just seems to me that there is not a lot of communication going back and forth, and I would just suggest, judging from your past performance, that one of the first things you might do is get them all in one room and talk about it. It's surprising how sheltered people are in their own opinions. Just a thought. What do you think about that?

Secretary CHAO. Thank you very much for making that suggestion. And obviously if confirmed, the convening power of the Secretary of Transportation is considerable——

Senator INHOFE. Yes.

Secretary CHAO.—and that certainly could be put to good use in convening these various stakeholders to talk about an important issue like this.

Senator INHOFE. Yes. One of the things that has not been mentioned so far, and a lot has been mentioned during this, is the use of drones and how significant that is now. It started out, in my experience, with them in the House Armed Services Committee, then the Senate Armed Services Committee. And, of course, we had some provisions put in the FAA bill to facilitate the use of drones, areas like pipelines and other areas. And I know this is going to be one that is going to be of interest to you.

One of the inhibiting factors in drones is all of the overregulations that are there. Do you, number one, agree with that? And do you have plans to attack these regulations pretty quick in your service?

Secretary CHAO. You know, the drones started out, as you mentioned, with the Department of Defense. It's an emerging technology. There are those who see the benefits of commercializing them for various uses. It's transforming the way we work, the way we do commerce.

There are also others who are very concerned about privacy issues, security issues. And again, for going forward with an emerging technology as important as this, with such vast implications for our future, I think we need to talk about it. We need to

have, again, a national consensus on where we're going. State-by-state patchwork is of concern.

Senator INHOFE. Right.

Secretary CHAO. And what does that mean for Federal regulation? So I look forward to working with the Committee and also with the Congress on the issues.

Senator INHOFE. That's great. And my time is expired. So for the record, if you would address something that hasn't been addressed, and that is the energy infrastructure, which hasn't really been given the attention that it should, and perhaps you could give me your ideas, give us your ideas, for the record.

Secretary CHAO. I will be glad to do so.

The CHAIRMAN. Thank you, Senator Inhofe, and welcome to the Committee.

Senator Baldwin is up next followed by, if nobody else shows up, Senator Capito.

**STATEMENT OF HON. TAMMY BALDWIN,
U.S. SENATOR FROM WISCONSIN**

Senator BALDWIN. Thank you, Mr. Chairman, and I want to thank the Chairman and Ranking Member for a warm welcome to the Committee.

I'm delighted, Secretary Chao, that my first Commerce Committee meeting is your confirmation hearing.

Secretary CHAO. Thank you.

Senator BALDWIN. Welcome, and thank you again for our visit last week. It was helpful to start the conversation. And I actually want to start by asking you to speak a little bit more on a topic that we discussed when we visited, which is the "Buy America" rule. Simply put, I firmly believe that American workers should build our infrastructure with American products, and that taxpayers' money should not be spent on Chinese or Russian steel and iron.

So here in the Senate, I have spent some time working on including a Buy America provision in our recently passed Water Infrastructure bill that was signed into law just a few weeks ago. And despite broad bipartisan support in the Senate, Speaker Ryan and the congressional Republicans pulled my Buy America provision from the Water Infrastructure bill, as we discussed.

Now, their position against Buy America is at stark odds with the President-elect, who has repeated his pledge that there will be two rules for rebuilding America's infrastructure, quote, Buy American and Hire American.

So if confirmed, you will undoubtedly play a leading role in implementing the President-elect's infrastructure plan. But it's noteworthy to me that you have previously been critical of Buy America rules. In 2009, you wrote an op-ed describing Buy America as, "Dig a mote around America policy." This is in a Heritage Foundation op-ed. And to further quote you, you said, "Buy America squanders America's credibility on international trade."

So I want to tease out how this conflict might be resolved. And my question is, If confirmed as Secretary of Transportation, will you stand with the President-elect and support Buy America?

Secretary CHAO. The President has made very clear his position on this, and it is his policy, and, of course, all cabinet members will follow his policy.

Senator BALDWIN. OK. Well, that's a welcomed change and welcomed news to me from your past writing on this topic. And I look forward to working with you on Buy America language as we move forward.

I do want to note that Buy America provisions have been written into the authorizing language of several Department of Transportation grant programs. Every single statute, however, allows the Secretary of Transportation wide latitude to waive the Buy America requirement if, quote, it would be inconsistent with the public interest.

And given your past views on Buy America restrictions, I guess I would like to hear more about how you would intend to use that authority to waive Buy America restrictions, how you would evaluate what is in the public interest, and under what—my specific question is, Under what conditions would you see granting these waivers, or will you grant them sparingly or frequently?

Secretary CHAO. I think it is premature at this point for me to comment on any of this until I get fully briefed. I have mentioned that Buy America is the President's priority. When you drill down to some of the details that you talked about, thank you so much for bringing it to my attention, I am not fully cognizant about that. So if confirmed, I look forward to getting briefed on all those issues.

Senator BALDWIN. And I look forward to working with you in that implementation role.

Secretary CHAO. Yes, of course.

Senator BALDWIN. The President-elect pledged to rebuild our Nation's crumbling infrastructure with a trillion dollar investment in transportation, clean water, telecommunications, and other pressing needs, and I welcome that discussion, especially if it includes real investments and not just tax credits.

When we met last week, I mentioned my support for reliable broadband infrastructure to ensure access to quality and affordable Internet in rural communities, and we have many of those in Wisconsin.

Additionally, it's well documented that water infrastructure across the country is in need of repair and upgrade, not only to avoid the failure and tragedy we experienced in Flint, Michigan, but to also meet the growing needs for delivering clean water to families and businesses.

We talked about the Water Council located in Milwaukee, Wisconsin, that is working to find solutions to the Nation's most difficult and pressing water problems, and I've introduced reforms that encourage the development and deployment of innovative water technology, and I believe these reforms have a place in any bold infrastructure investment. So my colleagues and I are eager to learn more about the scope of the infrastructure package that you will help shape.

But my final question is, If confirmed, will you work with me on an infrastructure package that includes real funding to address

both the infrastructure challenges and support innovation exemplified by what is occurring in my home state of Wisconsin?

Secretary CHAO. I will be more than glad to.

Senator BALDWIN. Thank you.

The CHAIRMAN. Thank you, Senator Baldwin.

Senator Duckworth has returned.

So you're up next, followed by Senator Capito.

**STATEMENT OF HON. TAMMY DUCKWORTH,
U.S. SENATOR FROM ILLINOIS**

Senator DUCKWORTH. Thank you, Mr. Chairman. Let me say how pleased I am to join you on this Committee. I am looking forward to working with you on transportation infrastructure and other issues that are critical to the Midwest, and to Illinois in particular.

Secretary Chao, first let me thank you for the time you took with me in my office earlier this week. Your commitment to maintaining an open line of communication with me is matched by my commitment to be helpful to you where our interests and those of my state are aligned.

The question I have for you has to do with this new rule from the Department of Transportation on the Metropolitan Planning Organization consolidation rule. As we discussed in my office, I am deeply concerned that this recent DOT rule, in fact, it was passed December 20, at a time when you sort of push through rules that are problematic and may have some opposition. But it was pushed through, and it threatens to disrupt important transportation projects in Illinois and throughout all of the Midwest.

I appreciate that the intent of the initiative may have been to encourage better results through regional cooperation, but, in fact, the impact of the new mandate will have unintended consequences for some localities and would be absolutely disastrous for Illinois, and in particular, the Chicagoland greater metropolitan area. If it doesn't work in Illinois, it's hard to see how it can work for any other metropolitan area in the Midwest and around the country.

And essentially, the MPO consolidation rule will require, for example, the Chicago Metropolitan Agency for Planning to merge with a similar agency in Wisconsin and Indiana, and it would require the Governors that any Federal transportation funding in Chicago be approved by the Governors of Indiana and Wisconsin. The application of this rule will slow down the delivery of important transportation projects nationwide, and in Chicagoland, give other states huge leverage over decisions that are best made by the local community. And the converse is true as well for decisions that are made in Wisconsin or Indiana or our neighboring states.

If confirmed, will you work with me to either reverse this rule or to, at the very least, make sure that it works for everyone, including Illinois and other metropolitan areas, especially those near state borders?

Secretary CHAO. Senator, thank you so much for that meeting in your office, and thank you for bringing this to my attention. So as I mentioned, if confirmed, I will be very eager to look into this particular issue. I need to understand it more. So I look forward to getting more briefed on MPOs, and I look forward to, of course, working with you on it as we go forward.

Senator DUCKWORTH. Thank you. Thank you. The Department of Transportation administers an important small business set aside program for minority and women-owned Disadvantaged Business Enterprises, commonly known as the DBE. This Federal program serves as a guide for state departments of transportation small business programs, and, in fact, many of our states' departments of transportation to align directly with whatever the Federal DOT's policies are.

Many businesses are concerned about the future of the Disadvantaged Business Enterprise program. And as we're looking to put significant investments into the Nation's infrastructure, I am concerned that women-owned business Disadvantaged Business Enterprises may not have as good an opportunity to bid on these contracts, to bring those jobs into the local economy, to bring those jobs into those local enterprises and local entrepreneurs, local women-owned businesses, if the DBE program is not emphasized.

Will you commit to working with me to reassure Illinois' small businesses that DOT will preserve the DBE program and ensure that if the President-elect follows through on the promise to invest trillions in new public infrastructure projects, small businesses, such as women-owned businesses, minority-owned businesses, will be included in the initiative?

Secretary CHAO. I've always been a tremendous supporter of small businesses. I've been a tremendous supporter of communities of color, of women. And when I was Secretary of Labor, I was the only Federal cabinet Secretary to have gender parity in the executive leadership at the Department of Labor. So these are issues that I've worked with all my career, and I will continue to work on them with you.

Senator DUCKWORTH. Thank you. That is very important to me. These entrepreneurs are especially vital in areas such as rural Illinois because they do hire local people to work on their contracts. They are local businesses. They are incredibly important for areas, economically depressed areas, such as the South Side of Chicago, East St. Louis, and the like. So I look forward to working with you on that.

And I would like to close just by saying that I share many of my colleague, Senator Inhofe's concerns about drones. I, in fact, have flown not too far from here and was flying at 2,500 feet when a remotely controlled vehicle flew off the nose of my aircraft and missed my propeller by about 2 feet. Let me just say it scared the living heck out of me, and it should not have been there. And so I will be monitoring the drone rules and programs very closely myself.

But thank you for being here, and I look forward to working with you.

Secretary CHAO. Thank you.

The CHAIRMAN. Thank you, Senator Duckworth.

Senator Capito.

**STATEMENT OF HON. SHELLEY MOORE CAPITO,
U.S. SENATOR FROM WEST VIRGINIA**

Senator CAPITO. Thank you, Mr. Chairman. I would like to thank you for allowing me to join the Committee. And I want to thank

the Ranking Member as well. I look forward to serving on this Committee.

I am very pleased to be here to see my friend, Secretary Chao. My husband, Charlie, sends you his best and congratulations as well, particularly because of your past service, but also being from neighboring states. It's nice to see a neighboring Kentuckian here today. And thank you for your visit to my office last week.

As you recall, we recalled in that visit when you were Secretary of Labor, you came and visited me and Senator Byrd in West Virginia, and so I would extend another invitation for you to visit the great state of West Virginia to talk about transportation issues.

Secretary CHAO. Thank you. I look forward to it.

Senator CAPITO. Great. You know, it's hard to be original in questioning after many folks before us, great Members of this Committee, have already asked some of the most important questions that I had before me.

I think you and I talked about the significance, and the Chairman mentioned this as well in his statement, of attending to the needs of rural America in terms of transportation needs. They are different from urban America. When I heard Senator Cantwell mention about all the travails of congestion, it kind of went through my mind, you know, a little congestion might be good for a state like West Virginia because it does indicate economic development and vibrancy, and that's what we want.

The financing part of an infrastructure package that the President-elect would be talking about has been mentioned many times in terms of including private investment, private dollars. As a person who represents an almost all rural state, like West Virginia, I'm concerned about, how are we going to be able to incent the private dollars to go to the less populated, less economically developed areas of our country? Because the investments are just as important. And I wonder if you had any thoughts on that.

Secretary CHAO. Rural America needs to be more connected in all sorts of different ways. And as we look at the national infrastructure proposal, I think one of the great challenges are the pay-fors, and how we are going to pay for all these great ideas, which are so necessary to keep our country and maintain the competitiveness of our country.

And so once again it's a huge issue that demands the best thinking from all of us. So that's why we need to work together. The Executive Branch needs to work very closely with the Congress especially on how to pay for all these projects.

I might also add it's not only the pay-fors that are important as well, but also the number of projects. And so how do we find projects that can be funded and carried out—

Senator CAPITO. Right.

Secretary CHAO.—in a timely way. And that should be part of the equation, too. So thank you for asking.

Senator CAPITO. Thank you. We've used successfully in West Virginia the public-private partnerships to complete projects like U.S. Route 35. We're working on the Coalfields Expressway and Corridor H, which comes actually directly from Washington, D.C. I know many people who live in and around the Washington, D.C., area that have driven on our roads in West Virginia wonder how

we could possibly need one more road because they're all named Senator Robert C. Byrd Highway, Interstate.

[Laughter.]

Senator CAPITO. But we still have a great need here. So we do know, I think at the state level. But it's challenging for states because a lot of states are having trouble meeting their match, much less figuring out how to cobble together a public-private partnership. So I look forward to working with you and the Department to try to find those answers.

I'm going to shift to high-speed Internet. Senator Klobuchar and I and Senator Gardner have worked on a bill, Dig Once. And this would mean that if you're digging and creating a new highway, you're running the high-speed Internet at the same time.

I would encourage you to look at that bill to see where you could help us with that, and present the concept of not only speed, but also being able to pinpoint certain areas that need that critical infrastructure as well because it's just as important.

Secretary CHAO. I look forward to working with you on that.

Senator CAPITO. Thank you. One last thing I would like to talk about, something I worked on when I was actually on the House Transportation Committee, and I worked with then Senator Udall, he is still a Senator, and I was a Congressman, Congresswoman, at the time, the concern of the 10,000 lives that we lost through impaired drunk driving and driving under the influence of drugs.

We were able in the FAST Act to get the driver alcohol detection system for safety to try to get some innovation to try to work on prevention of—to prevent the massive loss of life that we have that people get behind the wheel when they shouldn't.

So I would encourage you and your Department to keep moving forward on the research and development in this area. I think there is a lot to be done and there are a lot of good ideas out there, and I would just like your commitment. I'm sure you would be committed to that as well.

Secretary CHAO. We certainly will do that.

Senator CAPITO. All right. Thank you so much. I look forward to voting in the affirmative for your confirmation.

Secretary CHAO. Thank you.

Senator CAPITO. Thank you.

The CHAIRMAN. Thank you, Senator Capito.

Next up is Senator Hassan.

**STATEMENT OF HON. MAGGIE HASSAN,
U.S. SENATOR FROM NEW HAMPSHIRE**

Senator HASSAN. Well, thank you, Chairman Thune and Ranking Member Nelson. I am so pleased to be joining you on this Committee because the Committee's work is, of course, so focused on expanding economic opportunity and supporting innovative businesses and keeping our economy moving forward.

And, Secretary Chao, it is great to be with you today. My husband, Tom, so enjoyed your conversation during orientation and sends his best wishes as well.

Secretary CHAO. Thank you.

Senator HASSAN. A major focus of the work, we've all been talking about it this morning as we talk about expanding jobs—ex-

panding economic and creating jobs, is obviously around making sure our highways and our roads and bridges are modern and safe. And as we talk about really building that kind of foundation for a 21st century economy, I know when we visited this week in my office, you've been thinking a great deal about these issues. I look forward to working with you on them, and I am very grateful not only for your past government service, but also the way that will inform your work going forward, I just think it's a terrific résumé you bring.

Secretary CHAO. Thank you.

Senator HASSAN. There are a couple of programs that have really—DOT programs that have really helped New Hampshire over the last few years, and I just wanted to touch on them briefly. One of the things we talked about in our meeting the other day was the importance of TIGER Grants and TIFIA loans.

You'll recall that it was a TIGER Grant that really supported our capacity to refurbish our Memorial Bridge, a drawbridge over New Hampshire's port, and, yes, New Hampshire does have a port. And so those competitive TIGER Grants have helped New Hampshire in a number of other ways as well because they really help fund projects that aren't suited to the more broad categories of funding grants.

And then the TIFIA loan project has really been critical to our completion, our plans to complete, Interstate I-93 in New Hampshire, both with lower interest rates and deferred payment schedules, and has proved to be I think really critical to a number of other rural areas for large surface transportation projects.

So part of my question to you is just, Are you familiar with the TIGER and TIFIA programs?

Secretary CHAO. Oh, yes.

Senator HASSAN. And do you have a commitment to continuing to support them?

Secretary CHAO. From all of my meetings with Members of Congress, there seems to be one area of great agreement, and that's the utility of the TIGER Grants. But I can't make a commitment at this point.

I've been very impressed with how many Members like it, and I look forward to reviewing it and seeing how much money can really be devoted to this, currently \$250 million. It's a very modest sum in this budget, but I would like to get more briefed on this topic. I look forward to working with you.

Senator HASSAN. Great, great. And TIFIA, do you have any thoughts about the TIFIA program?

Secretary CHAO. TIFIA also seems to be, again, another very important and valuable source of funding. And as we talked about the infrastructure funding throughout our whole country, we need to be seeking more innovative and more varied options of funding, and the TIFIA has certainly proven its worth. As to the specific amounts, that again will be a budgetary issue that I'll be looking at if I'm confirmed.

Senator HASSAN. Great. We also spoke on Monday about the importance of commuter rail in the 21st century economy, something I've learned a great deal about as Governor as we've tried to focus on bringing commuter rail from Boston up to Nashua and Man-

chester, New Hampshire, not only because it's a boon to businesses supported by all our major Chambers of Commerce, but also because we're learning that Millennial workers really often don't want to own cars and really do like to see access to public transportation.

So a project to bring commuter rail would not only require a partnership between Massachusetts and New Hampshire, but also Federal support to enhance that state and local effort. So are you committed to continuing to ensure Federal support for this type of commuter rail project?

Secretary CHAO. Passenger rail is very popular with passengers. My father came down on Amtrak, as did my sisters. So this is an area that can obviously help with the environment, it is a wonderful alternative to air or driving. And I have supported it in the past, and I look forward to reviewing it and getting an updated briefing on this as we go forward.

Senator HASSAN. Well, thank you. And just—I see my time is almost up. I just wanted to add my thoughts on the driverless cars or automated automobiles now. As we think about that technology, I hope we'll think about making it accessible to people who, for a variety of reasons, can't drive, and making sure that as new technology comes on board, its pricing doesn't prohibit the people who might benefit from it the most from using it.

Secretary CHAO. Those are very good points, and I appreciate your bringing them up.

Senator HASSAN. Thank you very much.

The CHAIRMAN. Thank you, Senator Hassan.

Senator Gardner.

STATEMENT OF HON. CORY GARDNER, U.S. SENATOR FROM COLORADO

Senator GARDNER. Thank you, Mr. Chairman.

And thank you, Secretary Chao. All the way over here by the front row of the audience, I think welcome to the new Members who sometimes we get confused with people here to watch the hearing as well, maybe even accused of being here to testify. So it's great to be with the new Members of the Committee.

And certainly, Secretary Chao, thank you for your service to the country and your willingness to continue to serve this Nation.

Secretary CHAO. Thank you.

Senator GARDNER. A difficult job as Secretary of Transportation you have ahead of you, because not only do you have to know and understand the acronyms of things like TIFIA and FAST Act, but you have to know where I-70 and I-76 and US-50 and 385 all are. So you get acronyms and numbers piled together, and everybody expects you to know exactly where that congested intersection is that has to be addressed. So thank you for the work that you're doing.

Colorado, of course, has seen some great economic opportunities over the past several years. In fact, every time I land at Denver International Airport and drive along I-25, I do a crane count in Denver to see how many construction cranes are in downtown and dotted across the Front Range.

Since 2010, we've had 10 percent population growth, 500,000-plus people moving into the state of Colorado. Almost an entire new congressional district every decade seems to be moving to Colorado. The concentration of that population is between Pueblo, Colorado, to the south, and Fort Collins, Colorado, to the north, along the Front Range corridor.

The growth has been a great economic opportunity, positive economic opportunity, for Colorado, but lots of challenges for infrastructure. Parts of I-25, even though you had this dramatic growth, still looks like it did in the 1960s and 1970s. We passed the FAST Act. I was able to put language in it to help ensure that the Department of Transportation considers population growth when distributing certain grants.

So as Secretary of Transportation, how will you work with those states that have seen such high population growth to help meet their needs either through infrastructure packages, transportation financing programs, or grant funding?

Secretary CHAO. The highway funding—the Federal Highway Trust Fund is a block grant of Federal dollars going to the states, believing that the states know best how to distribute that money. And so if the Congress wishes to change the formula, that is obviously a discussion that the Administration would have with the Congress, and I look forward to working with you on that.

Senator GARDNER. Well, thank you. And again I think it's one of those areas where a number of states in the West are going to have the same kind of needs and considerations.

The Colorado Department of Transportation, which right now is working on handling some heavy snow over the past several days, has got a vision referred to as the RoadX Program to utilize smart transportation along I-25, that Front Range, and I-70 through the mountains, the Eisenhower-Johnson Tunnels. The corridors help mobility, reduce congestion.

This vision is already helping us become a state for high tech. We had the first fully autonomous delivery of a commercial shipment. It was, of course, Colorado, so it was a beer truck from Fort Collins to Colorado Springs, fully autonomous, the first time ever in the country, a tremendous step, but obviously we have to make sure there is more work done for safety to make sure that we have no onerous adoption of regulations that would prevent this new technology from thriving.

How do you think the Department of Transportation should work with states and others in the safe deployment and integration of smart transportation technologies like those in Colorado, autonomous vehicles, and other technologies?

Secretary CHAO. Always in collaboration. The Federal Government can't do this on its own, and it must take into account the perspective of the stakeholders. So we look forward to working with you on all these concerns.

Senator GARDNER. And how do we make sure that we have that regulatory certainty that we need in order to assure this technology thrives?

Secretary CHAO. I think regulations need to be based on sound science, real data, to ensure that the best regulations are put for-

ward that indeed will be effective and help to promote the ultimate goal.

Senator GARDNER. Thank you. And whether its across roads, we talked about here, but across all of the agencies within the Department of Transportation, Colorado has felt a lot of impacts of overly burdensome regulations. I'll just give you a few.

Many of our communities on the Front Range that have grown around railroads have major concerns with train horn noise within the Federal Railroad Administration, certification process delays within the Federal Aviation Administration where an airplane from Frontier Airlines is treated just like an airline that's a local crop-duster for certification purposes, hours of service requirements within the Federal Motor Carriers Safety Administration, Davis-Bacon requirements across Department of Transportation, excuse me, the National Environmental Policy Act permitting requirements across CDOT—across the Department of Transportation, excuse me; National Environmental Policy Act permitting requirements across the Department of Transportation.

Many of these regulations can slow down a project and stifle that economic progress, can create uncertainty for businesses, the project itself, increase the time it takes to construct the project, increase the cost of that project. How can you help us, help Congress, work to reduce the regulatory burdens facing our state and local governments and businesses?

Secretary CHAO. The issue of regulations is a larger issue overall as well. There are some who think that the regulations in the past few years have added to dampening the rate of growth of our economy and that it has actually decreased the competitiveness. And there are others who feel that these regulations were necessary.

So I think, again, it's a balancing act, and it's building a consensus on both sides of the spectrum—political spectrum—to come to regulations that are truly based on real data, on sound science, because that is the best way to promulgate regulations.

Having said that, there indeed have been overly burdensome regulations that need to be reviewed. And so that is part of the new administration coming in, that all of these regulations—some of these regulations that you've mentioned will be reviewed as well.

Senator GARDNER. Madam Secretary, thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Gardner.

Senator Lee has returned.

If you're ready, you're up next, followed—this is what I have: Senator Lee, Senator Cortez Masto, Senator Young, Booker, Heller, and Udall.

STATEMENT OF HON. MIKE LEE, U.S. SENATOR FROM UTAH

Senator LEE. Thank you very much.

Secretary Chao, it's good to have you here. And I'm grateful to you for being willing to visit with me at my office a few days ago. I enjoyed our visit and appreciate your willingness to be considered for this important position.

As you know, a passion of mine involves federalism, involves the concept that the constitutional system created by our Founding Fa-

thers works best when we reserve most powers in a way that will allow them to be exercised at the state and local level.

We have accomplished great things nationally through the Federal Government. There have been some things that we have created out of an understanding that in order facilitate the free transfer of goods, of services, of people across interstate lines, there are appropriate things for the Federal Government to get involved in.

When the Interstate Highway System was created, it was created with the understanding that from a national security standpoint and in order to facilitate interstate commerce, this was an appropriate activity for the Federal Government to enter into. At the time it was created, of course, there was an understanding that once the Interstate Highway System was established, that it could, in time, be handed over to the states.

Of course, that system is now largely complete, and we find ourselves sometimes oddly running short in terms of the revenue that we receive from the Federal gasoline tax. There are proposals that have, as an idea, that have as their central idea, that perhaps we should reduce the Federal gasoline tax and allow states to take over more authority, both in terms of revenue collection and in terms of spending that money, deciding where it ought to be spent. I hope that's something you would be willing to consider, at least that you wouldn't dismiss if you were confirmed to this position.

Secretary CHAO. I'm open to all ideas, and I look forward to discussing your idea further with you.

Senator LEE. Thank you. Let's talk about supersonic air travel for a minute. When I was a kid, there were a lot of assumptions that a lot of people made, that supersonic air travel would become a more common thing, that certainly by the time we were in 2017, things like the Concorde would be more common.

And yet notwithstanding technological innovations, materials that are lighter weight, that would otherwise allow for the design, the development, of commercial aircraft that could travel at supersonic speeds, we don't see that today.

Part of this, some argue, has related to a ban on supersonic travel, one that was put in place in the 1970s as a result of some studies, notwithstanding the fact that supersonic aircraft don't necessarily produce any more noise at takeoff and landing than they do midair, and the sonic boom that was the concern underlying supersonic travel policies that have been in place since the 1970s can be taken care of just through the altitude at which a supersonic aircraft passes through the sound barrier.

Is this something that if you were confirmed, you would be willing to consider, you would be willing to take a look at?

Secretary CHAO. I'm not very familiar with the topic that you mentioned, so I look forward to getting a briefing on it if confirmed.

Senator LEE. Great. Senator Peters discussed with you the importance—the important balance between safety and innovation in the development of driverless cars. There are a lot of people who are very anxious to see how this is going to turn out. There are a lot of people in this country who earn their living driving cars or driving trucks, and yet at the same time, there are now predictions that many, if not most, if not nearly all of these jobs will eventually become obsolete with driverless technologies.

This, it seems to me, is going to create a real opportunity and a real demand for some type of regulation or at least some type of framework in which these manufacturers and designers of these vehicles can operate. Can you tell us just how you'll work with state and local governments as well industry and tech leaders to preserve the safety of our roads without inhibiting this type of important innovation?

Secretary CHAO. You bring up a very, very important topic. The role of government is to foster the right environment in which job creation can occur. As a former Secretary of Labor, I'm very concerned about the ability of our economy to create good-paying jobs. So I am very much in support of the government again creating the environment through which job creation, economic growth, can occur.

We obviously are also facing new technology, emerging technologies, which will bring about great dislocations, and so how we, as a society, deal with that and not again stifle, dampen, the innovation, the creativity, that is so much a hallmark of what America is all about, and that's the balance. And it's not an issue that can be decided by any one person, any one department, but it requires the national attention, discussion on all of the pros and cons and concerns of the benefits and the concerns that these emerging new technologies bring.

Senator LEE. Thank you. Thank you, Madam Secretary.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Lee.

Senator Cortez Masto.

**STATEMENT OF HON. CATHERINE CORTEZ MASTO,
U.S. SENATOR FROM NEVADA**

Senator CORTEZ MASTO. Thank you, Mr. Chair, and Ranking Member Nelson. I am very excited to be a new Member on the Committee, and I look forward to working with all of you and my colleagues as well.

It is true, all the questions have been asked. But I do want to first of all thank you. Thank you for taking the time to meet with me, Secretary Chao. I look forward to future conversations. One thing I have learned from all my colleagues in listening to their questions to you is we are all going to be competing against one another for funds, and you're going to be the person we're going to be going to for the important needs in our state.

And one of the questions I have for you is involving an important project that's happening right now in Nevada, and I think we talked about it, which is Interstate 11.

Secretary CHAO. Right.

Senator CORTEZ MASTO. Right? So Las Vegas and Phoenix are two of the largest cities in the country that are not connected by an interstate, and in the last Congress, the Nevada delegation worked to include the I-11 future designations in the Surface Transportation bill.

Now that the route is eligible for Federal funds, Nevada and Arizona will be looking for Federal support to bring these existing roads between the cities up to interstate standards.

I wanted just to get a commitment from you on support for Interstate 11, and what role do you see for Federal assistance to fund projects of regional significance such as Interstate 11?

Secretary CHAO. Senator, you and I have talked about this a great deal. It's obvious that you care about this issue deeply. I would like to get better briefed on it. I said to you that I would—this would be a priority, that I would look at this, and I will do so.

Senator CORTEZ MASTO. Thank you. I appreciate that. One of the things that has come to my attention after talking with not only the Director of the Department of Transportation, but our regional transportation directors and commissions in the state of Nevada, particularly of importance is light rail system.

In Nevada, if you don't know, I've had the opportunity to work with the transportation commissions, and right now they're looking to connect our airport, McCarran, to the Strip in downtown Las Vegas, and that will move 2 million Clark County residents through the corridor, which is ripe for economic development, as well as provide transportation for over 40 million annual visitors to the Las Vegas area. This project will need Federal dollars.

In our meeting, you said that department secretaries have to make tough choices when allocating that funding and that there is never enough. So how do you evaluate where these limited resources will go?

And, two, it's come to my attention as well that when we're talking about evaluating and allocating the funding, it's based on a formula that also includes population. But that formula includes a population based on a census in 2000, and as you know, Nevada, particularly Las Vegas, is one of the fastest growing communities. So to me, that is an outdated formula. I would like to know your thoughts and commitment in working with us in how we address that issue.

Secretary CHAO. Well, the Highway Formula Grant is very complicated. In recent years, it's gotten actually a lot simpler, but because of the short-term aspect of the highway bills in the past, except for the FAST Act, which was a tremendous accomplishment, that formula has just repeated itself. So it's totally within the purview of Congress that if indeed that formula were to be changed, the Congress would be able to change it.

Senator CORTEZ MASTO. And like my colleagues, let me just say autonomous vehicles in Nevada, we, like what I'm hearing from several of my colleagues, this is an important issue and economic driver in developing new technology. In fact, Governor Sandoval recently announced dedicating specific resources from our state to a center for autonomous vehicles, and our state is the first in the Nation to dedicate those resources for this kind of technological investment.

I've heard your conversation, your commitment to working with us on this new technology addressing the concerns, but what I would like is your commitment to come to Nevada, take a look at what's going on, and talk with our Governor and our economic development so you can see firsthand. Would you commit to coming to Nevada and making a visit and looking at what's happening there?

Secretary CHAO. I would be delighted to come to Nevada.

Senator CORTEZ MASTO. Thank you.

Secretary CHAO. Thank you.

Senator CORTEZ MASTO. And one final thing just to put on your radar, we didn't get a chance to talk about when we were meeting, Disadvantaged Business Enterprises are important for me. As a former member of the Department of Transportation in the state of Nevada, this was an important initiative that our Director continues to promote, so I just wanted to make sure that you understand that, and I look forward to working with you on that issue as well and those programs.

Secretary CHAO. Thank you.

Senator CORTEZ MASTO. Thank you.

The CHAIRMAN. Thank you, Senator Cortez Masto.

Next up is Senator Young.

**STATEMENT OF HON. TODD YOUNG,
U.S. SENATOR FROM INDIANA**

Senator YOUNG. Madam Secretary, thanks so much for your presence here today and for your willingness to serve. You have an extensive background in public policy and personnel management, and I think the experience within the transportation sector in particular that will make you an effective Secretary here. So I appreciate that.

My home state of Indiana, which you no doubt are familiar with, seeing as we're neighbors, has adopted the moniker "Crossroads of America." We have celebrated that fact for roughly 80 years, and the name stems from the fact that Indiana is the intersection of four major interstate highways. Three of Indiana's seven priority infrastructure projects involved expanding those interstates and upgrading them.

And so surface transportation needs in my state, as so many others, are significant. So I, too, would invite you to visit with our state officials, local officials, and familiarize yourself, and, of course, the Department, more on those essential needs.

I look forward, for one, to partnering with you and the entire Department to ensure that we can identify bottlenecks, reduce the regulatory burdens, which you've already spoken to, and make sure we stretch every dollar as far as we can to fund not just Indiana's needs, but more broadly, this 21st century infrastructure plan put forward by the President-elect and the administration.

As you prepare to assume these new responsibilities, I would ask you to make sure that you partner and give great involvement to our state's Governor and the Governors of other states, really empower them to expand financing needs in particular.

And so along those lines, I know that the transportation plan is still in development through the administration, but would you kindly elaborate on how you plan to utilize new financing opportunities like public-private partnerships to help invest in 21st century infrastructure, including surface transportation?

Secretary CHAO. There are times when public-private partnerships have not been welcomed, but so at the very minimum, we need to do away with some of these impediments. And private investment is encouraged to enter when they see a bold vision, and

this President has a bold vision. We will be talking about it when the Administration comes into being after January 20, and it will be very exciting to work on an infrastructure for America.

Senator YOUNG. So the signals we send through the bold vision and by presenting a bold plan with more specifics to be teased out later, you believe will facilitate more private actors wanting to come forward, better terms possibly for the contracts? And are there other things we can do beyond putting forward a bold plan here in Congress to empower the Department to facilitate these sometimes unwelcome public-private partnerships?

Secretary CHAO. Public-private partnerships are embraced by some and not by others, and for them to be truly effective, I think there are revenue streams that need to be assured. And so whether groups on either side of the political aisle would agree with these revenues streams is something that we have to talk about, and so I look forward to working with the Congress on these issues.

Senator YOUNG. With respect to the budget of the Department of Transportation, you've proven in your previous capacities you know how to identify inefficiencies, identify bottlenecks, take private sector practices and bring them to the public sector, and so forth, and you'll no doubt be involved in this activity over at DOT and I suspect in short order. I would just request that your Department report back to this Committee within 6 months, 180 days, with opportunities to make DOT more efficient and budget conscious. Is that a commitment I can get here today?

Secretary CHAO. I can certainly give you a report in 6 months.

Senator YOUNG. All right. Thanks so much. I yield back.

Secretary CHAO. Not at all. Thank you.

The CHAIRMAN. Thank you, Senator Young.

Senator Booker, Senator Heller, Senator Udall.

STATEMENT OF HON. CORY BOOKER, U.S. SENATOR FROM NEW JERSEY

Senator BOOKER. It's such an honor to be sitting before you right now. Thank you so much for your willingness to serve not once, but twice, in a Presidential administration. I have to say that I have a great deal of respect for you, although I have some frustration now with Mitch McConnell, being a young single Member of the Senate, he has never taken me aside to tell me how to marry out of my league.

[Laughter.]

Senator BOOKER. I'm a Jersey boy, and we have serious infrastructure challenges. The replacement of the 107-year-old Hudson River tunnels and the Portal Bridge is a crisis for the entire Northeast Corridor. More people use those tunnels than I think the entire population of South Dakota every single day. And about—that's not a knock, Chairman, at all, of course—but the reality is, is we need to replace these tunnels, and unfortunately the urgency is greater because of the recent Superstorm Sandy. It's estimated that if these tunnels would go down, they would cost about \$100 million in lost productivity every single day.

Given the importance of this project to the Nation's economy, this region of the country is one of the most productive economic regions on the planet Earth, will you continue to honor the Depart-

ment's commitment to partner with New York and New Jersey to prioritize investment and expedite the completion of the Gateway Program?

Secretary CHAO. I have not had specific conversations about this, so I do look forward to getting briefed, but I would assume that any project in New York/New Jersey would be very important going into the future.

Senator BOOKER. I appreciate you saying that. And I know the President-elect of the United States knows a little bit about commuting between New York and New Jersey, although I think he might take a helicopter.

The FAST Act made important changes to the new starts capital investment program along with involvements that I championed that really made improvements to the loan program, the RRIF program, that will help this kind of critical financing.

I just again want to see if that's something that you believe in as a way to fund these major infrastructure projects. And is it something that you think you can support going forward, given not just the needs of my region, but really a program that benefits all around our country?

Secretary CHAO. We need to be looking at all of these options because, once again, the tremendous resources that are required to build a first-class and maintain a first-class infrastructure will require that. So I look forward to working with you on it.

Senator BOOKER. I appreciate that. And I'm happy to hear that the incoming administration has made clear that putting together a trillion dollar infrastructure package is a priority. The Trump campaign released a plan that called for about \$137 million in tax breaks to private investors who want to finance toll roads, toll bridges, and other projects that generate their own revenue streams.

Private tax breaks, however, will only aid infrastructure projects that have their own revenue stream, which would only be applicable to large-scale projects with a direct user fee.

Others have argued, such as Steve Bannon, what we need to be doing is making direct investments in our infrastructure as a Nation to rebuild roads, bridges, rail systems, ports, and other key infrastructure assets that have made America globally competitive. Do you and President-elect Trump support an infrastructure package that will include direct Federal spending?

Secretary CHAO. I believe the answer is yes.

Senator BOOKER. Great. Great. Thank you. Can I shift really quick to air traffic control staffing? This is a critical, safe, efficient running of our airspace. It's just a critical aspect, and we need to make sure we continue to have a capable, well-trained workforce. This workforce includes certified and experienced air traffic controllers.

And right now, unfortunately, we face a crisis when it comes to staffing of our Nation's air traffic controllers. The national aerospace system has declined to a 27-year low with certified professional controllers.

How will you ensure that we have the necessary aviation workforce to continue operating the safest airspace in the world?

Secretary CHAO. As a former Secretary of Labor, I am always very concerned about the ability of a workforce to prepare for a certain percentage of workers retiring and how best to prepare for the future and for succession waves to occur as well. So I am very concerned about that, and that it's a whole plethora of strategies that can be deployed, and I look forward to working with you on discussing some of these strategies and also getting up-to-date information from the Department as to what their current plans are as well.

Senator BOOKER. Thank you very much. And the last thing I want to say is a priority for mine is the NextGen installation in Newark, New Jersey. Even President-elect Trump has criticized Newark Airport saying that our airports are like from a Third World country. You land at LaGuardia, you land at Kennedy, you land at LAX, you land in Newark, and you come in from Dubai and Qatar, and you see these incredible airports. You come in from China, you see these incredible airports. And you land, and we've become a Third World country.

I've had a lot of frustration about Newark's busy airport and the challenges of delays. NextGen technology would help modernize these systems, create efficiencies, improve air quality. Under your leadership, can we specifically expect rapidly a full implementation of the NextGen technology to upgrades that are already on the way, but it needs a champion as a Secretary to get this over the line so we can modernize our airport and catch up with those global leaders that have surpassed us like the President-elect has mentioned?

Secretary CHAO. Absolutely. We need to have a greater emphasis on improving the rate of modernization. There are questions which had taken place before you arrived about the air traffic control system, and the rate of change and improvements are certainly not what we would all like and needs to be improved.

Senator BOOKER. Thank you very much.

As a big fan of South Dakota, I would like to apologize to the Chairman for being over.

[Laughter.]

The CHAIRMAN. Thank you, Senator Booker.

And might I add that only in the U.S. Senate would the Senator from New Jersey be considered a young single guy, but—

[Laughter.]

The CHAIRMAN. Senator Heller is up next.

**STATEMENT OF HON. DEAN HELLER,
U.S. SENATOR FROM NEVADA**

Senator HELLER. Mr. Chairman, thank you. And to the Ranking Member, I have to tell you, Mr. Chairman, I'm impressed with the size of your Committee. Let it be a lesson to all of us about being on time, as I look around here.

Needless to say, Secretary Chao, to you and your family, welcome today. Lynne and I have appreciated our friendships over the years, and we both congratulate you on your nomination.

Secretary CHAO. Thank you.

Senator HELLER. And in our meeting in my office, we talked about the functions of the Federal Government, and one of the

most important constitutional functions, of course, is the creation of infrastructure. Obviously, in order to conduct commerce, trade, and general transportation, it's very critical.

And one of the upsides to the state of Nevada is to have my colleague and I on the same Committee so that we can ask you the same questions twice. But, I do want to emphasize what she emphasized, and that is that Nevada is a microcosm of the challenges and the opportunities before the Department of Transportation in the coming decade.

Nevada is one of the fastest growing states in the Nation, as you're well aware of, adding nearly a million new residents over the last 20 years. Add to that 43 million visitors, and you can imagine the infrastructure and the growth strains that we have in the state of Nevada, and the infrastructure system that we need for increased vehicular travel that has increased over the last decade by 150 percent.

So I want to talk again about I-11, as Senator Masto mentioned, and that is the fact that we have two cities that are 290 miles apart, and these are the two largest cities in the country today in the Southwest that do not have a freeway between them.

I was impressed with the Chairman of this Committee and his work on the FAST Act and the improvements that that will make over the next decade in the ability to move forward, and the fact that it officially designated this freeway, I-11, between Phoenix and Las Vegas as an officially designated future highway. And you may be aware of this, but it has been decades since we've actually designated a future highway here in this country, and it's good to see the I-11 moving forward.

I think Nevada has done a great job in this process because we've moved ahead. We have a bypass, the first phase is known as the Boulder City Bypass, and because of the work of the Federal Government, state government, and local government, we were able to complete this particular project on time and very quickly.

So I guess the question is always the same, we need the resources. And this is a great project, and you've heard a lot of great projects today, but the issue is always going to be resources, and I guess the commitment that we're asking from our delegation is, Will you help us in securing the resources that are necessary in order to not only grow this designated freeway between Phoenix and Las Vegas, but you can imagine the impact that it has on the region, the southwestern portion of the country, which has been the fastest growing for decades.

So I guess that's the commitment we're trying to get between the two of us from you, is the help and the support from the Department of Transportation to see this come to fruition.

Secretary CHAO. A couple of points. One, this emphasizes again the need to find additional financing, creative, innovative ways to fund many of these infrastructure projects. Number two, I look forward to working with both Senators from the great state of Nevada on this issue. And I look forward to seeing both of you in Nevada.

Senator HELLER. Secretary, thank you. We needed to hear that. I want to expand on this I-11 because not only is it between Phoenix and Las Vegas, but it will continue to extend up into the northern portion of the state. And under the work of this Chairman on

the FAST Act, we did authorize the extension of I-11 from Las Vegas to northern Nevada in that bill.

It's going to be a very complicated project. We're not talking just the 290 miles between Phoenix and Las Vegas, but an additional 400 miles to get it to the northern end of the state. We're very vast out there in the West, but it's going to be treacherous, treacherous terrain. There's a lot of Federal land in the state of Nevada. We have Native American reservations. We can go on and on and on in how difficult this would be. I guess the question that I have for you is to ensure that as this project moves forward is that we can streamline—there were a lot of streamlining provisions within the FAST Act, and your commitment to seeing this happen so that we can get through the initial phases of the planning on that project, taking it from Las Vegas to the northern end of the state, can we get your commitment that we can try to overcome some of the shackles that we find through this difficult project as we move forward?

Secretary CHAO. I will work with you on this.

Senator HELLER. And I do appreciate that. What I'm trying to hope is that this idea, this project, moving forward would actually be a model for the rest of the Nation.

Secretary CHAO. I understand. Thank you.

Senator HELLER. And, Mr. Chairman, I think my time has run out.

The CHAIRMAN. OK. Thank you, Senator Heller.

Senator HELLER. Secretary, again welcome and thank you for being here.

Secretary CHAO. Thank you.

The CHAIRMAN. Senator Udall and then we're almost to the end, Senator Markey.

STATEMENT OF HON. TOM UDALL, U.S. SENATOR FROM NEW MEXICO

Senator UDALL. Thank you, Mr. Chairman. And I've enjoyed being a very active Member on this Committee and very much appreciate yours and Senator Nelson's bipartisan approach to the Committee work.

Secretary Chao, welcome. And it's wonderful to see you're willing to come back and do this a second time. I want to thank you for your service to the country. And I very much enjoyed our visit in my office about a variety of different issues, some of which I'm going to ask about today. And it's always good to see your family here.

Secretary CHAO. Thank you.

Senator UDALL. Those young people right behind you, they have real focus. You've taught them quite a lot there. And I know you always talk fondly about your dad, so it's great to see him here, too.

First, I would like to talk a little bit about drunk driving. In your written testimony, you note that safety will continue to be DOT's primary objective. In 2015, drunk driving killed more than 10,000 people. That's roughly one-third of all traffic fatalities. And these are tragic deaths that are preventable, and I know that you know that, and you've worked on this before. We know from efforts in my

home state of New Mexico that we can reduce the tragic toll from drunk driving.

High visibility enforcement, ignition interlocks, public safety campaigns, all of those help save lives, but I'm especially excited by an advanced R&D effort to find technological solutions to end drunk driving, and I think Senator Capito talked about how the two of us had worked together on that. This is called the Driver Alcohol Detection System for Safety, or DADSS. It's a public-private partnership that's making progress toward that goal.

Let me ask you a couple of questions on these drunk driving issues. Will drunk driving be a priority issue for you as DOT Secretary?

Secretary CHAO. Yes.

Senator UDALL. And will you support NHTSA, the National Highway Transportation Safety Administration, operation efforts to combat drunk driving, such as Drive Sober or Get Pulled Over, it's a public awareness campaign?

Secretary CHAO. I've worked with NHTSA in the past and I look forward to working with them in the future and look forward to getting updated on this latest initiative as well. You've done great work with DADSS.

Senator UDALL. Great. Thank you. And will you—you've already answered that third question, so I'll move on here. I really appreciate your responses.

Everybody has talked here, as has been mentioned several times, and I don't want to plow new ground, on rural infrastructure. One part that hasn't been mentioned that you know I've talked with you about is our Native American communities, where many of these Indian pueblos, tribes, are in very rural areas, sometimes unemployment 40 and 50 percent. So one of the ways to grow jobs is to have good infrastructure.

I hope that you will work with me in the rural areas and in Native American communities to make sure that we get the infrastructure that they deserve and that they can grow their communities. I know Senator Thune, our Chairman, has a lot of tribes that are in the same situation, too. So thank you for that.

And then let me talk a little bit about greenhouse gas emissions. The DOT's Transportation and Climate Change Clearinghouse states that—and this is a quote within your Department, "within the United States, transportation is the largest source of greenhouse gas emissions after electricity generation. With scientific recognition that greenhouse gas emissions are contributing to a long-term warming trend of the Earth, there is an increasing realization that transportation is a significant contributor of GHGs, plays an important role in climate change policy and program decisions." That's your Department's statement.

Will a Department of Transportation, under your leadership, work to address greenhouse gas emissions and climate change issues?

Secretary CHAO. I'm not very familiar with what the Department is doing right now, so I would want to be briefed and understand what they are doing on this, and I look forward to working with you on it.

Senator UDALL. A related issue also has to do with vehicle emissions, and I hope that you will work with me to see that we improve the vehicle fleet fuel economy rather than rolling back those standards. Once again, I very much appreciate your effort here today. Thank you.

Secretary CHAO. Thank you.

The CHAIRMAN. Thank you, Senator Udall.

Senator Markey is up next, and then Senator Cruz.

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

Senator MARKEY. Beautiful. Thank you, Mr. Chairman, very much.

Welcome, Madam Secretary, and you have a beautiful family behind you. I see your father right over your shoulders.

Secretary CHAO. Thank you.

Senator MARKEY. Just such a wonderful day.

Let me go first to this revolution that's taking place in the automotive sector—

Secretary CHAO. Yes.

Senator MARKEY.—where automobiles are very rapidly turning into computers on wheels, and increasingly it's possible to be able to hack into these vehicles as they move down the streets. And all of these vehicles have information about us, which streets we went down, when we went there, and potentially they are compromisable in terms of someone with a computer even taking control over that vehicle.

Can you talk a little bit about how you view that issue and what role you think that the Congress and the Department of Transportation can take in ensuring that drivers are protected against a compromise of their information?

Secretary CHAO. The innovation and creativity of our country is unsurpassed in the world. And so we have a responsibility to encourage that creativity and that innovation in the future. Obviously, with these new emerging technologies, there has now surfaced a number of key issues, privacy among them, that are very worrisome to a whole host of people. Safety is another.

So as these emerging technologies are coming up, they're faced with state-by-state regulations, which also present a new challenge as well. Yet there are many benefits. For example, for senior citizens or people with disabilities who may not want to or cannot drive, autonomous vehicles are a way to give them back their freedom.

So there are pros and cons, and we need to have a national dialogue about all of this. And as I said, the regulations at the Federal level are in their infancy, and we need to work with Members of the Congress and all of you on this Committee to make sure that we're not dampening the spirit of creativity, and yet we are also assuaging the real deep-seated concerns of our public on some of the issues that these new emerging technologies bring.

Senator MARKEY. Thank you. Let me follow up on a question which Senator Udall asked, which is on the greenhouse gas issue, which is related to fuel economy standards for the vehicles which we drive.

I am the author in 2007 of the law which required the dramatic increase in the fuel economy standards of the vehicles which we drive. Senator Stevens, from Alaska, and Senator Feinstein were the Senate authors of that. And that calls for 54.5 miles per gallon, which is by the year 2025, which has been reinventing the automotive sector in our country. That is going to be reviewed over the next couple of years.

Can you talk a little bit about how you view that issue and whether or not the U.S. should stay on a path to meet those goals because it requires less gasoline for people to buy, backs out oil we import, and reduces greenhouse gases?

Secretary CHAO. This issue is going to be coming up. It's going to be an important one for the Department. And before I comment, I would like to do so responsibly, and so I would like to get some briefings, up-to-date briefings, on what is happening within the Department. And, again, I look forward to soliciting your points of view and working with you as we go forward.

Senator MARKEY. Thank you. Great. Thank you. And on the issue of drones, there are going to be millions of drones up in the sky, but commercial companies can actually collect data——

Secretary CHAO. Yes.

Senator MARKEY.—about individual families all across the country as these drones are just hovering over people's backyards. I was actually successful in having an Amendment pass out of this Committee last year. It got knocked out in the Conference Committee, but it just goes to the issue of the privacy of Americans and the information being gathered about them by commercial companies and creating a privacy standard for those families.

Can you talk about that and what role you believe the Department of Transportation and this Congress should be playing in ensuring that these "eyes in the sky" don't compromise the privacy of families across our country?

Secretary CHAO. Well, Senator, you and I talked about this at length during our visit in your office as well. And so on this issue, as I mentioned, and many others, with emerging technologies, we all need to talk and understand the benefits, as well as the concerns that are expressed by various stakeholders, and I look forward to working with this Committee and the Congress on all those issues.

Senator MARKEY. And do I have time for one more question?

The CHAIRMAN. Your time is up. If you want a second round——

Senator MARKEY. I yield back. Thank you. I appreciate it, Mr. Chairman.

The CHAIRMAN. OK. Senator Cruz.

**STATEMENT OF HON. TED CRUZ,
U.S. SENATOR FROM TEXAS**

Senator CRUZ. Thank you, Mr. Chairman.

Madam Secretary, congratulations on the nomination. Congratulations to your family, who is here, especially your father, who I know is very, very proud of you, and together you all represent the quintessential American success story, coming as immigrants to achieve the American dream.

Secretary CHAO. Thank you.

Senator CRUZ. I want to talk about several topics quickly, because we have limited time. I want to start with a topic you and I visited about yesterday, which is the impediment right now that overregulation serves to building roads, building bridges, building infrastructure, and what we should do to reduce those regulations so that we can more quickly rebuild the infrastructure of our country. And I just ask your views on how overregulation slows down transportation projects.

Secretary CHAO. There's a whole list of projects that are outstanding in various departments throughout the Department of Transportation, and they've been on the books, so to speak, for quite a while. One of the major complaints that many private investors voice is how long it takes for projects to be ready for bidding.

So the issue is not only how much to fund our infrastructure projects, but also how to increase the pipeline of available projects that would be available for all groups, private sector included, to be able to participate and fund.

Senator CRUZ. Well, terrific, Madam Secretary, and I look forward to this Committee working closely with you to streamline that process so that we can have more and more shovel-ready projects that actually are creating jobs and rebuilding our infrastructure.

I want to turn to another area where regulations can potentially slow things down, and that's commercial space, something that is of great importance to my home state of Texas. When you last worked at the Department as Deputy Secretary, the Office of Commercial Space Transportation was located inside the Office of the Secretary and reported directly to the Secretary.

Today, that office is a few layers down inside the FAA, which is allowing issues of importance to the commercial space launch industry to be lost within the bureaucracy. In fact, it's illustrated by the fact that Secretary Foxx's exit memo doesn't even mention commercial space.

Within the Commercial Space Launch Act, which I authored and Congress passed and was signed into law, it directs the Department to look at moving the Office of Commercial Space Transportation back under the Secretary. Would you be supportive of that move and an increased focus on creating an environment where commercial space launch can thrive?

Secretary CHAO. Thank you very much for bringing this issue to my attention. I was not aware of this issue, and I look forward to getting briefed on the current status of this issue.

Senator CRUZ. Very good. I look forward to working with you on it.

I want to turn to another issue that you and I discussed yesterday, which is airlines, and, in particular, the fact that our air traffic control system is right now outmoded with 1950 style radar, when we have GPS technology and far better technology to ensure airline safety and efficiency, which would benefit everyone. And I would like to hear your views on whether you share my concerns for the need to modernize and upgrade our air traffic control system.

Secretary CHAO. The professional career staff at the Department of Transportation are terrific. They do a great job. The task ahead of them is a huge one. NextGen, we need to do more, and do it better and faster, and that's a tall order for anyone. So if confirmed, this will be a top priority of mine to examine NextGen and how to improve it? And then also, how do we keep—how do we maintain our aviation system to be the best, safest, and most efficient in the world?

Senator CRUZ. Well, terrific. I like those adjectives of “more,” “better,” and “faster,” and I look forward to our working with you to accomplish those in upgrading our air traffic control system.

The final question I want to focus on is transportation funds. And historically, Texas has received less from the Federal Highway Trust Fund than the state has contributed in gas tax receipts, and a major reason for that in equity is that the FAST Act didn't update apportionment formulas, so that Texas is underrepresented.

Will you commit to this Committee to looking at this issue and examining it carefully, and in particular examining updating the apportionment formulas so they accurately reflect the population in each state, and they're using current census data and not out-moded data?

Secretary CHAO. This has been brought up several times during this hearing, and I will certainly do that.

Senator CRUZ. Very good. Thank you.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Senator Cruz.

Senator Nelson, anything else? We'll go to the order.

Oh, do we have Senator Markey coming back or not?

Senator NELSON. Senator Cruz, before you leave, I just want to say on matters of the commercial office, I had the pleasure of authoring the first commercial space transportation bill back in 1986 when you and I were young pups.

[Laughter.]

Senator CRUZ. I was perhaps the younger pup.

[Laughter.]

The CHAIRMAN. Easy.

[Laughter.]

Senator NELSON. Madam Secretary, will you commit to go to the state of every Senator that is a Member of this Committee?

[Laughter.]

Secretary CHAO. I will do so.

Senator NELSON. I want to acknowledge the dedication of the Colgan families and the contributions to aviation safety, which has resulted from their hard work since that tragic Flight 3407, claimed the lives of their loved ones in 2009. Representatives of the Colgan families are here with us today. And we welcome them and we commend them for their continuing efforts.

Just one cleanup question, Mr. Chairman. Many of our Members have raised the importance of direct Federal funding to support infrastructure. Federal funding is critical for projects in our states. And you have heard a number of the Senators from various states specifically enumerate their projects, infrastructure projects.

Now, here's a commitment that you can actually commit to. Do you commit to provide this Committee with details of your plan for

infrastructure funding, particularly your recommendations on the Federal funding, and to do that within a short period of time, say, 30 days?

Secretary CHAO. I will certainly try to give this Committee a continuing report on what the infrastructure proposal would be. I will try for 30 days, but I can't promise 30 days.

Senator NELSON. OK. And when you formulate it, will you commit to share it with this Committee?

Secretary CHAO. I can assure this Committee that there will be continual and constant dialogue on what the proposal will be for the very simple reason that we cannot do this alone. And any infrastructure proposal would require the participation and the discussion of the United States Congress.

Senator NELSON. OK. In order to get these infrastructure projects done with Federal funding, we need to know what the Administration is proposing.

Secretary CHAO. Absolutely.

Senator NELSON. Now, except for you being shackled by the White House, that you can't release any of the proposed proposals for Federal funding, I would assume that you could commit to share that information with us.

Secretary CHAO. I will certainly be in discussion with the Congress, and not only myself, but other Members of the Administration that are involved in the infrastructure project, the White House, on all of this. As I mentioned, it will be a heavy lift, and it will require the Administration to work with the Congress on making all of this a reality.

So currently the Administration—I shouldn't say "currently" because the Administration is not in office yet. When the Administration gets into office, these issues will be discussed. There's a National Infrastructure Task Force, and when it gets underway, the pay-fors and other aspects of the infrastructure project will be tackled at that time, and I look forward to that.

Senator NELSON. OK. The only way we are going to get an infrastructure bill done is to have it done in a bipartisan way.

Secretary CHAO. Totally agree.

Senator NELSON. The Chairman and I are an example of that bipartisan cooperation. And we are going to need to know the information of what the administration, that you will be representing them on transportation, will in fact commit to. What we need is the information in the Committee so we can work together.

Secretary CHAO. I totally agree with you on that. And at the appropriate time, I'm not saying at any later time, but as the infrastructure proposal is being put together, we will certainly be in great discussion with the Congress because, once again, we cannot do it on our own. We need to have the input and the agreement of the Congress as we go forward.

Senator NELSON. Thank you.

The CHAIRMAN. Thank you, Senator Nelson.

I just have one quick cleanup thing. Secretary Chao, you mentioned in response to my question on the FAST Act earlier, the creation of a task force. I'm interested in your commitment to brief me and my staff about this task force, and would also ask that a rural

perspective be included on that. Some of the things that we're hearing about projects to date don't reflect that point of view.

Secretary CHAO. We will certainly do so. I might put that in a more positive way in that the infrastructure proposal is very exciting, and this is an opportunity for bipartisan agreement and for us to all work together to build a better America. So that's how I view it, as something very positive, that it actually gives our country, on a bipartisan basis, the opportunity to work together.

The CHAIRMAN. Sounds good to us. We do the bipartisan thing pretty well. The urban-rural thing, though, is my version of bipartisanship, so I just want to make sure that we have rural representation in those conversations.

Secretary CHAO. Yes, of course.

The CHAIRMAN. Final question, this will probably be the hardest one of the day for you, Louisville or Kentucky?

[Laughter.]

Secretary CHAO. I'm taking a pass on that one.

[Laughter.]

The CHAIRMAN. We'll take that one for the record.

[Laughter.]

The CHAIRMAN. Well, I appreciate everybody's participation today. And given our hope to confirm Secretary Chao on Inauguration Day, the hearing record is going to remain open until tomorrow. So during that time, I would ask Senators to submit any questions for the record, and upon receipt, would request submission of written answers to the Committee as soon as possible.

Secretary Chao, thank you for your patience, your indulgence. A very long day for you, and your response to our questions, and your willingness to serve our country. We look forward to working with you in hopefully what will be busy days and weeks and months ahead. Thank you.

Secretary CHAO. Thank you very much.

The CHAIRMAN. With that, the hearing is adjourned.

[Whereupon, at 1:21 p.m., the hearing was adjourned.]

A P P E N D I X

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JOHN THUNE TO
HON. ELAINE L. CHAO

Question 1. In your response to a pre-hearing question from Senator Peters regarding fuel economy standards and the role of the National Highway Transportation Safety Administration (NHTSA), you mentioned your desire to work on harmonization and a reduction in overly burdensome and duplicative regulations. Recent actions by the Environmental Protection Agency (EPA) raise concerns about its rush to establish Greenhouse Gas Standards for new vehicles in model years 2022–2025.

This effort by EPA could cause challenges for NHTSA in setting maximum achievable fuel economy standards. If confirmed, will you commit to a thorough review of this important rule to avoid unnecessary harm to consumers and jobs?

Answer. If confirmed, a top priority will be to receive a full briefing from NHTSA regarding the CAFE program and how it relates to EPA's greenhouse gas standards. Improving safety and fuel economy for motor vehicles are both important goals, and harmonization is critical for manufacturers, suppliers, and consumers. I will ask that USDOT work with the leadership of all related Federal agencies to ensure that those twin objectives are met in a thoughtful and consistent manner.

Question 2. As we discussed at your nomination hearing, reliable and affordable commercial air service in rural states is a crucial economic driver spurring economic development and job growth.

As part of the Federal Aviation Administration (FAA) extension enacted last year, Congress mandated the creation of a Working Group on Improving Air Service to Small Communities, which is tasked with providing recommendations to improve air service to small communities. Two South Dakotans, Pierre Mayor Laurie Gill and South Dakota Department of Transportation Program Manager Jack Dokken, have been selected to participate in the working group. Their first meeting is scheduled in the coming week.

Once their work is complete, if confirmed, will you commit to fully and fairly considering any recommendations the working group makes?

Answer. As I mentioned during my confirmation hearing, the Department of Transportation must make transportation safe, efficient, and accessible to both rural and urban America. If confirmed, I will fully and fairly consider all recommendations submitted to the Department by the Working Group on Improving Air Service to Small Communities.

Question 3. The safe, efficient and quick movement of goods through U.S. ports is an important aspect of any company's supply chain. I have continuously heard about congestion issues affecting all port stakeholders and, because of these concerns, I introduced the Port Performance Act. This legislation was incorporated into the Fixing America's Surface Transportation Act (FAST Act), and it created the Port Performance Freight Statistics Program as a means to measure port capacity and throughput in an effort to create national metrics. I believe metrics will not only help identify key issues affecting port congestion, but can help identify solutions to address the issue. While each port is different, the impact of congestion on stakeholders is the same. Disruption and delays have a negative impact on all stakeholders.

Will you work with the Committee to continue to refine the Port Performance Freight Metrics to ensure our ports are prepared for the 21st Century global supply chain?

Answer. Our nation's ports are a tremendously valuable asset and a lynchpin of our economy. Significant delays in the movement of consumer goods can take a major toll on the U.S. economy. If confirmed I will commit to reviewing the progress of the Port Performance Freight Statistics Program and work with the Committee to refine and improve the Port Performance Freight Metrics, as necessary.

Question 4. Section 1105 of the FAST Act established a program to fund nationally significant highway and freight projects, which prompted the Department of Transportation (DOT) to create the Fostering Advancements in Shipping and Transportation for the Long-term Achievement of National Efficiencies (FASTLANE) program, which announced its first awards in October of 2016. The inaugural round awarded \$759.2 million to 18 projects, leveraging \$3.62 billion in infrastructure investment. Section 1105 also mandated a Government Accountability Office (GAO) study on the transparency of the inaugural FASTLANE selection and award process. In November of 2016, the Department announced a second round of FASTLANE before the GAO assessment of the program was complete. Additionally, the short turnaround time of the program did not allow applicants sufficient time to consult with DOT and receive feedback on their applications.

As the Department moves forward with the FASTLANE program, will you continue to work with us to improve the transparency of the program and its accessibility for rural communities?

Answer. Giving consideration to the needs of rural areas and making sure that certain communities do not feel left behind or overlooked will be a priority of this administration. If confirmed I will commit to reviewing the FASTLANE program and the GAO review to work with the Committee to improve transparency and identify ways to address the unique needs of rural and urban America.

Question 5. The FAST Act seeks to ensure that DOT fully implements the Office of Inspector General recommendations to improve NHTSA's Office of Defects Investigation. On September 30, 2016, Secretary Foxx certified that all the recommendations have been implemented. Still, the Inspector General has not yet closed all recommendations.

On November 18, 2016, I wrote to Secretary Foxx asking him to ensure the closure and implementation of these recommendations. Given the importance of these recommendations to vehicle safety, will you commit to reviewing the Secretary's certification if confirmed?

Answer. The Inspector General of the Department of Transportation plays an vital and independent role, and, if confirmed, I will work with the IG's office to ensure that all recommendations are carefully reviewed and implemented in the best possible manner. I hope to receive a full briefing from NHTSA regarding the Office of Defects Investigations, and I will monitor any proposed changes regarding the timeliness and size of the ODI's workload, staff and budget.

Question 6. The FAST Act required the DOT to develop a comprehensive, multimodal freight map that identifies corridors for the movement of goods from origin to destination. In response to the interim National Multimodal Freight Network, the South Dakota Department of Transportation (SD DOT) has suggested additional designations for the network. If incorporated, these designations would capture the flow of freight as it moves through the state from the railroads and roads that connect agricultural facilities to the larger freight network. The suggestions from SD DOT also include intermodal facilities as well as regional connectivity to markets and freight through traffic.

As the Department moves towards a final National Multimodal Freight Network, I ask for your commitment to consider all the comments from state Departments of Transportation on ways that the Freight Network can better represent the flow of goods.

Answer. An understand and consideration of recommendations for both rural and urban freight networks are critical to the development of a truly successful national freight network. If I am confirmed, I will commit to consider all comments and recommendation from state Departments of Transportation so that a truly National Freight Strategic Plan can be developed to more efficiently identify and correct inefficiencies in our nations freight network.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. ROGER F. WICKER TO
HON. ELAINE L. CHAO

Question 1. As a country, increasing the pipeline of mariners is extremely important. The State Maritime Academies produce over 70 percent of new licensed mariners each year. They are consistently highly ranked as best values for education. One key element in that education is federally owned training ships which are maintained by the academies. These ships are aging. The oldest, the Empire State at SUNY Maritime, is 55 years old. The Department of Transportation and MARAD have been supportive of a new class of training ships for the academies—the National Security Multi-mission Vessel. Congress has authorized the program. Would

you please provide a response for the record of where the Department will stand with regard to moving forward on this important program?

Answer. Having experience at the USDOT as both the head of MARAD, as well as the Deputy Secretary, has given me a strong background in these areas. MARAD's own King's Point is a key component of a robust merchant mariner workforce. King's Point, along with the other six other State maritime academies will be responsible for ensuring a sufficient number of mariners are always in the pipeline to meet our needs. If confirmed, I will review the National Security Multi-mission Vessel program and work with Congress to ensure we find solutions to the aging fleet issue.

Question 2. Mississippi has several significant tire manufacturing facilities—Cooper in Tupelo, Yokohama in West Point and a new Continental facility in Hinds County. Given this, I am keenly interested in implementation of tire-related provisions within the FAST Act (Public Law No: 114–94), specifically Sections 24332–24335. I look forward to working with you and NHTSA to ensure prompt implementation of these provisions. Knowing the agency is the midst of a transition, would you provide an update on the agency's implementation plan at your earliest convenience?

Answer. If I am confirmed, I will receive a briefing on and review Sections 24332–24335, and provide you an update at my earliest opportunity.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JERRY MORAN TO
HON. ELAINE L. CHAO

Question 1. As you know, the quality of life in America's small communities and rural areas and the health of the Nation's rural economy is heavily dependent on the quality of the Nation's transportation system, particularly its roads and highways. While new capacity is important, it is equally important to maintain our Nation's 4.12 million miles of existing roads, streets and highways.

Pavement preservation focusing on preventing pavement deterioration early in the pavement's wear cycle can greatly extend the time before costly repairs and rehabilitations to the road are needed, making it a cost effective tool for states and localities to maximize their transportation dollars.

Will you work with my office on policies that continue to promote and accelerate the use of pavement preservation to maintain our Nation's roads?

Answer. Maintaining, modernizing and expanding our Nation's roads are fundamental to the efficient and effective movement of goods and people. The preservation of our roads is a key aspect of this critical process. If confirmed I will commit to review the Department's current policies for pavement preservation and I look forward to working with your office to identify and implement any necessary changes.

Question 2. One area of growing concern is the commercial shipment of undeclared hazardous materials on aircraft, especially commercial aircraft. According to DOT statistics, there were 1,129 incident reports filed to the FAA in 2015, and 564 of those incidents involved undeclared dangerous goods.

Under your leadership, how will DOT work to combat this growing safety risk?

Answer. Regulating the shipment of hazardous materials on commercial aircraft is critical to aviation safety. If confirmed, I will work to strengthen known shipper and chain of control regulations to reduce incidents of undeclared shipment of hazardous goods. Since ignorance of existing rules is the cause of a significant number of violations, I will ensure education is part of our compliance and enforcement efforts.

Question 3. The Department's policy has been that highway right-of-way is acquired with public funds for public purposes. Some have argued for commercialization of the right-of way, though in 2012 the Senate voted 86–12 against commercialization of rest areas. Some states have considered proposal to sell large-screen commercial advertising on the right-of-way. For your reference, I am including a May 17, 2016, letter from Rep. Ted Poe (R–TX) to DOT Secretary Foxx on the subject. Do you support current policy that right-of-way purchased with public funds should be limited to public purposes?

Answer. I understand this issue is addressed in existing Federal laws, and if I am confirmed, the Department of Transportation will adhere to the law, unless and until it is changed.

Question 4. Do you think the safety rules for general aviation of Part 91 and on-demand aircraft charters of Part 135 should apply to all flights, whether the flight is arranged for by a pilot or charter broker on the Internet, or over the phone?

Will you work to refine the Enhanced Consumer Protections for Charter Air Transportation NPRM from 2013 to ensure that safety is the paramount consideration, and that all charter brokers, indirect air carriers, and direct air carriers meet the appropriate safety, licensing and fitness determination standards?

Answer. As I mentioned at the confirmation hearing, safety will be DOT's number one priority. If I am confirmed, during my first 100 days, I plan to order a review of all outstanding NPRMs, with an emphasis on safety-critical proposed rules.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. DAN SULLIVAN TO
HON. ELAINE L. CHAO

Question. The public transportation needs of Alaska, like everywhere else, far exceed resources. Federal Transit Administration urbanized area formula funds for Anchorage for this year and last year are held up, creating strains that increase by the day. The Alaska Railroad has asked FTA for an administrative solution that will allow these funds to flow again. Under this solution, the funds would flow to Anchorage's two FTA recipients, the Alaska Railroad and the Municipality of Anchorage, the way they always have, and this would change only if the Alaska Railroad and the Municipality of Anchorage agree to a change. Will you please review this suggested solution as a way to get FTA formula funds flowing again for public transportation in Alaska?

Answer. If confirmed, I will receive a briefing on this and other FTA issues and hope to gain an understanding of the solution you have suggested. I look forward to following up with you and the Committee upon completion of my review.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. DEAN HELLER TO
HON. ELAINE L. CHAO

Senator Markey and I successfully included our legislation, the Safety Through Informed Consumers Act (STICRS) Act, in the FAST Act (Sections 24321 & 24322 of PL 114-94.) These provisions require the National Highway Traffic Safety Administration (NHTSA) to promulgate a rule by December 15, 2016 to ensure that crash avoidance technology ratings are incorporated into NHTSA's 5-star rating system and placed on the window sticker of every new car.

In December 2015, the Department issued a notice requesting comments to planned changes to the National Highway Traffic Safety Administration's (NHTSA) 5-Star Safety Ratings for new vehicles. NHTSA is then expected to initiate a rulemaking to update the vehicle label to include the crash avoidance technology information as part of its new 5-Star Safety Ratings system.

It is clear that NHTSA is not going to complete this work before the inauguration. It is my belief that this update will help consumers who are shopping for an automobile become aware of safety technologies that can prevent accidents. Additionally, it will incentivize additional innovation within the automotive industry.

Question 1. Throughout your confirmation hearing, you emphasized the importance of implementing the many important policy reforms implemented by the FAST Act. Once confirmed, will you commit to completing this rulemaking expeditiously, given that NHTSA has already missed the statutory deadline?

Answer. If I am confirmed, I will make review of this issue, and the reasons for the rulemaking delay, one of my top priorities. After my review, I will work with you and the Committee to ensure the matter is resolved.

Question 2. As I mentioned in the confirmation hearing, Nevada's economy relies heavily on tourism. Travel spending adds nearly 60 billion dollars into the Nevada economy annually, accounting for about 13 percent of the state's annual GDP. The travel industry has been a driving force behind our state's economic recovery, and policies that improve access to efficient, safe, and cheap travel are among my top priorities in the United States Senate.

Earlier this month, the Las Vegas Convention and Visitors Authority reported Southern Nevada drew 42.9 million tourists to town in 2016, 600,000 more visitors than the region tallied in 2015. McCarran International Airport reports that international travel is up three percent. The remarkable growth of international travel throughout our country has been fueled by Open Skies agreements that have fostered competition and expanded air service to the benefit of American consumers.

For more than 25 years, our Nation has been committed to Open Skies and we have negotiated over 100 Open Skies agreements with other nations, including most of our major aviation partners. Our Open Skies agreements are resulting in new international service to smaller gateway cities, including critical tourist hubs in my

home state, and have allowed foreign carriers to develop relationships with U.S. carriers to deliver passengers to smaller destinations all over the country.

As Secretary, do you plan to continue the policy of open skies?

Answer. There is no doubt that travel and tourism are good things, and we benefit from having tourists come to our country, and from Americans having access to travel destinations abroad. We live in a world that requires connectivity, and aviation agreements can help provide that. At the same time, if I am confirmed, I will work to ensure that our Open Skies agreements will produce genuine benefits for the American people.

Question 3. Liberalization of air services has allowed numerous new routes across the Atlantic, the Pacific, into Canada and Mexico and other parts of the world. Will the Trump Administration and you as Secretary, continue to liberalize air service markets around the world?

Answer. I look forward to being briefed on Open Skies agreements and pursuing policies that will facilitate greater travel and tourism and genuine benefits for the American people.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BILL NELSON TO
HON. ELAINE L. CHAO

Question 1. Infrastructure Funding—Many members of the Committee expressed an interest in increased Federal funding for infrastructure. I was pleased to hear your support for Federal funding as part of any infrastructure plan that the Administration puts forward. I was also pleased to hear your commitment to work with Congress and share the details of any proposal.

If confirmed, will you commit to share the details of an infrastructure proposal within the first 30 days in your role as Secretary? Please also provide additional details on the infrastructure task force.

Answer. As I stated during my testimony, the incoming Administration is still reviewing and considering all of the options available for our infrastructure plan. As soon as that proposal has taken shape, we are looking forward to sharing it with Congress and understanding the various perspectives and feedbacks of members, especially yours.

Question 2. Some critical infrastructure projects don't generate revenue. Many cities in Florida rely on Federal support to build much needed transit projects. How will the tax credit proposal benefit major transit expansion projects like those in my state?

Answer. Tax credit proposals are but one option that exists for an infrastructure plan. For a plan as ambitious as the one the President Elect has articulated, all financing options must be evaluated and considered. As the details of the plan have not been developed, it would be premature for me to speculate on the outcome or effects of any plan. If confirmed, I will work to help produce an infrastructure plan that makes Federal transportation safe, accessible and efficient.

Question 3. NextGen—Some Air Traffic Control (ATC) privatization proponents suggest that NextGen is coming up short. However, the FAA recently made clear in a letter to Chairman Thune (available at https://www.faa.gov/news/updates/media/Senator_Thune-FAA_response.pdf) that NextGen is already delivering real benefits for the aviation industry, translating into nearly \$3 billion in savings in passenger time and occupant safety and reduced fuel and aircraft operating costs. In my view, ATC privatization would only disrupt and delay NextGen progress that is already being made.

If confirmed, how will you further FAA's efforts to continue modernizing our air traffic system through NextGen?

Answer. NextGen promises to deliver a safer and more efficient national airspace system. I understand and appreciate that NextGen is the most complex modernization project that FAA has ever undertaken. That being said, it clearly can be managed better. Over the last decade, the DOT Inspector General has issued dozens of reports detailing NextGen delays and cost overruns. The U.S. Government Accountability Office (GAO) issued a recent report that included a survey of aviation stakeholders who expressed skepticism that the FAA can successfully implement NextGen in a timely and cost efficient manner.

We owe it to American taxpayers, the traveling public, and all users of the NAS to provide the safest, most efficient system possible. We also owe it to taxpayers to ensure that Federal contracts and implemented quickly and efficiently. If confirmed, one of my top priorities will be to ensure that passengers, shippers, and other users

finally begin to realize the many operational and safety benefits that NextGen will provide as quickly and as cost-effectively as possible.

Question 4. Norwegian Air International Matter—The U.S. Department of Transportation (DOT) recently approved Norwegian Air International's (NAI) application for a foreign air carrier permit to conduct scheduled flights between the United States and countries within the European Union. Although many communities, including in my State of Florida, may benefit from air service by NAI, labor groups are concerned that this decision will negatively impact the hardworking men and women employed by the U.S. domestic aviation industry.

If confirmed, what will you do to ensure that the consumer and economic benefits of DOT's decision are truly realized and high labor standards remain a top priority?

Answer. I will take seriously the statutory mandate to strengthen the competitive position of our Nation's air carriers to ensure at least equality with foreign air carriers, including the attainment of the opportunity for our carriers to maintain and increase their profitability in global markets. I will oppose any foreign air carrier license applications that are inconsistent with our air service agreements or would undermine the economic viability and global competitiveness of our Nation's air carriers.

Question 5. NHTSA Recalls—The National Highway Traffic Safety Administration (NHTSA) has faced the challenging task of coordinating the Takata airbag recalls, but the agency has taken a proactive approach that prioritizes safety. Further, the Takata airbag recalls do not currently cover desiccated ammonium-nitrate-based inflators, or inflators with a chemical drying agent that absorbs moisture. There are many millions of these inflators on the roads today. I am concerned that these inflators may pose a risk to safety if the ammonium nitrate becomes unstable.

- If confirmed, will you continue to prioritize the driving public's safety and continue to be aggressive in your handling of the Takata airbag recalls?
- Will you ensure that NHTSA continues and accelerates its work to determine the safety of desiccated Takata inflators?
- Based on the auto safety crises we have seen over the past several years, do you think NHTSA needs more resources to effectively carry out its statutory safety mission?
- Do you agree that all motor vehicle recalls are safety recalls?

Answer. If confirmed, I intend to receive detailed briefings from NHTSA staff regarding the Takata airbag recall. I can assure the Committee that safety will be my top priority, and as Secretary, I will ensure that all recalls are completed as swiftly and effectively as possible. All motor vehicle recalls are important, and I will work with the NHTSA staff and the Congress to make certain our resources are used wisely.

Question 6. Drunk Driving—The DADSS research program is a public-private initiative that can end drunk driving. The technology would be able to quickly and unobtrusively determine if a driver is at or above the illegal limit of .08 BAC. The Insurance Institute for Highway Safety estimates that the technology could save 7,000 lives each year.

If confirmed, can you commit that you would review all avenues to hasten the technology development of the DADSS program?

Answer. If confirmed, I will receive a full briefing from NHTSA regarding the timing, technology, and funding of the DADSS program. Impaired and drunk driving is a grave public safety concern and one I pledge to focus on if confirmed.

Question 7. Self-Driving Vehicles—Florida is one of the leading states in the Nation in promoting the development and deployment of self-driving vehicles. Other states are also playing an active role in addressing promising technology that could revolutionize transportation. Recent NHTSA guidelines recognize the need to avoid a "patchwork" of state laws, while they also conclude that states should continue to take the lead on matters affecting insurance and liability, as well as other traditional state vehicle responsibilities, such as licensing and registration. What are your thoughts on how DOT and NHTSA should approach state insurance and liability issues with regard to autonomous vehicles?

Answer. If confirmed as Secretary of Transportation, I will request that NHTSA provide a full demonstration and briefing regarding State and Federal laws and regulations related to autonomous vehicles. States' retain the right to regulate on many issues related to motor vehicles, such as driver licensing requirements, but a "patchwork" of laws could present challenges for the Department as well as the automobile and insurance industries. I will review the agency's actions and proposals.

Question 8. Passenger Rail Service—The FAST Act mandated that the FRA convene a working group to evaluate the restoration of intercity passenger rail service between New Orleans and Orlando—a corridor that was significantly impacted by hurricane Katrina. Many of these communities support passenger rail service to help drive economic development. Currently, additional funding is needed to help return this critical service. The working group is developing a report on recommended capital and operating solutions to restore improved passenger rail service along the corridor.

If confirmed, how will you be supportive of restoring passenger rail service along the Gulf Coast?

Answer. Rail service to the Gulf States is an important issue facing USDOT. The Gulf states have seen many challenges over the last several years since Katrina. At this time, it would be premature to speculate on this matter until I have been completely briefed on the Gulf Coast Passenger Rail Working Group's report. If confirmed, I look forward to reviewing the report and working with you to determine the best course forward.

Question 9. Federal Lands—The National Park Service has a nearly \$6 billion backlog of transportation projects. Nearly a third of that is for megaprojects, which are beyond the funding capacity of the National Park Service. One such project in my state, the bridging of the Tamiami Trail, is critical to the restoration of the Everglades. Congress created the Nationally Significant Federal Lands and Tribal Projects program to address these types of projects. Do you support the need for additional funding to advance these critical projects?

Answer. I have not yet had the opportunity to review DOT's transportation infrastructure project backlog. If confirmed, I will give my full attention to evaluating all infrastructure projects and proposals and will consider the appropriate, necessary steps to alleviate the backlog of worthy projects Commercial Space Transportation.

The Secretary of Transportation is tasked with overseeing and promoting commercial space transportation, which supports an industry worth more than \$300 billion. In practice, nearly all of these responsibilities are currently delegated to a small division within the Federal Aviation Administration called the Office of Commercial Space Transportation.

If confirmed, what will you do to make sure the commercial space industry in the U.S. continues to grow and prosper?

Answer. As I mentioned during my confirmation hearing, I strongly support and hope the Department will be a catalyst for U.S. innovation leadership. We must provide an environment for the commercial space industry to grow and, if confirmed, I will make that a priority.

Question 10. Scientific and Professional Staff Integrity—If confirmed, will you work to ensure that data produced and obtained by the Department of Transportation are made available to the public in a timely manner, consistent with relevant privacy and confidential business information laws?

Do you agree that only scientists and technical experts should edit scientific and technical content?

Answer. If confirmed, I will support transparency and public access to information consistent with the law regarding privacy, confidentiality and national security.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO
HON. ELAINE L. CHAO

Question 1. Marinating Federal Commitments—Secretary Chao, for Washington state, and I imagine many states, mass transit is an essential part of the transportation infrastructure. In 2015, Sound Transit moved 34 million people in the Puget Sound region. The Washington State Ferry system is the largest in the country and the third largest transit mode in the state. If mass transit were eliminated in Washington state, an additional four lanes would need to be added to I-5 in order to handle the increased congestion.

This robust mass transit system in Washington state is made possible by a strong commitment from the Federal Government. Voters in Washington recently approved the Sound Transit 3 initiative, a \$54 billion transit project that is partially funded through the TIFIA program, as well as the Small Starts and New Starts program. In previous administrations, the precedent has been to continue to honor grant agreements for projects that are currently in the works.

- As Secretary, do you expect to advance and fund projects that are already in the pipeline like Sound Transit's expansions to Lynnwood and Federal Way?

- Will you commit to funding for all Capital Investment grant recipients in Washington state, including Swift II Bus Rapid Transit, Madison Street Corridor Bus Rapid Transit, Seattle Streetcar Center City Connector, Spokane Central City Line and Tacoma Link Expansion?
- Will you fully honor the Master Credit Agreement so that the people of my region can continue to enjoy the benefit of affordable loan rates for transit?

Answer. Projects that are “in the pipeline” for programs such as Construction Investment Grants, TIFIA, RRIF or other USDOT programs do not yet have Federal funding commitments or grant obligations. Accordingly, my expectation is that projects that are in the pipeline for future grant agreements or funding obligations must satisfy applicable USDOT criteria to obtain those funding agreements or obligations. If confirmed, I would expect to receive appropriate briefings regarding the project readiness, project justification, and applicable local financial commitment for projects that are in the pipeline, as well as status updates regarding projects for which funding commitments already exist.

Question 2. Crude by Rail—An extremely important issue that affects my constituents, as well as the rest of the nation, is the regulation of crude oil transported by rail. We already know the heavy cost a derailment can have on the people in the affected communities and on the economy. The recent derailment in Mosier, Oregon cost \$9 million to clean up after more than 40,000 gallons of oil leaked from punctured tank cars and caught fire. An explosion in Lac Megantic, Canada killed 47 people. 26 cities and towns in Washington state have passed resolutions expressing deep concerns about the safety and environmental threat posed by shipping crude oil by rail.

Over the last several years, I have worked with the Obama administration to provide additional data and resources to first responders who are called to respond to dangerous emergency situations, clean up these oil spills and study the volatility of different crude oils. However, more still needs to be done by the Federal Government to properly regulate crude-by-rail, particularly volatility.

As a result of my efforts, there is a volatility study being conducted by the Department of Energy and the Pipeline and Hazardous Material Safety Administration investigating the properties of crude oil that affect combustion, including volatility. This study will be completed this year.

- After its completion, will you issue a national standard for volatility?
- How will you work with the private sector to get them to cooperate developing safer volatility standards?
- Do you plan to eliminate any regulations pertaining to the safe transport of crude oil by rail?
- Does the administration plan to suspend any ongoing rulemaking relating to transporting crude oil by rail?

Answer. The Pipeline and Hazardous Materials Safety Administration (PHMSA), along with other government and industry stakeholders, has taken significant action to increase the margin of safety for transporting hazardous materials. These actions culminated in the new tank car rule which will phase out older cars from being operated on our Nation’s rails.

If confirmed I will work with all stakeholders to ensure the future safety of commodities being transported. As far as uncompleted studies and initiatives go, I have not yet been briefed on these particulars but can say that I will look for ways to continually strengthen and renew our energy transportation infrastructure.

Question 3. Davis-Bacon and Project Labor Agreements—President-elect Trump ran for office pledging to defend the American worker. Federal prevailing wage law guarantees that workers on public works construction projects receive fair wages to support their families. One of my hopes for this Congress is that we can make progress on a bipartisan infrastructure bill. For me, and for the hardworking people of Washington State, it’s essential that such a package contain protections ensuring a family wage.

The Administration must take important step towards fulfilling its pledge to the American worker by supporting the prevailing wage.

Will you support Davis-Bacon Act wage determinations in a Federal infrastructure package?

Answer. The Davis-Bacon Act is current law, and it will continue to be so until Congress elects to change that. It is one of the duties of the Secretary of Transportation to ensure that the procurement and awarding of projects that receive Federal funding is done in compliance with the law.

Will you pledge not to waive Davis-Bacon requirements for Federal contracts at the Department of Transportation?

Answer. There is precedent for waiving Davis Bacon requirements in certain circumstances as a means to expedite recovery efforts and bring aid to communities after a disaster; however, these have been rare occurrences. It would be inappropriate for me to make a blanket promise along these lines without knowing more about the circumstances surrounding such a hypothetical decision.

Question 4. Project Labor Agreements—Project Labor Agreements (PLA) are an effective tool in producing on-time and under-cost construction projects. As you know, the previous Administration issued an Executive Order (13502) encouraging the use of PLA for Federal construction projects. Do you support the Executive Order to use PLA in Federal construction projects?

Answer. I believe that taxpayer funded construction projects should be awarded based upon merit, and the bidder's ability to perform the work capably, safely, on time and within budget. If the firm that wins the bid based on those criteria elects to use a PLA, I support their right to do so.

President-elect Trump ran for office pledging to defend the American worker. Federal prevailing wage law guarantees that workers on public works construction projects receive a fair wage to support their families.

Can you confirm that your agency will pay a prevailing wage as required by Federal law?

Answer. As I stated above, the Davis Bacon Act is current law, and it will continue to be so until Congress elects to change that. It is one of the duties of the Secretary of Transportation to ensure that the procurement and awarding of projects that receive Federal funding is done in compliance with the law.

Question 5. Unsecured Loads—Secretary Chao, an issue that I am interested in is the collection of data and the safety issues associated with unsecured loads, that is, goods being carried by vehicles that are improperly tied down to the roof, trunk, or truck bed.

The GAO looked into this issue in November 2012 and found that while unsecured loads are a safety risk, improvements must be made to data collection so that National Highway Transportation and Safety Administration can better understand the scope of this problem. I worked with my colleagues on language in the Fixing American's Transportation Act (FAST) Act that encouraged the Department of Transportation to work with states on safety awareness campaigns for unsecured loads that applied for grants through the State Highway Safety Program.

- What policies will you implement to improve data collection on unsecured loads at NHTSA?
- How do you plan to work with states to reduce the risk of unsecured loads?

Answer. If confirmed, I will ask NHTSA for the latest status of its efforts to obtain data regarding unsecured loads, and what strategies they have identified to improve data collection.

Question 6. NextGen Implementation—As you know, the foundational infrastructure for NextGen is in place, yet the system has not been fully implemented. The FAA has made progress, but not as much as stakeholders, and members of this panel, would like to see.

The benefits of NextGen are clear. For example, at Seattle-Tacoma International Airport the Greener Skies program, which depends on NextGen's GPS based technology to allow Required Navigation Performance approaches, is resulting in significant fuel savings, reducing pollution and saving time for passengers, all while maintaining the highest level of safety.

The FAA is working on similar redesigns of the most crowded airspace over other cities and regions across the country, bringing the benefits of these "metroplex" redesigns to other communities and making the National Airspace system as a whole more efficient.

Given these benefits to the environment, airline passengers, airlines, airports and surrounding communities, it is clear that we need to continue the work to get NextGen fully implemented.

- Do you agree that full implementation of NextGen program, including the metroplex projects which will result in more efficient approach and departure procedures in our busiest airspace, should be a priority?
- Do you anticipate investment in NextGen implementation being a part of the Trump Administration infrastructure investment plan?

Answer. A major component of our Nation's aviation infrastructure is our antiquated air traffic control (ATC) system, which is primarily based on World War II-era radar surveillance technology. Our nation's passengers, shippers and aircraft operators—as well as our world-class air traffic controller workforce—deserve much better. For these reasons, further investment in the core NextGen programs will be a priority.

Question 7. Certification Reform—In the years ahead, the FAA will be tasked with an unprecedented amount of certification work as new aircraft and manufacturing techniques will be entering the market at the same time. The FAA Reauthorization bill which passed this committee last year included language that would improve and add efficiency to the FAA's Organization Delegation Authority (ODA) program, under which specially trained employees of specific manufacturers follow stringent FAA guidelines certify non-safety critical components on behalf of the FAA. Programs such as ODA will have a critical role to play in meeting this new demand, and ensuring that American manufacturers remain competitive across the globe. Can we work together to streamline FAA certification processes if you are confirmed?

Answer. FAA has long been considered a global leader in aviation certification and safety. Many in the industry would say it has fallen behind the Europeans in terms of certification efficiency and effectiveness.

If confirmed, will you work to help the FAA regain its global standing?

Answer. Yes. If confirmed, I look forward to working with you to streamline FAA certification processes. It's an important ingredient to fostering innovation and growth in the aerospace industry.

Question 8. Contract Towers—The Federal Aviation Administration's (FAA) Contract Tower Program provides a key level of safety at or below the cost of Federal control towers at 253 airports across the country.

The Contract Tower Program has been endorsed by a multitude of users and stakeholders, including pilot groups, airport managers, and the National Transportation Safety Board. In 2012, a Department of Transportation Inspector General audit concluded that the Contract Tower Program provide safe Air Traffic Control services at a lower cost than similar FAA-operated towers.

In 2013, the FAA attempted to close 173 contract towers in order to reach savings goals under sequestration, but reversed course under intense pressure from industry groups and Congress.

- Do you agree that contract towers bring critical benefits to the communities they serve?
- If confirmed, will you work to safeguard the safety of our National Airspace System by protecting the Contract Tower Program?

Answer. The FAA's Contract Tower Program has been a huge success. It's been widely acknowledged by Congress, the National Transportation Safety Board (NTSB), U.S. Government Accountability Office (GAO), the airport community and FAA's air traffic controller workforce that the program has enhanced safety, reduced FAA operating costs, and provided tower service to communities that might not have received it otherwise.

Question 9. Advanced Materials—As you may know, Washington State is a leader in advanced manufacturing in composite structures, and we are very proud of the work being done at the FAA Center of Excellence for Advanced Materials in Transport Aircraft Structures at the University of Washington. I have long been an advocate for additional research into innovative technologies that can help us improve efficiency and resilience in our transportation sector and help us make more cost-effective investments in our infrastructure. A great deal of attention has been focused on the use of composites in aviation, but I believe there are other opportunities as well.

Are there ways to encourage additional research from across the Federal Government to help further a discussion about how to use innovative materials to build better infrastructure?

Answer. If confirmed, I will work with Congress, NASA, and the industry to make sure that DOT facilitates research and innovation.

Question 10. Customer Service Representative Assault—Incidents of air rage have received widespread media attention in recent years, as the frustrations of air travel have boiled over into violent or abusive behavior by passengers toward airline personnel or fellow passengers. Unfortunately, this violent or abusive behavior has increasingly been directed toward airline customer service representatives at airports, including gate and ticket agents. The Aviation and Transportation Security Act of

2001 included a provision that set Federal penalties for interfering with or assaulting airport and airline personnel who perform security duties. This is similar to a Federal statute that set Federal penalties for assaulting or interfering with cabin crew members. Unfortunately, while this provision was intended to cover gate agents, ramp workers, and other airline workers who control access to an aircraft, it has been interpreted by DOT and DOJ as only applying to TSA agents and law enforcement officers at airports. This interpretation has left gate and ticket agents who perform security functions without adequate Federal protections against assaults.

- Will the DOT under your leadership modify this interpretation and provide Federal protections to all airline and airport personnel who perform security functions, including gate and ticket agents?
- Will the DOT under your leadership develop a comprehensive plan for combating and responding to violent assaults on airline customer service representatives?

Answer. Ensuring that we have the safest air transportation system in the world will be my top priority. This includes the health and safety of passengers, airline cabin crews and other airline employees. If confirmed, I will review the current process for preventing and responding to violent assaults on airline employees, and work with the Transportation Security Administration (TSA) and state and local law enforcement officers to provide further protections.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. AMY KLOBUCHAR TO
HON. ELAINE L. CHAO

Question 1. Data recently released by the National Highway Traffic Safety Administration (NHTSA) show that after five decades of declines, there was a seven percent increase in traffic fatalities from 2014 to 2015. We know that distractions behind the wheel played a part in this rise. I included a provision in the FAST Act to help more states qualify for Federal grants to fight distracted driving.

Secretary Chao, do you agree that the Department of Transportation has an important role in educating drivers about the dangers of distracted driving?

Answer. I believe that safety should be the top priority for the Department of Transportation. Increased fatalities on our Nation's roads are of great concern to me, and I will receive a full briefing from NHTSA regarding the most recent fatality numbers and causes, if confirmed. I will focus the agency to develop strategies regarding all causes of highway deaths and injuries, including distractions.

Question 2. I was glad to hear you are committed to ensuring infrastructure investments benefit both urban and rural areas. I also want to ensure that both urban and rural areas are benefiting from safety improvements on our roads. Today, more than 50 percent of roadway fatalities occur in rural areas, even though those areas only account for 20 percent of the U.S. population.

If confirmed, will you work with states and local governments to address safety on rural roads?

Answer. If confirmed, I will work with the Congress to ensure that NHTSA and FHWA have developed strategies to protect drivers on all roads, even those in rural areas.

Question 3. In the last Congress, I introduced the Stop Trafficking on Planes Act to require training for flight attendants to recognize and report suspected human trafficking. A provision based on my bill became law as part of the FAA Extension, Safety, and Security Act of 2016. But human trafficking doesn't just happen on airplanes. Truck drivers, like flight attendants, are also on the front lines of the battle against human trafficking and one of the best times to identify human trafficking is during travel. Many truckers want to be helpful in the fight against human trafficking and groups like Truckers Against Trafficking are training truckers to identify and report human trafficking.

Secretary Chao, will you work with me to find ways the Department of Transportation can support private sector initiatives to fight human trafficking across all modes of transportation?

Answer. I look forward to working with you and other members of Congress, the private sector, as well as federal, state, and local law enforcement, on developing a comprehensive strategy for combating human trafficking. As you noted in your question, the ability to recognize and respond to potential human trafficking victims is critical for airline workers who interact with passengers, as well as truck drivers.

Question 4. One of the very few industries to enjoy an exemption from antitrust law is the freight railroad industry. In part due to this exemption some rail shippers suffer from unfairly high prices. “Captive shippers” that only have access to one rail line are particularly vulnerable. Last Congress I worked with Chairman Thune on a bill that was signed into law to make the Surface Transportation Board more effective. Still, I think there is more work to be done to promote fair rail competition.

Secretary Chao, will you work with me to ensure that shippers are treated fairly?

Answer. A vibrant, economic and efficient freight rail network is critical to the success of U.S. manufacturers, and our Nation’s economy. As you know, the Surface Transportation Board performs a critical role in adjudicating service and rate disputes between shippers and freight railroads. If confirmed, I look forward to working with you to safeguard the fair treatment of all shippers.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RICHARD BLUMENTHAL TO
HON. ELAINE L. CHAO

Question 1. The President-elect has discussed a one-trillion dollar infrastructure program to rebuild the country’s roads and transportation network. Details, however, are faint, with little more offered so far but proposals for corporate tax breaks and giveaways that somehow foster private-sector investment. Even these proposals, however, would only focus on revenue-generating projects—not necessarily ones that really need attention. Tax breaks are an insufficient way to rebuild roads, highways, and rail. Do you agree that tax breaks are an insufficient way to rebuild our transportation network?

Can you provide more details on the President-elect’s plan? I understand a task force has been formed to look at this issue. When will it release more details? Where will passenger rail fit among the administration’s priorities?

Answer. As I said during my confirmation hearing, the Department of Transportation cannot rebuild America’s infrastructure on its own. We must work collaboratively across the many agencies that will have a role in this plan. It would be inappropriate for me to speculate on specifics of President-elect Trump’s plan before they have been determined.

Question 2. The Department of Transportation is involved in the life of nearly every American, as we all depend on safe roads, rails, pipelines and air—and the safe movement of goods. Do you agree the Department of Transportation must be strong and proactive in putting forward rules and regulations to protect us all?

In your response to the questionnaire from the Commerce Committee, you stress the need for “decreasing the regulatory burdens when appropriate.” Can you provide an example of such a “burden”? What specific rules would you “decrease”? What rules do you plan to defend? Do you agree that regulations can be a force for good?

Answer. It would be inappropriate for me to speculate on the merit of specific regulations before I am confirmed and have been briefed by those administering and enforcing them. I believe regulations should be based on sound science and data and should produce demonstrable benefit to the American people. If confirmed, I will strive to ensure that DOT’s regulations bring tangible benefits. In transportation, that means regulations that are data driven and periodically reviewed for efficacy.

Question 3. In the past few years, we have had to witness an unfortunate phenomenon throughout DOT: regulatory capture, or as others call it, coziness between the regulator and the regulated. DOT isn’t the only place this distressing situation occurs, but it has been one of the more blatant. At the Federal Highway Administration, the agency turned a blind eye to safety concerns regarding guardrails, listening instead to a major manufacturer’s false assurances of its product’s safety. At NHTSA, the agency held off aggressive recall efforts despite growing and glaring concerns regarding ignition defects and airbags. These are just two examples, but they happen elsewhere in other modes. Do you agree that regulators should focus on the public well-being, not private corporations’ profits? How will you guard against the problem of regulatory capture?

Answer. If I am confirmed, USDOT will focus on the public interest. I will expect USDOT to consider and evaluate the interests of all stakeholders, including individuals, as well as state and local stakeholders, and the private sector. It is my view that public safety should always be the Department’s paramount concern.

Question 4. Perhaps the biggest aviation issue that Congress will address this year is whether to spin off our air-traffic control services and transfer their control from the FAA to a private entity that would have outsized influence from airlines. I have many concerns about privatizing our country’s air traffic control system, especially the negative impact it could have on consumers. During your testimony, you

mentioned that you have yet to form a conclusion on this. What is your time-frame for developing a position on this issue? To what extent will you value consumer protection in your analysis?

Answer. If I am confirmed, reviewing the ATC reform proposal included in the AIRR Act, as well as the governance and financing proposals adopted by other nations, will be an immediate priority since the current authorization expires on September 30, 2017. I assure you that consumer protection will be an important consideration in my review.

Question 5. We've seen many disasters on our rail network in recent years. A significant number of these disasters have happened on Metro-North Railroad, affecting my constituents. What lessons have you learned from these disasters? What's the first thing you'll do to improve rail safety? Do you believe this is an example where the Federal Government should require action?

Answer. Maintaining the safety of our Nation's transportation network must be one of the top priorities of the Department of Transportation. The 2013 Metro-North Railroad accident that led to the death of four riders was a terrible tragedy. If I am confirmed, one of my first priorities will be to receive a complete review of the circumstances surrounding the Metro-North accident as well as the current state of rail safety in America. Upon completion of this review, I look forward to following up with you to address any needed action from the Department.

Question 6. There's one function that's uniquely housed within the Secretary's office—the Office of Aviation Enforcement and Proceedings, including its Aviation Consumer Protection Division, which focuses on consumer issues. Under current law, consumers and states lack a private right of action regarding unfair, deceptive, and anti-competitive practices against airlines. Consumers' only recourse is to file a complaint with DOT, hope DOT pursues the matter through administrative remedies and civil fines. These remedies—like cease and desist orders—can be weak, and fines (which are negotiated) can be weak as well. For example, in 2015 DOT levied \$2.7 million in fines against an industry with nearly \$169 billion in annual revenue. And that's just for unfair consumer practices. The situation is worse for persons with disabilities trying to assert their rights to be accommodated when flying. Only DOT can assert their claims and receive damages. In 2014, passengers filed 772 disability-related complaints with DOT about airlines. But the U.S. Department of Transportation does little with these individual complaints, taking real action only when there are “a number of complaints” against one airline, as DOT wrote one disabled passenger. Even then enforcement is rare. For example, in 2015, there were no enforcement orders against any airlines. In 2014, there was just one.

Would you agree the current framework is a giveaway to the airlines with a long-running, unintended effect that protects airlines from regulation and vigorous oversight? Wouldn't allowing a private right of action—in addition to continuing to allow DOT enforcement efforts—make real, structural changes to how airlines operate and interact with the public?

Answer. If confirmed, I will review recent DOT enforcement actions against airlines to ensure that passenger complaints are considered in a fair, expeditious manner, and that existing passenger protection rules, including those designed to protect the rights of persons with disabilities, are vigorously enforced. I will take seriously the statutory mandate to prevent unfair, deceptive, and anticompetitive practices in air transportation.

Question 7. Nearly 4,000 people are killed in truck accidents each year, and 97 percent of those are drivers or passengers in a passenger car. What will be your approach toward ending the scourge of deaths from trucks on our highways?

Answer. As I noted in my confirmation hearing, safety will be the number one priority for the Department under my leadership. Technology can leverage safety achievements and incentives for encouraging fleet owners to invest in safety technologies on their commercial vehicles, and is important to saving lives on our highways. The use of Electronic Logs, for example, have been a high priority for the FMCSA.

It is also my understanding that DOT believes half of all CMV accidents are actually caused by automobiles. If confirmed, I will ask the NHTSA and FMCSA Administrators to work closely together to develop and implement a safety plan that will reverse the increasing accident numbers from recent years.

Surveys of trucks drivers show many are fatigued and many often fall asleep at the wheel—endangering us all. They need rest. How will you address fatigue?

Answer. Congress recently enacted language in the FY 2016 appropriations legislation, that required FMCSA to complete a study about provisions of the 34-hour restart. If confirmed, I will submit the information to those specified in the enacted legislation.

Additionally, The FMCSA Electronic Logging Devices (ELDs) and Hours-of-Service (HOS) Supporting Documents Rulemaking fulfills a statutory requirement of the Moving Ahead for Progress in the 21st Century Act (MAP-21), enacted by Congress in July 2012. The final rule was published on December 15, 2015, and establishes: Requirements for the mandatory use of ELDs by drivers currently required to prepare HOS records of duty status (RODS); Minimum technical specifications for ELDs, including a requirement to certify and register ELD systems with FMCSA; Requirements for HOS supporting documents; and Measures to address concerns about harassment resulting from the mandatory use of ELDs. The compliance date for the ELD Final Rule is December 18, 2017. As stated above, this rule is designed to positively affect the fatigue issues that have historically existed in the motor carrier industry.

After FMCSA published the final ELD Rule, the Owner-Operator Independent Drivers Association (OOIDA), and two individual owner-operator truck drivers, filed a challenge to the rule in the United States Court of Appeals for the Seventh Circuit. The American Trucking Associations, Inc., and, in a joint filing, the Trucking Alliance for Driver Safety and Security and the Advocates for Highway and Auto Safety, filed amicus briefs in support of the final rule. On October 31, 2016, the court denied the petition for review and held that the ELD rule is not arbitrary or capricious, nor does it violate the Fourth Amendment.

There have been many efforts over the past year to increase the size and weight of trucks on our highways, something Americans clearly don't want. Bigger trucks are terrifying—and unsafe, as they take longer to stop and can sway. They also cause more wear and tear on our already worn-out roads. Will you fight to ensure that trucks are not allowed to get longer and heavier?

Answer. I recognize there is a lack of consensus on truck size and weight. The FAST Act requires the U.S. DOT to submit to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the safety and enforcement impacts of sections 5520, 5521, 5522, 5523, 5524, and 7208 of the FAST Act. If confirmed, I will ensure that FHWA will require safety and enforcement information for this report as part of the State enforcement plan required under 23 CFR 657.

Question 8. Ten years ago, national safety advocates first urged DOT to mandate the installation of speed-limiting devices on large truck to prevent them from traveling at dangerous speeds on U.S. roads and highways. Trucking industry representatives joined this call, recognizing the dramatic savings in lives and dollars that would come from such a mandate. In August, after years of analysis, DOT put forward a proposed rule that would carry out this vision, mandating speed limiters on any vehicle heavier than 26,000 pounds, including commercial trucks, intercity passenger buses, and school buses. The faster large vehicles travel, the deadlier they can become. Large vehicles already take longer to stop than smaller passenger vehicles. And just a small increase in speed leads to an exponentially large increase in kinetic energy, which can cause far greater damage and destruction in a crash—especially to those traveling nearby in much smaller, lighter passenger vehicles. Crashes involving large vehicles kill around 4,000 people each year and injure more than 100,000. Speeding has been identified as a possible factor in as many as 23 percent of these crashes. A vehicle with a functioning speed limiter is only half as likely to be involved in a crash as a vehicle without an operating device. DOT put forward a proposed rule in August will save hundreds of lives and prevent thousands of injuries. A strong, sensible rule will save millions of dollars and will respond to strong public sentiment that wants speeding trucks to simply slow down. It will ensure that no trucking company creates an uneven playing field, tolerating speeding while competitors comply with the law. It will ensure that large vehicles are going no faster than their tires and other parts were designed to handle. Do I have your commitment to completing this rule?

Answer. As I stated above, I am aware that despite efforts of the current administration, trucking crashes have increased in recent years. If confirmed, I will ask the FMCSA and NHTSA Administrators to work together closely to identify the root cause of accidents, and why the current regulatory posture of the agency has not effectively reduced these number and to see what initiatives will be effective at reducing the number of crashes, deaths and injuries.

Question 9. Last month, Congress passed the Water Infrastructure Improvements for the Nation (WIIN) Act, a \$10 billion bill that makes major investments in the country's water infrastructure. The bill largely focused on the Army Corps of Engineers—outside the purview of DOT. But DOT has tremendous oversight of our country's maritime economy, freight, and ports and the WIIN Act shows that bipartisan

action and investment is possible. What is your plan to improve the economic viability of our country's ports, especially the three ports that we have in Connecticut?

Answer. I recognize the important role our country's ports and harbors play in our economy. This infrastructure is critically important and we must ensure our Nation's multi model freight network incorporates every mode of transportation. If confirmed, I plan to make sure that our ports connect our farmers, manufacturers, and consumers to the world marketplace, and I will work with all of our modes of transportation to ensure we have a safe, secure and efficient system.

I also look forward to being briefed on the revised National Maritime Transportation Strategy which has been under development for some time within the DOT.

Question 10. In 2012, Congress passed the Motorcoach Enhanced Safety Act of 2012 as part of MAP-21, a major surface transportation reauthorization bill. The law requires a number of efforts to improve motorcoach safety. These efforts were mandated in the aftermath of several horrific incidents. One provision requires improvements in the roof strength and crush resistance of large, intercity buses—aka motorcoaches. Another requires improvements to prevent passengers from being ejected through windows. These mandates were all due by October 2014, but they still remain unmet. Will you ensure that the basic motorcoach safety regulations required by MAP-21 that are still outstanding are issued promptly without any further delay?

Answer. If confirmed, I will require an immediate update from NHTSA and FMCSA on the MAP-21 requirements.

Question 11. The use of smart phones has proliferated in recent years and led to an alarming increase in incidents of distracted driving. What steps will you take to prevent distracted driving and the dangers it can cause on our roads?

Answer. If confirmed, I will request an update on the status of DOT actions to date in regard to distracted driving and what strategies are being recommended to augment state and local initiatives to deal with this significant safety problem.

Question 12. Thousands of pedestrians are killed every year and tens of thousands of pedestrians are injured. What steps will you take to end pedestrian deaths and injuries? Will you support safety standards for the hood and bumper areas of motor vehicles in order to reduce the severity of injuries suffered by pedestrians and bicyclists that frequently result in death and lifelong disabilities?

Answer. If confirmed, I will obtain appropriate briefings regarding structural changes to motor vehicles that could reduce the severity of injuries to pedestrians and bicyclists.

Question 13. The North American Free Trade Agreement (NAFTA) opened opportunities for trucking companies domiciled in Mexico to operate within the United States. The Department of Transportation undertook a pilot program allowing certain Mexico-domiciled carriers to operate in the U.S. and concluded such carriers could operate safely in this country. The DOT Inspector General, however, found that the pilot program was flawed and produced unreliable results. How will you address the concerns raised by the Inspector General? Will you oppose allowing Mexico-domiciled trucks to operate in the U.S.?

Answer. If confirmed, I will expect to receive briefings on the requirements of current law and treaties applicable to this issue, and the status of any discussions the Department has had with its counterparts in Mexico.

Question 14. Many states—including Connecticut—provide workers with mandatory meal and rest breaks. These laws have existed for nearly a century in some states and are critical for all kinds of workers, protecting them from workplace fatigue and related accidents, injury and death. These laws also apply to commercial truck drivers, with some exemptions. Federal courts have ruled these laws are not pre-empted by Federal law. Some seek to pre-empt these meal and rest break laws so as to maximize the workday of truck drivers. If this happens, there would be fewer opportunities and incentives for truck drivers to rest. Are you concerned about these efforts? Will you defend these important safety laws?

Answer. Safety will be the number one priority for the Department. There have been several judicial rulings in recent years concerning mandatory rest breaks for truck drivers. The U.S. Supreme Court declined to review a 9th Circuit Court of Appeals 2014 ruling concerning this matter. I am concerned to what extent state laws could affect the Department's jurisdiction and role in regulating trucking but I have not been briefed on this issue and will be glad to look into it if confirmed.

Question 15. About 10,000 people die each year because of alcohol-impaired driving. This annual figure has remained steady for two decades. As we consider ways to eliminate preventable deaths, we must examine changes to the laws around alco-

hol impaired driving. Do you support efforts to highlight the message that driving under the influence of alcohol at any level is impairing?

Answer. Yes. USDOT has an important role in educating the public regarding driving under the influence of alcohol and other substances that can impair drivers.

Question 16. Do you agree that all NHTSA recalls are safety recalls, address an unreasonable risk to safety, and should be promptly repaired?

Answer. USDOT and NHTSA should seek to ensure that all safety recalls are promptly repaired, particularly if the reason for the recall poses an unreasonable risk to safety.

Question 17. One pressing safety issue for children involved in crashes is that even when properly secured in a child restraint, failure of a front seatback in a crash may put back seat passengers—especially infants and children—at serious risk of injury or even death. According to a child rear impact study commissioned by the Center for Auto Safety, approximately 50 children placed behind occupied seats die annually in rear impact incidents.

If confirmed, will you upgrade the safety standard for seatback performance to better protect back seat passengers?

Answer. If confirmed, I will seek appropriate briefings regarding this issue and will fully consider upgraded standards for seatback performance.

Question 18. Nearly 1 in 5 vehicles on our Nation's roads have unrepaired safety defects. In 2015, nearly 900 million vehicle recalls involving 51 million vehicles were issued, eclipsing the previous record set in 2014. Accordingly, millions of vehicles on our Nation's roads and highways have critical safety defects that have not been repaired.

If confirmed, what specific actions will you direct NHTSA to take to increase the recall completion rate and reduce the number of cars with open safety recalls from our Nation's roads?

Answer. If I am confirmed, USDOT will have no more important mission than safety and security. I will obtain full briefings regarding ways for NHTSA to increase the recall completion rate.

Question 19. While new car dealers are required to repair safety recalls before selling vehicles with open recalls, there is no requirement that used car dealers fix any outstanding safety defects before selling a used car. Do you agree that used car dealers should not be allowed to sell used vehicles with unrepaired safety defects?

Answer. If confirmed, I will seek appropriate briefings regarding this issue and will fully consider the issue of requiring used car dealers to repair open safety recalls before selling used vehicles.

Question 20. The Department of Justice recently charged six VW executives in its emissions-cheating scandal, and announced that the company has pled guilty to three criminal felony counts and agreed to pay a total of \$4.3 billion in criminal and civil penalties. In contrast, GM was not charged and was only ordered to pay a mere \$900 million in penalties for an ignition switch defect that has been tied to at least 124 deaths. Neither GM nor any of its executives faced any criminal charges despite accusations of misleading safety regulators and delaying potentially lifesaving decisions. Families who lost loved ones as a result of the GM ignition switch defect deserve an explicit acknowledgment of criminal wrongdoing, individual criminal accountability, as well as a larger monetary penalty. Do you agree that automakers and their executives that conceal a dangerous product for over a decade and that kills 124 people should face criminal penalties?

Answer. If I am confirmed, I would expect USDOT to work with other appropriate Federal agencies to pursue all appropriate remedies against persons who harm the public with unreasonably dangerous products.

Question 21. I am concerned about the unnecessary use of hazardous flame retardant chemicals, which have been linked to serious health effects and environmental harms. Children are especially vulnerable to the toxic effects of these chemicals since their brains and bodies are still developing. Most children's car seats contain these dangerous chemicals in order to comply with flammability standards for vehicles and children's car seats set by NHTSA. NHTSA recently initiated a two-year research program on flammability standards, including those for children's car seats.

If confirmed, will you support this research and work to update the Federal Motor Vehicle Safety Standards to eliminate the unnecessary exposure to toxic flame retardant chemicals from children's car seats?

Answer. If confirmed, I will seek appropriate briefings regarding this issue and will fully consider the issues surrounding the use of flame-retardant chemicals, including any ongoing research.

Question 22. In September 2016, NHTSA issued the Federal Automated Vehicle Policy, updating its previously issued 2013 guidance on autonomous vehicles (AV). These guidelines are not mandatory. In May of 2016, a Tesla Model S equipped with Tesla Autopilot crashed, raising questions as to the performance of the vehicle's technology and whether it caused or contributed to the crash.

It's been reported that several auto manufacturers including Tesla, Ford, BMW, and Volvo are promising to have fully autonomous cars on the roads within five years. The next Secretary of Transportation will play a critical role as we enter a new period of advanced automated technologies in transportation.

Do you have any concerns that voluntary guidelines may be insufficient to protect the American public from unreasonable risk of crashes involving AVs during the testing and deployment of this technology?

Should DOT require manufacturers of AVs to perform a minimum level of due diligence testing and analysis to ensure that AVs work safely and properly before they are tested on public roads or sold to consumers?

If confirmed, will you commit to instituting an effective regulatory framework for automated vehicle technology, including automatic emergency braking systems currently being sold without any performance guarantee for consumers that provides a level playing field for developers and manufacturers and insures public safety?

Answer. If confirmed, I will seek appropriate briefings regarding this emerging technology, including the issues of voluntary guidelines for AV manufacturers, testing and analysis of AV technology and applications, and will fully consider an appropriate regulatory framework for AV technology.

Question 23. It has been reported that Takata, the airbag supplier responsible for the unprecedented recall affecting 42 million vehicles in the United States, is actively soliciting new investors and contemplating bankruptcy or similarly major restructuring in order to keep factories running and manufacturing replacement airbag. Do you agree that any restructuring of Takata should occur on terms that accelerate the availability of replacement parts, end the dangerous use of ammonium nitrate as an airbag propellant, and help the overall recall effort?

Answer. If confirmed, I will seek appropriate briefings regarding this issue and will fully consider an appropriate USDOT position with respect to any Takata restructuring.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. RICHARD BLUMENTHAL
AND HON. EDWARD MARKEY TO HON. ELAINE L. CHAO

Question 1. The Jones Act prohibits any foreign-built or foreign-flagged vessel from engaging in trade between two U.S. ports. Only U.S. ships can go from U.S. port to other U.S. ports. This law, which has been around for decades, is a critical measure that protects the U.S. domestic maritime industry.

As the head of the department charged with carrying out this important law and making sure it has teeth, what can you say about the importance of the Jones Act and the need to have a strong U.S.-flagged fleet? Will you commit to supporting an American maritime industry that provides American economic, military, and homeland security?

Answer. The Jones Act is designed to provide our country with a strong U.S. Flag fleet that engages in trade between our U.S. Ports and is available to meet national security requirements. I support the U.S. Jones Act and the American maritime industry it serves. If confirmed, I will look for ways to help increase opportunities to increase the number American merchant mariners and ships needed to serve our country's economic needs and to meet our defense sealift requirements.

Question 2. The Department's current occupant crash protection standards require vehicles to include warning labels informing consumers stating: "The BACK SEAT is the SAFEST place for children." However, we understand that the seat back failure risk can be mitigated by placing children behind unoccupied front seats, such as the empty middle seat, for which there is no front seat, or behind the lighter front seat occupant. Consumers are currently not advised that the middle seat may be the safest. In the meantime, ensuring consumers have this critical information could be a good and commonsense first step.

If confirmed, will you ensure consumers have the most accurate and up-to-date information regarding the safest seat and position for children?

Answer. Yes. If I am confirmed USDOT under my leadership will work to develop and disseminate the appropriate information.

Question 3. Major airlines have taken actions to prohibit third-party travel websites from accessing published fare, schedule, and seat availability data. We be-

lieve consumers should be able to make apples-to-apples comparisons among fares and flights and select the best price and itinerary for themselves. Promoting access to transparent pricing information is not only good for consumers, it is also good for competition in the airline industry. In October, DOT announced it would seek public comment on actions airlines have taken to restrict online travel sites from listing publicly available fare and flight information. So far, over 50,000 comments have been filed underscoring the importance of comparison shopping and the need for transparency in the marketplace.

- Do you think it is important for airline consumers to have access to information they need to make informed purchasing decisions?
- If confirmed, will you use take action to ensure that airline consumers have access to comprehensive, transparent flight information?

Answer. I have not yet been fully briefed on this issue. If confirmed, I look forward to working with Congress after I have a better understanding of the subject and your concerns.

Question 4. NHTSA plays a critical role in overseeing recalls and making sure they proceed expeditiously, and is responsible for overseeing the largest and most complex safety recall in U.S. history—the Takata airbag recall. The Takata airbag defect has resulted in 11 deaths and over 180 injuries in the United States, to date, and the largest civil penalty in NHTSA’s history. Test data released by NHTSA reveal that certain vehicles with these defective Takata airbags show rupture rates as high as 50 percent in a crash.

If confirmed, what will you do to accelerate the replacement of these dangerous defective devices?

Answer. If I am confirmed, USDOT and NHTSA will work to encourage expeditious replacement of defective Takata airbags.

Question 5. Car Cybersecurity—In October 2016, the National Highway Traffic Safety Administration (NHTSA) issued guidance for improving motor vehicle cybersecurity to protect vehicles from cyberattacks. The guidance recommends that automakers sufficiently allocate resources to enhance product development, research, testing, and authentication of cybersecurity protections. However, this guidance from NHTSA is merely voluntary. How do you plan to monitor and enforce vehicle cybersecurity initiatives given that the guidance is voluntary? Do you agree that the automotive industry and consumers would benefit from a regulatory framework that outlines mandatory requirements for vehicle cybersecurity systems?

Answer. If confirmed, I will seek appropriate briefings regarding this issue and will fully consider how to monitor voluntary compliance, and whether and how to promulgate regulations for vehicle cybersecurity.

Question 6. Dedicated Short Range Communications (DSRC)—In December, the Department of Transportation (DOT) released a proposed rule that may require new light-duty vehicles to have vehicle-2-vehicle communication technologies. These technologies use Dedicated Short Range Communications (DSRC) to share speed, direction data, and other transportation information to prevent accidents and reduce congestion.

While these new technologies have the potential to save lives, security and privacy cannot be an afterthought in this new era of connected cars. If hackers access a vehicle’s systems, privacy could be compromised, the safety of the vehicle could be put at risk, and disaster could ensue.

As this important rulemaking proceeds, how would you ensure that vehicles have robust cybersecurity and privacy protections in place when automakers deploy vehicle-2-vehicle and vehicle-2-infrastructure communication technologies?

Answer. If confirmed, I will receive a full briefing from NHTSA regarding all proposed Vehicle-2-Vehicle or Vehicle-2-Infrastructure regulations. I want to ensure that any such regulations are safe, secure, and useful to the driving public. I appreciate the role that new technology can play in saving lives. That said, safety, security and privacy in the motor vehicle is of paramount importance.

Question 7. Aircraft Cybersecurity—As new technologies continue to enhance all aspects of the airline industry, airplanes and airline operations have become increasingly interconnected. With these technological advancements come great benefits, including improved flight navigation, additional communications abilities, and greater operational efficiency. However, we are concerned that these technologies may also create vulnerabilities that if exploited could threaten our aviation safety and security.

Recently, the Federal Aviation Administration’s (FAA) Aviation Rulemaking Advisory Committee (ARAC) submitted a report and provided cybersecurity rulemaking recommendations to the FAA.

In light of this report, would you direct the FAA to initiate a rulemaking to ensure our aircraft, ground support equipment, and operations and maintenance practices are protected from cyberattacks?

Answer. As I indicated during my testimony before the Committee, safety is my top priority. As you know, security and safety go hand-in-hand. One of the most important aviation safety issues today is cybersecurity given the enhanced connectivity of aircraft. I am aware of the ARAC report. If confirmed, I will review to determine whether regulatory action to ensure that we have a strong aircraft systems information security and protection (ASISP) policy. I look forward to working with Congress, the Transportation Security Administration (TSA) and the private sector to combat unauthorized access to aircraft systems and networks.

Question 8. FAIR Fees—Airline fees have climbed as high as the planes passengers are traveling on, and we must stop their rapid ascent to protect the everyday airline passenger. Will you investigate and take action against airlines charging fees that are unfair?

Answer. I will take seriously the statutory mandate to prevent unfair, deceptive and anticompetitive practices in air transportation. This would include vigorous enforcement action against any air carrier that imposes ancillary fees in an unfair or deceptive manner.

Question 9. 18-Year-Old Truckers—The Fixing America's Surface Transportation (FAST) Act contained a provision permitting members of the military and veterans between the ages of 18 and 21 to drive large trucks across state lines. Given the higher rate of accident among teenagers, how will you ensure this pilot program does not result in more deaths on our roads?

Answer. The Fixing America's Surface Transportation (FAST) Act required the Federal Motor Carrier Safety Administration (FMCSA) to conduct a pilot program which allows a limited number of individuals between the ages of 18 and 21 to operate commercial motor vehicles in interstate commerce, if they received specified heavy-vehicle driver training while in Military service and are sponsored by a participating motor carrier.

If confirmed, I will work to ensure that our veterans are given every opportunity to demonstrate safe compliance with operating commercial vehicles. The outcomes of any pilot will ensure the department remains focused on safety.

Question 10. Safety Scores—How would you ensure Americans can readily access accurate safety information and data on motor carrier safety? What specific steps will you take to ensure that full safety scores will again be made publicly available? When will this occur?

Answer. The FAST Act required the National Academies of Science (NAS) to conduct a thorough safety correlation study of Compliance, Safety, Accountability (CSA) and the Safety Management System (SMS). A contract with the NAS was awarded in February 2016. Within 18 months of the enactment of the FAST Act (June 2017), FMCSA is to submit the results of this study, and any planned actions in response to the study to both Congress and the OIG. The results will also be published on a publicly-accessible DOT website.

Question 11. Driver Fatigue—While driver fatigue is one of the leading causes of motor carrier crashes, it is also one of the most preventable. What specific steps would you take to keep tired truck and bus drivers off the road? How have recent actions by Congress on hours of service regulations impacted safety on our roads?

Answer. Congress recently enacted language in the FY 2016 appropriations legislation, that required FMCSA to complete a study about provisions of the 34-hour restart. If confirmed I will review and submit the information to those specified in the enacted legislation.

Additionally, The FMCSA Electronic Logging Devices (ELDs) and Hours-of-Service (HOS) Supporting Documents Rulemaking fulfills a statutory requirement of the Moving Ahead for Progress in the 21st Century Act (MAP-21), enacted by Congress in July 2012. The final rule was published on December 15, 2015, and establishes: Requirements for the mandatory use of ELDs by drivers currently required to prepare HOS records of duty status (RODS); Minimum technical specifications for ELDs, including a requirement to certify and register ELD systems with FMCSA; Requirements for HOS supporting documents; and Measures to address concerns about harassment resulting from the mandatory use of ELDs. The compliance date for the ELD Final Rule is December 18, 2017. As stated above, this rule is designed to positively affect the fatigue issues that have historically existed in the motor carrier industry.

After FMCSA published the final ELD Rule, the Owner-Operator Independent Drivers Association (OOIDA) and two individual owner-operator truck drivers filed a challenge to the rule in the United States Court of Appeals for the Seventh Cir-

cuit. The American Trucking Associations, Inc., and, in a joint filing, the Trucking Alliance for Driver Safety and Security and the Advocates for Highway and Auto Safety filed amicus briefs in support of the final rule. On October 31, 2016, the court denied the petition for review and held that the ELD rule is not arbitrary or capricious, nor does it violate the Fourth Amendment.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BRIAN SCHATZ TO
HON. ELAINE L. CHAO

Question 1. As discussed in the hearing, Senator Heller and I worked to include safe streets provisions in the FAST Act. Specifically, these provisions require that the agency encourage states and MPOs to adopt safe streets policies and design standards, develop a report to Congress that identifies the level of adoption and best practices.

If confirmed, can you provide my office a list of state or MPOs that USDOT has worked with to support adoption of safe street policies?

Answer. If I am confirmed, I expect to request that USDOT provide your office with a list of state or MPOs that USDOT has worked with to support adoption of safe street policies.

Question 2. In October of 2016 the Road to Zero coalition was created in partnership with NHSTA, FMCSA, FHWA, and the National Safety Council. The coalition is committed to reducing the number of roadway fatalities to zero within thirty years. Today that coalition has the support and participation of a diverse array of stakeholders including government agencies, advocacy groups, manufacturers, technology companies, and more.

As discussed in your nomination hearing, safe streets planning and design is a cost-effective solution to preventing fatalities. Will you work to ensure FHWA's staff are engaged in the coalition's work to make sure safe streets practices are a central focus of the coalition's work?

Answer. If I am confirmed, I expect to work to ensure that FHWA staff appropriately supports the work of the coalition.

Question 3. The Maritime Security Program (MSP) maintains a 60-ship fleet of privately-owned U.S.-flag ships operating in international commerce. These ships are made available to the Department of Defense (DOD) to meet military sealift requirements. This program is administered by the agency through MARAD.

MARAD approved the replacement of two 5,000-TEU MSP containerships with two smaller 1,100 and 1,600 TEU MSP containerships and permitted them to operate in a domestic trade (*i.e.*, Guam) competing against an American shipping company that does not receive any MSP stipend.

This development is concerning. The MSP was intended to maintain a U.S.-flag fleet in international trades. It was not intended to provide financial support for U.S.-flag vessels carrying cargo between domestic ports. It was not intended to create an unfair playing field for domestic trades, whereby one U.S.-flag operator receives financial support from the government and the other does not.

Will you prioritize the review of this situation? I look forward to working with you on this issue because we must ensure that MARAD is not paying MSP operators for the period in which they carry cargo in domestic trades, and competing in those same trades against American shipping companies that do not receive MSP payments.

Answer. I understand and appreciate the importance and role of the Maritime Security Program (MSP). Thank you for bringing this to my attention, and if confirmed, I will request a briefing with the Maritime Administration in order to consider this issue further and will work with your office once this has occurred.

Question 4. Sprawling development patterns are more expensive to operate on a per capita basis and strain municipal budgets. That is why it is so important that DOT promote better transportation and land use development, especially around quality transit. My state has prioritized smart, transit oriented development (TOD) that will enable us to maximize economic development from our transportation investments and reduce government operating costs.

TOD offers a mix of development uses and amenities within a walkable distance of quality transit. It encourages greater transit ridership, which decreases operating subsidies. It also improves location efficiency for individuals to access essential destinations such as jobs, groceries, or health care visits.

Congress recognizes the importance of TOD and has established a TOD planning grant program to support grant recipients of FTA's Capital Investment Grant program. FTA has also established a technical assistance program to support TOD stra-

tegic plans. Honolulu is scheduled to receive TOD technical assistance from FTA in April 2017.

Can I get your commitment to work with me to ensure Honolulu's TOD technical assistance goes forth as scheduled?

Answer. If I am confirmed, I expect USDOT to continue to provide appropriate TOD technical assistance to Honolulu.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. EDWARD MARKEY TO
HON. ELAINE L. CHAO

Question 1. Seatback Failure—Front seatback failures during a rear-end crash can jeopardize the safety of back seat passengers. Since the 1996 Airbag and Seat Safety Campaign informed adults that the safest place for infants and children is in an automobile's back seat, these young vehicle occupants are especially vulnerable to injury or even death due to front seatback collapse. Yet, the U.S. Department of Transportation has not updated Federal Motor Vehicle Safety Standard (FMVSS) 207—the regulation that defines seat back strength standards—since 1967. Meanwhile, the Center for Auto Safety reported an average of 50 children placed behind occupied front seats have died each year in rear-end incidents. Further, at least 3,455 injuries and 326 deaths from vehicle accidents between 2003 and 2016 across 16 automakers refer to a seating issue in their report to the Early Warning Reporting system.

Given the number of deaths and injuries associated with rear-end collisions that result in seat system failures, will you review and promulgate updates to seating standards, including the half-century-old FMVSS 207?

Answer. As I stated during my hearing, if I am confirmed, safety will be the number one priority for all transportation modes in the Department. Every pending and proposed safety rule, as well as all future rulemaking, will be based on data-driven, risk-based analysis.

Question 2. Early Warning Reporting (EWR)—The National Highway Traffic Safety Administration's (NHTSA) Early Warning Reporting requirements were established in 2000 after the Ford/Firestone safety crisis in which defective tires caused Ford trucks to roll over. These requirements were supposed to provide more information about potentially fatal safety defects to the public. But NHTSA's regulations that implemented the Early Warning Reporting system allow automakers to keep accident reports secret. Will you direct NHTSA to make more EWR documents public in order to increase transparency and save lives?

Answer. If confirmed, I will review with NHTSA the current reporting requirements for auto manufacturers. Early Warning Reporting data is valuable to the agency, and I will receive a briefing regarding what data is collected and how it is used. I will work to ensure the agency protects proprietary information, while still sharing important safety data with the public.

Question 3. Tire Pressure Monitoring Systems—The National Highway Traffic Safety Administration's (NHTSA) current rules allow drivers to recalibrate tire pressure monitoring systems, which electronically gauge if a vehicle's tires have the appropriate air pressure, to dangerous pressure levels without alerting the driver. As a result, drivers could unintentionally increase the risk of a tire failure or blow out. To address this safety hazard, I included a provision (Section 24115) in the Fixing America's Surface Transportation (FAST) Act that requires NHTSA to update its rules to ensure that tire pressure monitors cannot be recalibrated to unsafe levels. My provision requires the Department of Transportation (DOT) to publish proposed rule by December 4, 2016. As the Secretary of Transportation, will you swiftly complete this rulemaking?

Answer. If confirmed, I will review NHTSA's work regarding any proposed regulation concerning tire pressure monitoring systems. While a vehicle owner is free to modify a purchased vehicle, it is important to ensure that after-market changes are not inadvertently dangerous. If NHTSA has been directed by law to propose a rule making, I will work with the agency to meet deadlines and to keep Congress apprised of any issues or problems related to the proposal.

Question 4. Secondary Barriers—The 9/11 Commission described "failures of imagination" as a primary reason we were unable to prevent those fateful attacks. That's why I support expanded use of secondary barriers, which is a fortified screen that protects the aircraft cockpits while the cockpit door is opened. These secondary barriers could prevent another tragedy. Will you initiate a rulemaking to require aircraft to have secondary barriers?

Answer. Aviation safety will be my highest priority. In response to the terrorist attacks of September 11, 2001, the Transportation Security Administration (TSA) has established a multi-layered, risk-based approach to aviation security that has prevented any breaches of cockpit security in the United States. One of the security mandates that resulted from 9/11 is the installation of fortified cockpit doors on commercial aircraft. If confirmed, I will ask the FAA to determine whether the installation of secondary cockpit barriers are necessary to further enhance cabin security.

Question 5. Airplane Noise—What steps should the Federal Aviation Administration take to abate noise around airports, including Boston's Logan Airport?

Answer. NextGen technology and procedures, the introduction of new, more fuel-efficient aircraft and aircraft technologies, and more stringent international standards will help drive reductions in aircraft noise in communities situated near airports. Airspace redesign and the implementation of performance-based navigation (PBN) procedures at Boston Logan and other major airports around the country—part of FAA's Metroplex program—is an important ongoing initiative to reduce noise.

Continued support for eligible noise abatement projects in homes exposed to excessive aircraft noise is another existing program that has helped mitigate the impact of aircraft noise. FAA also needs to improve its communication with communities located near airports before implementing PBN and other NextGen procedures at airports.

Question 6. Port Infrastructure—Without strong investment in America's ports, our shipping industry and the thousands of companies and millions of workers who rely on an efficient, effective American shipping network could suffer from increased costs of production, decreasing our countries' competitiveness in an increasingly globalized economy. What steps will you take to improve America's ports? How will you address our ports dredging, landside infrastructure, and intermodal infrastructure needs?

Answer. I recognize the important role our country's ports and harbors play in our economy. This infrastructure is critically important and we must ensure our Nation's multi-model freight network incorporates every mode of transportation. If confirmed I will look into how the Harbor Maintenance Trust Fund is utilized and will ensure the Department develops a comprehensive plan to ensure our ports are efficient and connect our farmers, manufacturers, and consumers to the world marketplace.

Question 7. Maritime—In March, Administrator Paul Jaenichen Sr., the former Administrator of the U.S. Maritime Administration, stated at a House Armed Services subcommittee hearing that the United States will need 70,000 new people for the Nation's maritime fleet by 2022. As the Secretary of Transportation, how would you support Maritime Academies and ensure that we have a robust merchant mariner workforce? Please describe how you will support the construction of a new class of training ships for the Academies?

Answer. Having experience at the USDOT as both the head of MARAD as well as the Deputy Secretary has given me a strong background in these areas. MARAD's own King's Point is a key component of a robust merchant mariner workforce. King's Point, along with the other six other State maritime academies will be responsible for ensuring a sufficient number of mariners are always in the pipeline to meet our needs. If confirmed, I will review the current situation and will propose innovations to ensure we retain this capability.

As for the training ships, I understand this is an aging fleet and a replacement or service life extension program will have to be developed. If confirmed, I will look into this matter and will then propose recommendations to this ongoing issue.

Question 8. Takata—Air bag manufacturer Takata acknowledged a safety defect with its air bag inflators in May 2015. Since then, Takata initiated a recall which has become both the largest safety recall and one of the most confusing to automobile consumers to date. Recent efforts by the U.S. Department of Justice to negotiate a criminal fine with Takata is adding a layer of complexity to the automotive safety crisis. Additionally, if Takata declares bankruptcy, it is possible that it could be more difficult for NHTSA to enforce its consent order requiring Takata to replace all defective airbags, and this could leave the costs of the replacements for the auto manufacturers to pay.

How will you work with DOJ so that policies introduced by NHTSA are respected and enforced, and to ensure that any bankruptcy or restructuring that Takata goes through does not jeopardize its responsibility to manufacture and pay for safe replacement airbags?

Answer. If confirmed, I intend to receive detailed briefings from NHTSA staff regarding the Takata airbag recall. I can assure the Committee that safety will be my top priority, and as Secretary, I will ensure that all recalls are completed as swiftly and effectively as possible. All motor vehicle recalls are important, and I will work with the NHTSA staff and the Congress to make certain our resources are used wisely. I will seek appropriate briefings regarding this issue and will fully consider an appropriate USDOT position with respect to any Takata restructuring.

Question 9. Ejection Mitigation—NHTSA established Federal Motor Vehicle Standard 226 to help prevent vehicle occupant side window ejections, but similar requirements were not extended to sun/moon roofs or back windows. The preamble to NHTSA's final rule explains the agency's belief that developing standards and countermeasures for these other vehicle portals would not be cost effective despite the continued harm caused to vehicle occupants from partial or complete ejections stemming from a sun/moon roof or back window.

Given NHTSA's role to protect vehicle occupants from known safety threats, are you committed to further researching the prevalence of sun/moon roof and rear window injuries and fatalities? If no, why not? If yes, then would you also be willing to develop appropriate countermeasures to mitigate sun/moon roof and rear window ejections should the agency's research determine it is warranted?

Answer. Preventing fatalities due to vehicle ejection is a safety priority. If confirmed, I will direct NHTSA to brief me regarding their research on potential changes to FMVSS 226 related to sun/moon roof ejection. Safety is the top priority and, whenever possible, NHTSA should review their motor vehicle standards to ensure they are current and based on the most recent research and data.

Question 10. Electronic Vehicle Technology—Many OEMs are investing in electric vehicle technology to enhance the prevalence of electric vehicles in their vehicle fleet, and their affordability for consumers. Among the provisions in Section 1413 of the FAST Act is a plan for the development of a national electric vehicle charging infrastructure, which would extend the access and usability of electric vehicle technology into more cities across America. Will you support and advance efforts to achieve the FAST Act's goal of building an electric vehicle charging infrastructure by the end of Fiscal Year 2020?

Answer. As required by the FAST Act, Secretary Foxx and President Obama announced the current Electric Vehicle Charging Corridors on Nov. 3. Should I be confirmed, I look forward to working with Congress, and all of the stakeholders, to review the progress being made in these corridors, to identifying additional facilities that could be included in these initiatives, incorporating existing fueling and charging areas, and reviewing the use and demand of the existing vehicle charging and fueling infrastructure consistent with the law.

Question 11. National Park System Transportation Systems—Massachusetts has many wonderful natural and historical treasures, including our national park system sites, such as Freedom Trail, Cape Cod National Seashore, Minute Man National Historical Park, Faneuil Hall, and Salem Maritime National Historic Site. But my constituents cannot enjoy these sites if they cannot access them. Fixing America's Surface Transportation (FAST) Act created the National Advisory Committee on Travel and Tourism Infrastructure to advise the Secretary of Transportation on matters relating to the role of intermodal transportation on facilitating travel and tourism. Will you commit to ensuring that the work of the Advisory Committee sufficiently evaluates the transportation priorities and needs of the national park system, including those in Massachusetts?

Answer. Facilitating travel for all Americans is an important mission of the USDOT. I intend to be fully briefed on the activities of the National Advisory Committee on Travel and Tourism Infrastructure, if I am confirmed.

Question 12. Whistleblower—During Mr. Trump's campaign, there were reports that even volunteers were required to sign non-disclosure agreements. And following his election, there were also reports that transition officials were requesting information about career employees who worked on issues such as climate change at the Energy Department or women's issues at the State Department. Any implication that people who worked on advancing policies that the new President disagrees with may be targeted or retaliated against could create a chilling effect on non-political Federal employees simply trying to do their jobs.

If you are confirmed, will you commit to protect the rights of all employees at the Transportation Department?

Answer. I am not aware of any of the actions you have mentioned in this question. That said, employment law will be equally applied and complied with at USDOT under my leadership, as it will among all agencies.

Question 13. Those rights include the right for civil servants to communicate with Congress, and in fact it is against the law to deny or interfere with their right to do so. If you are confirmed, do you commit to protect this fundamental right as well?

Answer. The Constitutional rights of all DOT employees will be respected and upheld under my leadership, if I am confirmed.

Question 14. There are several laws that describe the rights of civil servants to communicate with Congress and the protections they are afforded, and I have provided a brief description of those below. If you are confirmed, will you commit to communicate these rights via e-mail to all Transportation Department employees within a week of your arrival at the Agency?

Answer. Current law provides the various mechanisms with which USDOT employees may communicate with Congress and other officials, including a whistleblower hotline at the Office of the Inspector General, as well as other methods prescribed by law.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. CORY BOOKER TO
HON. ELAINE L. CHAO

Question 1. Gateway Program/Northeast Corridor Investment—As you may know, a recent economic analysis of the Gateway Program demonstrated that every dollar invested in the Program returns \$4 in economic benefits to the region. As the Northeast Corridor contributes some 10 percent of the Nation's Gross Domestic Product, how important do you believe this project is to the national economy?

Answer. The components of the Gateway Program contain some of the most important passenger rail track in the country. It is a project of great importance that impacts our economy and the daily lives of millions of Americans. If confirmed, I will request a full briefing on the status of the program and I look forward to working with you to identify and pursue the best course forward.

Question 2. The current Hudson River tunnels were built in 1910 and suffered extreme damage during Superstorm Sandy. The 450 NJ Transit and Amtrak trains that use the tunnels each day are at risk of a complete disruption if new tunnels are not built. I have worked closely with Senators Menendez, Schumer, and Gillibrand along with Secretary Foxx, Governor Christie, and the Port Authority to advance the Gateway Program. Can you commit to partner with New Jersey and New York to prioritize investment and expedite the completion of the Gateway Program?

Answer. The importance of the Gateway Program cannot be overstated. If confirmed, I look forward to working with you, the Gateway Development Corporation, industry and state and local leaders to address the needs of the program as we continue to make progress.

Question 3. What's your plan to streamline environmental reviews, planning and construction of the full Gateway Program including a new Hudson River Tunnel, an expanded Penn Station and other associated infrastructure?

Answer. Our administration will receive briefings on major projects and their cost/benefit analysis as part of the President-elect's Infrastructure Plan. It would be premature to speculate about any specific project prior to such briefings.

Question 4. I brought Secretary Foxx to see the existing tunnels, and would welcome the opportunity to bring you up to New Jersey to see the state of these tunnels. Can you commit to visit New Jersey and the Hudson River tunnels with me?

Answer. Our administration will receive briefings on major projects and their cost/benefit analysis as part of the President-elect's Infrastructure Plan. Visiting key projects such as this is certainly something I hope to do, in order to get a better understanding of the situation.

Question 5. I believe we must take a holistic approach to improving our Nation's transportation network. Modes work together to provide a network of mobility and sometimes investments in a single mode can enhance the whole network by reducing demand or generating efficiency in other modes as a secondary impact. When the Federal Government invests in our intercity and commuter railroads on the Northeast Corridor, we are also investing in our highway and aviation systems by removing cars from roads and bridges and freeing up slots at congested airports. Do you agree that it is essential to consider this when looking at the overall transportation network in the U.S.?

Answer. The concept of intermodal transportation has been around since the 1970s. Despite significant progress in this area, we still have different modes of transportation that often view each other as competitors rather than as complementary pieces of the Nation's transportation network. Our different modes of transpor-

tation should focus on how they can provide a seamless, more dynamic system for the benefit of the consumers, shippers and overall quality of life for our country.

Question 6. The Amfleet 1, single-level passenger cars dating from the mid-1970s is the backbone of Amtrak's Northeast Corridor Regional and eastern State-Supported passenger car fleet. It is approaching the point where it will require complete rebuilding or replacement. Purchasing new equipment will be more cost-effective and will improve Amtrak's product, enhance customer experience, lower maintenance cost, increase safety and accessibility and support domestic manufacturing. Investment in this type of product will create a number of good jobs in this industry. Would this type of job creating investment be a priority for your department?

Answer. At this point, it would be premature for me to speak to the replacement of Amtrak's Amfleet until I have had a thorough briefing on the matter. If I am confirmed, I will request a full review Amtrak's Amfleet and I look forward to following up with you on this matter.

Question 7. Truck Safety—Every year, over 4,000 people are killed and nearly 100,000 are injured in large truck crashes. In 2015, 4,067 people were killed in crashes involving large trucks. This is an increase of more than 4 percent from the previous year and a 20 percent increase from 2009. Further, this is the highest fatality number since 2008. Early release data for 2015 shows that 116,000 people were injured in crashes involving large trucks, which is an increase of 57 percent since 2009.

I am concerned that in recent years we have seen rollbacks in common sense truck safety protections, and I want to make sure that we can work together to reduce fatalities on our roads.

Can you please describe your plan to address the rising rate of fatalities from large truck crashes?

Answer. As I noted in my confirmation hearing, safety will be the number one priority for the Department under my leadership. Technology can leverage safety achievements and incentives for encouraging fleet owners to invest in safety technologies on their commercial vehicles is important to save lives on our highways. The use of Electronic Logs for example have been a high priority for the FMCSA.

It is also my understanding that DOT believes half of all CMV accidents are actually caused by automobiles. If confirmed, I will ask the NHTSA and FMCSA Administrators to work closely together to develop and implement a safety plan which will reverse the increasing accident numbers from recent years.

Question 8. During your confirmation hearing, you noted that workers cannot protect themselves and they need the protection of Federal regulations. If confirmed, will you prioritize issuing regulations that protect truck drivers, specifically the rule requiring most commercial motor vehicles to install speed limiters?

Answer. As I stated above, I am aware that despite efforts of the current administration, trucking crashes have increased. If confirmed, I will ask the FMCSA and NHTSA Administrators to work together closely to identify the root cause of accidents, and why the current regulatory posture of the agency has not effectively reduced these number and to see what initiatives will be effective at reducing the number of crashes, deaths, and injuries.

Question 9. Will you reject any weakening of rules that protect truck drivers such as the Hours-of-Service and Electronic Logging Device regulations?

Answer. Congress recently enacted language in the FY 2016 appropriations legislation, that required FMCSA to complete a study about provisions of the 34-hour restart. If confirmed I will submit the information to those specified in the enacted legislation.

Additionally, The FMCSA Electronic Logging Devices (ELDs) and Hours-of-Service (HOS) Supporting Documents Rulemaking fulfills a statutory requirement of the Moving Ahead for Progress in the 21st Century Act (MAP-21), enacted by Congress in July 2012. The final rule was published on December 15, 2015, and establishes: Requirements for the mandatory use of ELDs by drivers currently required to prepare HOS records of duty status (RODS); Minimum technical specifications for ELDs, including a requirement to certify and register ELD systems with FMCSA; Requirements for HOS supporting documents; and Measures to address concerns about harassment resulting from the mandatory use of ELDs. The compliance date for the ELD Final Rule is December 18, 2017.

After FMCSA published the final ELD Rule, the Owner-Operator Independent Drivers Association (OOIDA) and two individual owner-operator truck drivers filed a challenge to the rule in the United States Court of Appeals for the Seventh Circuit. The American Trucking Associations, Inc., and, in a joint filing, the Trucking Alliance for Driver Safety and Security and the Advocates for Highway and Auto Safety filed amicus briefs in support of the final rule. On October 31, 2016, the court

denied the petition for review and held that the ELD rule is not arbitrary or capricious, nor does it violate the Fourth Amendment.

Question 10. Will you commit to ensuring that, during your time as Secretary, the Department will not advance policies that can be used to justify requiring truck drivers to operate larger and heavier trucks?

Answer. I recognize there is a lack of consensus on truck size and weight. The FAST Act requires the U.S. DOT to submit to the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, a report describing the safety and enforcement impacts of sections 5520, 5521, 5522, 5523, 5524, and 7208 of the FAST Act. If confirmed, I will ensure that FHWA will require safety and enforcement information for this report as part of the State enforcement plan required under 23 CFR 657.

Question 11. Technology and Innovation—The previous administration went to great lengths to promote the use of technology in the transportation sector. From working to remove regulatory barriers for unmanned aerial systems (UAS), to the creation of a Federal automated vehicle policy, to implementing the Smart City Challenge, technology and innovation were at the forefront of solving our most pressing transportation and safety challenges. How do you plan to harness new technologies at the Department of Transportation (DOT) once you are confirmed?

Answer. I believe that the greatest source for new technologies and innovation is the private sector. If confirmed, I will endeavor to ensure DOT promotes an environment that encourages technological innovation in the transportation sector.

Question 12. Autonomous Cars/Persons with Disabilities—As you may know, the emergence of self-driving cars holds great promise for many people who have traditionally been disenfranchised. These autonomous vehicles can help provide greater independence to older Americans and persons with disabilities, providing them greater access to employment opportunities and health care.

Under your leadership, will DOT further explore the benefits of autonomous cars for persons with disabilities?

Answer. I agree, autonomous vehicles have a tremendous potential to provide benefits to a wide variety of Americans, including the elderly and persons with disabilities. I look forward to working with you, and the Congress, to further explore these benefits and the ways to safely incorporate the technology into widespread use.

Question 13. Rail Safety—I am also deeply concerned about urgent passenger rail safety issues. Last September, a New Jersey Transit commuter train crashed into the station terminal in Hoboken, New Jersey killing one person and injuring over 100. In 2015, an Amtrak derailment along the Northeast Corridor outside Philadelphia killed eight people and injured over 200. And again last week, a train derailed on the Long Island Railroad, injuring over 100 people. While the National Transportation Safety Board (NTSB) has yet to make a determination on whether the absence of the safety system known as “Positive Train Control” was a contributing factor in Hoboken or Long Island, we know it was in the Amtrak incident. Positive Train Control is a critical system that stands to prevent similar disasters in the future, but installation of the system is moving slowly across the Nation’s railroads. Will you make Positive Train Control implementation a top priority for DOT?

Answer. As I mentioned at the hearing, rail safety is one of the top priorities of the Department of Transportation. As such, the implementation of Positive Train Control (PTC) and the promise it potentially brings of enhanced safety and accident avoidance will be one of my first priorities if I am confirmed. I look forward to working with this Committee and the Congress as I learn more about the PTC technology, its implementation and its challenges.

Question 14. Key Transportation Programs—USDOT’s successful TIGER program has granted millions of dollars for innovative port, roadway, transit and other multimodal projects throughout the US. Additionally, the Federal Transit Administration’s New Starts, Small Starts, and Core Capacity programs have helped to fund light rail, commuter rail, heavy rail, streetcar, and bus rapid transit bus rapid transit projects. Given the vast demand for these grants across the country, how do you plan to ensure adequate funding levels for critical discretionary and competitive grant programs that create jobs, spur economic development, and help to rebuild our Nation’s infrastructure?

Answer. Discretionary grants are one tool in the tool box for facilitation of innovative finance and public-private partnerships. I intend to consider all options for the most expedient, effective and efficient delivery of projects.

Question 15. The port of New York-New Jersey, the largest on the east coast, expects increases in demand in the coming years while also continuing to grapple with

truck congestion and air quality issues. How do you plan to ensure adequate investment in major seaports that are key economic drivers for the entire nation?

Answer. We will work to eliminate bottlenecks while seaport capacity expands. Some of this congestion relief may be relieved by utilizing more development expertise and suggestions from the state and local level MPOs plus expanding America's marine highway alternative. If confirmed, I will ask for further information regarding this subject.

Question 16. Bicycle and Pedestrian Issues—Communities across the country are embracing bicycling and pedestrian infrastructure as an integral part of their transportation network for a number of reasons, including attracting businesses, workers and younger Americans who are choosing to live without a car. As secretary how will you support programs that will help expand this type of important infrastructure to meet the growing demand?

Answer. If confirmed, I will be briefed fully on the interplay between Federal, state and local bike and pedestrian programs and expect USDOT will consider providing appropriate support for such programs, consistent with the law.

Question 17. Increasing bicycle and pedestrian safety is critically important. In 2014, just over 700 cyclists were killed in a crash with a vehicle. On average, nearly 4,500 pedestrians are killed and 68,000 are injured each year since the recent low point in pedestrian deaths in 2009. In 2015, pedestrian deaths increased 10 percent to 5,376 deaths up from 4,884 in 2014. What is your plan to improve the safety of bicyclists and pedestrians?

Answer. USDOT has an important role in educating the public and promoting bicycle and pedestrian safety. If I am confirmed, I expect to consider continuing support for those efforts consistent with the law.

Question 18. Local Control—As a former Mayor I support providing additional resources and decision-making authority to local officials including increasing sub-allocation of Federal resources to the Metropolitan Planning Organizations (MPOs). What is your plan to ensure that local officials have a substantial role in transportation decisions, and do you support additional sub-allocation of Federal resources to MPOs?

Answer. If I am confirmed, I will obtain full briefings on the issues surrounding sub-allocating Federal resources to MPOs and will seek to ensure that local officials have a substantial role in local transportation issues.

Question 19. Diversity in Transportation Sector—Nearly one in ten jobs in the United States are in the transportation and/or infrastructure sector. However, women, workers of color, and workers with disabilities are significantly under-represented in the sector compared to their overall participation in the workforce. I am a strong supporter of the Disadvantaged Business Enterprise (DBE) Program, which is designed to provide small businesses owned by socially and economically disadvantaged individuals an equal playing field to compete for federally funded transportation contracts. Can you commit to supporting the DBE Program, and describe other steps you will take as DOT Secretary to connect disadvantaged workers to employment in the transportation field?

Answer. Current law provides for specific DBE programmatic requirements. I intend to make equal application of the law a priority and intend to fulfill my obligations as set forth in applicable statutes.

Question 20. Wells Fargo—You have been a member of the Board of Directors of Wells Fargo & Company since 2011. The company's most recent proxy statement lists your experience and qualifications as including regulatory, human resources, and governance matters.

As you likely know, on September 8, 2016, Wells Fargo entered into consent orders with the Consumer Financial Protection Bureau (CFPB) and the Office of the Comptroller of the Currency (OCC), and a settlement with the Los Angeles City Attorney. These actions were the result of Wells Fargo's widespread opening of unauthorized accounts for Wells Fargo customers and the termination of thousands of employees.

Please explain what actions the Board, Board Committees, or Board members (including you specifically) have taken to understand and address Wells Fargo's pervasive practice of opening accounts without customer authorization.

Answer. The Board strongly believes that opening accounts without our customers' knowledge or approval is a violation of the bank's commitment to its customers.

To be clear, the Board was not fully informed of the extent of the sales practices issue until the eve of the CFPB settlement in September 2016.

When we became aware of this, we took several concrete steps—

1. We stopped the retail sales goals.
2. John Stumpf forfeited \$41 million in unvested equity awards and will not receive a bonus for 2016. He has stepped down as Chairman and CEO.
3. Another executive was relieved of her duties and forfeited \$19 million in unvested equities.
4. The Board amended the by-laws to separate the Chairman and CEO roles and to require that the chairman be an independent director.
5. The Board also created a Vice Chair for additional accountability.
6. The Board has retained independent outside counsel to investigate the bank's retail sales practices and related matters, including who knew what and when, and how information was presented to the Board.
7. Finally, the bank has been proactively reaching out to deposit and credit card customers who may have had an unwanted account opened. We are refunding any fees, closing the accounts, and contacting credit bureaus to protect customers from any harm to their credit scores.

I believe the Board took strong action to rectify a bad mistake in judgment by bank managers.

I wish I had more on the details of the problems regarding unauthorized accounts, but that investigation is ongoing. I am hopeful that the investigation will answer many of these questions so the Board can take additional actions as appropriate and address these problems. It is my understanding that the Board has committed to share the results of its investigation with Congress upon completion.

Finally, as I have stated previously, if confirmed, I plan to step down from the Board of Directors of Wells Fargo effective immediately.

Question 21. Funding—In your testimony, you agreed that an infrastructure bill this Congress would include some direct Federal investment in transportation, not solely private financing. Do you think an infrastructure bill should provide supplemental dollars to existing authorized programs that are underfunded thus far but offer big impacts in terms of economic benefit, job creation and mobility benefits, like intercity passenger rail grant programs? Or do you have ideas for new DOT programs that would distribute Federal grant dollars via new authorized programs?

Answer. Current USDOT programmatic spending includes both direct Federal investment and permits private investment in public infrastructure projects in certain instances. I intend to consider all options for financing of projects, and intend to be fully briefed on the various alternatives.

Question 22. Since Amtrak was first created more than 45 years ago, there has been discussion of including it in a transportation trust fund. However, this simply has never come to fruition. Instead, Amtrak relies on discretionary funding one Fiscal Year at a time, which is unfortunate. This creates uncertainty and wreaks havoc on Amtrak's ability to plan capital improvement projects. By comparison, highway and transit programs' dedicated funding via multi-year contract authority allows for better capital planning and creates efficiencies and cost savings. It would also be beneficial for intercity passenger rail to receive predictable and dedicated funding like almost all the other transportation modes. Would you support including at least a portion of Federal funding for intercity passenger rail in the trust fund?

Answer. Today, as you know, Congress appropriates Federal dollars to Amtrak to subsidize its operations and capital needs. If the Congress wishes to change the way Amtrak is funded, that is a discussion that the Administration would need to have with Congress, and if I am confirmed, I look forward to working with Congress to discuss this matter.

Question 23. While including intercity passenger rail in the trust fund is by far the preferred method of Federal funding, have you given thought to other options for multi-year predictable and dedicated funding of intercity passenger rail? For example, providing Amtrak with advance appropriations for several years instead of only funding it one year at a time. Would you support Congress providing advance appropriations or creating another trust fund-like mechanism dedicated to passenger rail?

Answer. At this point, it would be premature to comment on alternative funding possibilities for Amtrak until I am fully briefed on this matter. If confirmed, I look forward to a review of all funding options for Amtrak, and working with you and the Congress to determine a path forward.

Question 24. Germany recently approved a transportation infrastructure plan to spend \$126 billion on rail projects through 2030. In the United States, which has

four times Germany's population, Federal funding for vital infrastructure investments in the Northeast Corridor and elsewhere on the national passenger rail network amounts to just a few hundred million dollars a year. With each new Fiscal Year, there is no assurance that there will be any additional predictable and dedicated Federal spending to leverage private and state investment. How do we attract private investment in passenger rail infrastructure projects, like Gateway, when the Federal Government does not support a mechanism for substantial and reliable Federal investment in passenger rail?

Answer. At this point, it would be premature to comment on alternative funding possibilities for Amtrak until I am fully briefed on this matter. If confirmed, I look forward to working with you, the Committee, and Congress, to look at best practices and all options to incent private investment in passenger rail infrastructure.

Question 25. National Passenger Rail System—Can you discuss your vision for intercity passenger rail in the U.S.?

Answer. The continuation and constant improvement of rail service for all Americans is an important issue. I intend to work with Congress to address our rail transportation needs, challenges and opportunities.

Question 26. Do you agree that the Federal Government has an important role to play to help ensure passenger rail remains a viable option to connect rural communities to the rest of our transportation network?

Answer. Long distance service by the National Railroad Passenger Corporation is an important issue facing the incoming administration. I intend to receive a detailed briefing on the challenges that face our national rail system and look forward to working with Congress to address the needs and opportunities for our rural communities.

Question 27. What role do you envision the DOT has to make good on this commitment to the various rural communities who rely on intercity passenger rail?

Answer. The Department of Transportation plays a very important role in regulating our national rail system. Long distance service by the National Railroad Passenger Corporation is an important issue facing the incoming administration. I intend to receive a detailed briefing on the challenges that face our national rail system, and look forward to working with Congress to address the needs and opportunities for our rural communities.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TOM UDALL TO
HON. ELAINE L. CHAO

Question 1. More than 10,000 Americans are killed each year in alcohol-impaired driving crashes. Drunk driving accounts for roughly a third of all traffic fatalities. These deaths are preventable. That is why I support high visibility law enforcement, ignition interlocks for all offenders, and a promising R&D program to end drunk driving. The Driver Alcohol Detection System for Safety (DADSS) is a public private partnership that brings together automakers and the National Highway Traffic Safety Administration (NHTSA) to develop lifesaving drunk-driving prevention technology. As transportation secretary, will you continue to support the DADSS initiative and other efforts to save lives from drunk driving?

Answer. If confirmed, I will receive a full briefing from NHTSA regarding the timing, technology, and funding of the Driver Alcohol Detection System of Safety (DADSS). Any fatality or injury due to drunk driving is tragic and preventable, and NHTSA must continue to work with the States to educate drivers and enforce current laws.

Question 2. Given that the Highway Trust Fund has solvency issues, what measures will this Administration take to ensure that adequate funding is maintained in order for the Federal Government to meet the continued need for infrastructure improvements?

Answer. With the enactment of the FAST Act, spending from the Highway Trust Fund will exceed receipts by nearly \$20 billion annually. If we are to find a long-term funding solution, it will require significant input from many stakeholders, including Congress, industry, the public and the Administration. If confirmed, I look forward to working with this Committee and the Congress to address this top priority of the President-elect.

Question 3. I am concerned your Administration's reported plans for funding transportation infrastructure through tax credits for companies and privatizing roads could result in American taxpayers paying twice. Should states that turn existing public roads into private toll roads be allowed to continue to receive Federal support for those roads, at the expense of taxpayers in other states?

Answer. Tolling is but one tool in the toolbox for addressing certain financing needs of various infrastructure projects. I intend to be briefed on all of the options available for financing of infrastructure projects. What works for one state or one project may not work for another, and so it would be inappropriate to speculate or engage in broad generalizations.

Question 4. Under your Administration, will private companies be allowed to charge tolls for a road that has already been paid for with Federal money?

Answer. Congress has set explicit restrictions on the allowance of tolling the existing federal-aid highway system. Should Congress decide to pursue an expansion of tolling on existing roads already paid for with Federal money, I would look forward to participating in those discussions.

Question 5. How will your Administration work to improve infrastructure projects that private investors may be reluctant to invest in, such as municipal water systems or improvements to existing bridges and roads where it may not be possible to charge tolls to recover costs?

Answer. User fees are but one tool in the toolbox for addressing certain financing needs of various infrastructure projects. I intend to be briefed on all of the options available for financing of infrastructure projects. What works for one state or one project may not work for another, and so it would be inappropriate to speculate without full knowledge of specific situations or conditions.

Question 6. How will you approach the transportation needs for those Americans living in rural areas?

Answer. The needs of rural Americans should be considered just as much as those of urban Americans. I intend to be briefed on the various innovations and alternatives available to improve the transportation needs of rural Americans.

Question 7. How should new Internet and communications technologies be incorporated into our Nation's transportation infrastructure to improve safety and performance?

Answer. If confirmed, I intend to promote policies that encourage new Internet and communications technologies be integrated into transportation infrastructure, after a careful data-driven, risk-based analysis.

Question 8. What role do you envision railroads playing in America's transportation infrastructure under your Administration?

Answer. Railroads are a critical part of America's integrated transportation network. Americans rely on railroads to move products to market, which in turn creates jobs and economic security. If I am confirmed, I intend to work closely with the Committee and Congress to highlight and promote the important role railroads have in America's transportation infrastructure.

Question 9. Recent Federal and private investments at the Santa Teresa, NM Port of Entry and surrounding areas have helped expand and improve the efficiency of trade along the New Mexico-Chihuahua international border. New Mexico has also led all U.S. states in goods export percentage growth to Mexico. Will your Administration support transportation policies to promote efficient trade along the border?

Answer. Fair and efficient trade with any trading partner is an important consideration of the incoming Administration. I intend to be briefed on the various ways in which our trade relationships can be improved to the benefit of the United States.

Question 10. President-elect Trump's infrastructure plan available at <https://www.donaldjtrump.com/policies/an-americas-infrastructure-first-plan> calls for "reforms that streamline permitting and approvals." What specific reforms will you pursue to the permitting and approval process for transportation infrastructure such as bridges, roads, pipelines, etc.?

Answer. President-elect Trump's transition team is currently evaluating all of the various financing tools and opportunities for the streamlining of permits and for approval of new infrastructure projects across the Nation. If confirmed, I look forward to communicating our infrastructure plan once it is fully conceived.

Question 11. What is your Administration's plan for improving the aging and insufficient roads on tribal lands and how will DOT work with these communities to see that their infrastructure needs are addressed?

Answer. The President-elect's transition team is currently evaluating all of the various financing tools and opportunities for a new infrastructure plan, including those projects on tribal lands. Since we have not yet made a decision on which options will be utilized, it would be premature for me to speculate on the details or effects of such a plan.

Question 12. President-elect Trump's infrastructure plan calls for approving "private sector energy infrastructure projects—including pipelines and coal export facilities—to better connect American coal and shale energy production with markets and

consumers.” In recent years, a proposed coal export facility at Cherry Point, WA and pipeline near the Standing Rock Indian Reservation faced opposition from local Indian tribes. Will you assure me that the Department of Transportation will consult with tribes on a government to government basis and uphold the U.S. Government’s treaty obligations?

Answer. While the DOT does not have jurisdiction over the physical siting of projects like those mentioned, if confirmed, I can state that DOT will ensure all infrastructure projects comply with all applicable laws and Department regulations.

Question 13. The DOT’s Transportation and Climate Change Clearinghouse (available at <https://climate.dot.gov/about/index.html>) states that “within the United States, transportation is the largest source of greenhouse gas (GHG) emissions after electricity generation. With scientific recognition that GHG emissions are contributing to a long-term warming trend of the earth, there is an increasing realization that transportation, as a significant contributor of GHGs, plays an important role in climate change policy and program decisions.” How will DOT under your leadership work to address GHG emissions and climate change issues?

Answer. If confirmed, I will ensure that DOT continues to challenge and work with the transportation industry to reduce its carbon footprint through CAFE standards; support of international efforts to curb commercial aircraft engine CO₂ emissions through ICAO’s Committee on Aviation Environment Protection (CAEP); and continued support of Federal research in this important area.

Question 14. Each major Federal agency has been graded at least three times on their implementation of the Federal Information Technology and Acquisition Reform Act of 2014 (FITARA, PL 113–291). The House Oversight and Government Reform Committee with assistance from the Government Accountability Office (GAO) issues a “scorecard” for FITARA implementation. What grades has DOT received? How do you plan to improve this grade?

Answer. I have not been briefed on the present administration’s past FITARA scores. If confirmed, I will familiarize myself with the provisions of FITARA and work to improve the Department’s performance in this area, if necessary.

Question 15. Describe the role of your department Chief Information Officer (CIO) in the development and oversight of the IT budget for your department. How is the CIO involved in the decision to make an IT investment, determine its scope, oversee its contract, and oversee continued operation and maintenance?

Answer. If confirmed, I will seek full briefings on the role of the USDOT CIO in making the decision to make an IT investment, determine its scope, oversee its contract, and oversee continued operation and maintenance.

Question 16. Describe the existing authorities, organizational structure, and reporting relationship of the Chief Information Officer. Note and explain any variance from that prescribed in the Federal Information Technology and Acquisition Reform Act of 2014 (FITARA, PL 113–291) for the above.

Answer. If confirmed, I will receive the necessary briefs to answer your question.

Question 17. What formal or informal mechanisms exist in your department to ensure coordination and alignment within the CXO community (*i.e.*, the Chief Information Officer, the Chief Acquisition Officer, the Chief Finance Officer, the Chief Human Capital Officer, and so on)?

Answer. If I am confirmed, I will obtain appropriate briefings regarding USDOT’s coordination and alignment within the CXO community.

Question 18. According to the Office of Personnel Management, 46 percent of the more than 80,000 Federal IT workers are 50 years of age or older, and more than 10 percent are 60 or older. Just four percent of the Federal IT workforce is under 30 years of age. Does your department have such demographic imbalances? How is it addressing them?

Answer. It would not be appropriate for me to speculate on the current demographics of the DOT. If confirmed, I hope to gain a better understand the demographics of the workforce at DOT through briefings on that subject.

Question 19. How much of the department’s budget goes to Demonstration, Modernization, and Enhancement of IT systems as opposed to supporting existing and ongoing programs and infrastructure? How has this changed in the last five years?

Answer. I do not have that information, but, if confirmed, I expect to receive the necessary briefings to fully understand the department’s budget.

Question 20. What are the 10 highest priority IT investment projects that are under development in your department? Of these, which ones are being developed using an “agile” or incremental approach, such as delivering working functionality in smaller increments and completing initial deployment to end-users in short, six-month time frames?

Answer. If I am confirmed, I expect to obtain appropriate briefings regarding priority IT investment projects under development at USDOT.

Question 21. To ensure that steady state investments continue to meet agency needs, OMB has a longstanding policy for agencies to annually review, evaluate, and report on their legacy IT infrastructure through Operational Assessments. What Operational Assessments have you conducted and what were the results?

Answer. Since I am not yet confirmed, I have not conducted any operational assessments of the DOT.

Question 22. What are the 10 oldest IT systems or infrastructures in your department? How old are they? Would it be cost-effective to replace them with newer IT investments?

Answer. If confirmed, I will request the necessary briefings on DOT's IT systems. It would be inappropriate to speculate at this time.

Question 23. How does your department's IT governance process allow for your department to terminate or "off ramp" IT investments that are critically over budget, over schedule, or failing to meet performance goals? Similarly, how does your department's IT governance process allow for your department to replace or "on-ramp" new solutions after terminating a failing IT investment?

Answer. If I am confirmed, I will seek full briefings on USDOT operational issues, including governance processes for off-ramping and on-ramping potential IT solutions.

Question 24. What IT projects has your department decommissioned in the last year? What are your department's plans to decommission IT projects this year?

Answer. As an intended nominee, I do not have that information.

Question 25. The Federal Information Technology and Acquisition Reform Act of 2014 (FITARA, PL 113-291) directs CIOs to conduct annual reviews of their department/agency's IT portfolio. Please describe your department's efforts to identify and reduce wasteful, low-value or duplicative information technology (IT) investments as part of these portfolio reviews.

Answer. As an intended nominee, it would be inappropriate for me to comment on the current administration's activities in this area.

Question 26. In 2011, the Office of Management and Budget (OMB) issued a "Cloud First" policy that required agency Chief Information Officers to implement a cloud-based service whenever there was a secure, reliable, and cost-effective option. How many of the department's IT investments are cloud-based services (Infrastructure as a Service, Platform as a Service, Software as a Service, etc.)? What percentage of the department's overall IT investments are cloud-based services? Does DOT have a Cloud strategy to encourage the use of Cloud computing solutions? If not, by when do you plan to have such a strategy in place?

Answer. If I am confirmed, I will seek full briefings on USDOT operations.

Question 27. Congress passed the MEGABYTE Act (P.L. 114-210) to encourage agencies to achieve significant savings in managing IT assets including software licenses. What policies or processes are in place at DOT to improve management of software licenses? What savings do you expect DOT to report by the end of FY 2017?

Answer. As an intended nominee, it would be inappropriate for me to comment on the current administration's activities in this area.

Question 28. Provide short summaries of three recent IT program successes—projects that were delivered on time, within budget, and delivered the promised functionality and benefits to the end user. How does your department/agency define "success" in IT program management? What "best practices" have emerged and been adopted from these recent IT program successes? What have proven to be the most significant barriers encountered to more common or frequent IT program successes?

Answer. If I am confirmed, I expect to seek full briefings on USDOT operations.

Question 29. Are you the beneficiary or trustee of any discretionary trust that has not been fully disclosed to the Committee or the Office of Government Ethics? If so, please provide detailed information about the trust(s).

Answer. No.

Question 30. During a campaign speech in Ashburn, Virginia last August, President-elect Trump reportedly said that he would "at least double" Hillary Clinton's proposed \$275 billion infrastructure plan. Yet he did not provide many details where the money to do this will come from. A campaign website describes "leverag[ing] new revenues and work with financing authorities, public private partnerships, and other prudent funding opportunities." Can you shed more light on what the Trump infrastructure plan really is and how it will be funded?

Answer. The President-elect's transition team is currently evaluating all of the various financing tools and opportunities for a new infrastructure plan. Since we have not yet made a decision on which options will be utilized, it would be premature for me to speculate on the details.

Question 31. Some of my Congressional colleagues have reportedly expressed concerns about how to pay for a Trump infrastructure plan. There are news reports that estimate that a tax reform package could lead companies to repatriate up to \$200 billion of overseas cash holdings. Such tax measures could be part of a broader agreement to help fund infrastructure upgrades with Federal investments. What level of direct Federal investment will be necessary to support a Trump infrastructure plan?

Answer. Our transition team is currently evaluating all of the various financing tools and opportunities for a new infrastructure plan. Since we have not yet made a decision on which options will be utilized, it would be premature for me to speculate on the details.

Question 32. Would direct Federal investment to upgrade our Nation's infrastructure create jobs and promote economic growth?

Answer. Our transition team is currently evaluating all of the various financing tools and opportunities for a new infrastructure plan. Since we have not yet made a decision on which options will be utilized, it would be premature for me to speculate on the anticipated effects from such a plan.

Question 33. Your written statement notes that you want to work this committee on transportation needs in rural America. I am concerned that it may be easier to "unleash private investment" for transportation improvements in cities along the Interstate 95 corridor from New York to Washington than in smaller towns along I-40 from Gallup to Tucumcari. How will your Administration work to improve infrastructure projects that private investors may be reluctant to finance, especially where it may not be possible to recover costs through tolls and other user fees?

Answer. Our transition team is currently evaluating all of the various financing tools and opportunities for a new infrastructure plan, including those projects in rural America. Since we have not yet made a decision on which options will be utilized, it would be premature for me to speculate on the details or effects of such a plan.

Question 34. Vehicle fuel efficiency has been a success story thanks to advances in technology that improve car mileage. Fuel efficiency save drivers money at the pump. Do you agree with the assessment of the Department of Transportation and the Environmental Protection Agency that there are more technologies to increase fuel efficiency available, and that they cost less than earlier projections believed would be the case? Will you work to further improve vehicle fleet fuel economy rather than rolling back standards?

Answer. If confirmed, I will receive briefings on fuel efficiency standards and technology and will support approaches to emissions standards that we determine are the most effective.

Question 35. Senator Feinstein and I have worked for several years on the truck safety issue of so called "twin 33s." Currently, thirty-eight states including New Mexico do not allow these longer trucks to operate within their jurisdictions. One study estimates that twin 33s would put more wear and tear on our Nation's roads, adding \$1.2 billion to \$1.8 billion in maintenance costs per year. DOT has previously advised that there is currently not enough data to draw conclusions on the safety implications of double 33-foot trailers. DOT recommended that no changes to truck size be considered at this time. Given the cost and potential safety hazards, would you as Secretary require DOT to complete a comprehensive safety study before longer trucks are permitted on highways?

Answer. I recognize there is a lack of consensus on truck size and weight. The FAST Act requires the U.S. DOT to submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report describing the safety and enforcement impacts of sections 5520, 5521, 5522, 5523, 5524, and 7208 of the FAST Act. If confirmed, I will ensure that FHWA will require safety and enforcement information for this report as part of the State enforcement plan required under 23 CFR 657.

Question 36. Pipelines are a key component of our Nation's transportation infrastructure. Many Americans are probably not aware that they live, work, or pursue recreational activities near pipelines. Ensuring their safety is an issue I take very seriously. In 2000, a quiet summer morning was shattered when a gas pipeline ruptured and burst into flames near Carlsbad, New Mexico. The fireball could be seen

twenty miles away. Tragically, twelve people who were camping along the Pecos River died. This was the worst pipeline accident in the continental United States. I wish I could say that it was the last. Yet tragedy struck again since then. I am concerned that PHMSA still has not done enough to prevent further pipeline catastrophes. What are your priorities for PHMSA's work related to pipeline safety?

Answer. As you suggested, pipelines are very important to our national economy and are statistically the safest when it comes to transportation large volumes of energy products. That said, many of our pipelines are aging, and PHMSA's regulatory oversight must be able to respond more quickly and efficiently than it has in recent years. We also must look for ways to deploy advanced technology ILI inspection tools and look to update the Nation's 811 program which is now almost 15 years old. If confirmed, I can assure you that the transportation of hazardous materials will be taken seriously, and I will look for ways to improve this key component of our national infrastructure and will ensure PHMSA is up to the task of identifying and managing risk in partnership with its State partners.

Question 37. Not far from the United State Senate, trains carry hazardous materials through the heart of Washington, DC. In fact, all across the country, trucks and trains pass through communities carrying hazardous cargoes such as ammonia, chlorine, and highly flammable fuels. PHMSA has an important responsibility in ensuring the safe and secure shipment of these dangerous materials. What efforts should PHMSA undertake to improve safety and emergency preparedness? How can PHMSA better help local governments and communities with pipeline and hazardous materials safety and emergency preparedness?

Answer. The Hazardous Materials Transportation Act gave the Department extraordinary jurisdiction to ensure the safe and efficient transportation of hazardous materials and that includes broad powers even for intrastate shipments to ensure we do not end up with a patchwork of different requirements throughout the country. That said, and if confirmed, I will look for ways to ensure the Department is engaged with State and local stakeholders. This includes the ability to work with local first responders and emergency personnel. PHMSA has also recently updated its Emergency Response Guidebook which is carried onboard every firetruck in the country. PHMSA and the Department should make its expertise available to the emergency response community, and I'll look for ways for PHMSA to identify and expand education, training, and outreach opportunities.

Question 38. During the hearing, you mentioned new technologies such as driverless cars as an example of some of the incredible innovation happening in the transportation sector. As in so many areas, U.S. military research helped develop and accelerate autonomous vehicle technology. Defense Advanced Research Projects Agency (DARPA), for example, successfully used challenge prizes for autonomous vehicles to reach beyond traditional partners and attract problem solvers from the wider research community. Prizes can also be a cost-effective way to spur innovation since one pays only for successful solutions rather than traditional research and development costs. Legislation I sponsored last year, the Science Prize Competitions Act (PL 114-329) encourages Federal agencies to use prize competitions as incentives for innovation. The Challenge.gov website notes that DOT has 13 active challenge prizes. Under your leadership, will DOT continue to use challenge prizes as one tool to help drive innovation?

Answer. Challenge prizes have been effective in spurring innovation regarding autonomous vehicles. If confirmed, I will review the full list of challenge prizes currently proposed by the Department to ensure they are truly innovative challenges that will help assess and address needs in every mode.

Question 39. Last year marked the National Park Service centennial. Will you commit to assisting the National Park Service in addressing the transportation infrastructure needs of America's national parks?

Answer. Our transition team is currently evaluating all of the various financing tools and opportunities for a new infrastructure plan, including the needs of all facets of American society. Since we have not yet determined which options will be utilized, it would be premature for me to speculate on the details and effects of such a plan.

Question 40. As a member of the Senate Appropriations Committee, I supported a transportation funding bill that included \$241 million for New Starts. Unfortunately, New Start projects cannot currently move forward due to the continuing resolution. Will you work in the Administration to support an appropriations bill for the remainder of Fiscal Year 2017 that allows New Starts projects to move forward?

Answer. Our transition team is currently evaluating all of the various financing tools and opportunities for a new infrastructure plan, including the needs of transit

projects. Since we have not yet made a decision on which options will be utilized, it would be premature for me to speculate on the details and effects of such a plan.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. GARY PETERS TO
HON. ELAINE L. CHAO

Question 1. The Detroit Metropolitan Airport, Capital Region International Airport, Gerald R. Ford International Airport, and other airports in Michigan require sustainable funding so they can invest in their facilities to make them more secure and efficient. Do you support changing funding models to eliminate the Federal cap on the Passenger Facility Charge?

Answer. PFCs are one of many important financing tools that airports in Michigan and across the country have to make necessary infrastructure improvements. Modernizing our Nation's transportation infrastructure will be a top priority of the Trump administration.

Question 2. The FAA's Essential Air Service Program ensures that small and rural communities are able to efficiently travel to larger communities and access economic opportunity beyond their region. In Michigan, the Alpena County Regional Airport, Houghton County Memorial Airport, and six other of its sixteen air carrier airports receive Essential Air Service funding. Do you plan to continue this program? Would you propose any changes to the program?

Answer. I support continued access for small communities to the benefits of interstate travel and commerce, and appreciate the passion that many Members of Congress have for the Essential Air Service (EAS) Program.

Question 3. The FAA's Federal Contract Tower Program allows the Kalamazoo/Battle Creek International Airport, Sawyer International Airport, and two other airports in Michigan to have air traffic control (ATC) services because the FAA cannot otherwise afford to provide ATC services at those airports. Do you plan to continue this program? Would you propose any changes to the program?

Answer. The Contract Tower Program has been a huge success. It's been widely acknowledged by Congress, the National Transportation Safety Board, the U.S. Government Accountability Office, the airport community and our Nation's air traffic controller workforce that the program has enhanced safety, reduced FAA operating costs and provided tower service to communities that might not have received it otherwise.

Question 4. Highly Automated Vehicles have the opportunity to make our roads safer and more efficient. I was pleased when the Department of Transportation released a proposed rule in December 2016 that would require vehicle-to-vehicle (V2V) technology in new vehicles which would allow cars to communicate using a standard language. Will you commit to finalize the V2V rule if you are confirmed?

Answer. If confirmed, I will receive a full briefing from NHTSA regarding the timing, efficacy and technology of vehicle-to-vehicle and vehicle-to-infrastructure rule making proposals. I will also review any vehicle technology proposals to help make sure that motor vehicle privacy and security issues are addressed by the agency.

Question 5. Automakers and tech companies across the country say their fully autonomous cars will be ready for the roads in the next 4 to 5 years. These vehicles have the potential to save thousands of lives, reduce congestion and better the environment. However, our current regulatory regime for automotive safety does not contemplate the possibility of not having a steering wheel—or an accelerator pedal—or various other features of a driverless car. It's essential that we move quickly to update DOT's Federal Motor Vehicle Safety Standards to accommodate driverless cars. The Federal Government must encourage this innovation and ensure the public that these vehicles will keep them safe. If confirmed, will you commit to updating the current regulatory regime to accommodate autonomous vehicles?

Answer. Several states have recently allowed autonomous vehicle testing on highways and local roads. This is a fascinating new development in motor vehicles, and, if confirmed, I will ask NHTSA to brief me regarding current and proposed changes to FMVSS to allow for potential changes. The safety and security of the vehicle and the driver must always be the top priority.

Question 6. It is essential that any infrastructure package invests in smart and digital infrastructure. In addition to concrete, steel, and asphalt we also need to be investing in smart infrastructure that accommodates connected and autonomous vehicles and can increase safety and efficiency of transportation on our Nation's waterways. Such smart infrastructure will be capable of providing real-time updates on its status through an alert system, making our transportation assets more safe, use-

ful and resilient. Will you support new research and technology programs that further develop and integrate smart infrastructure with existing infrastructure?

Answer. If confirmed, I will support policies that would facilitate the integration of smart technology with existing infrastructure.

Question 7. I believe transportation public-private partnerships are a useful tool in financing new projects and providing services to Americans. However, many communities are concerned that an overreliance on public-private partnerships could unfairly favor already-prosperous communities when it comes to critical investments. While there is a role for the private sector to play, we cannot allow the push for profits to leave underserved communities behind. What are your plans to ensure that public-private investments will deliver on the promise of transportation that is accessible, affordable, and connects underserved communities to opportunity? What criteria should be used to determine which projects are funded through this investment? How will you ensure that the infrastructure investments reach to low-income, under-employed, urban and rural communities, as well as communities of color, which are in desperate need of these investments and stand to benefit the most? Specifically, how can we target investments to these areas?

Answer. Our transition team is currently evaluating all of the various financing tools and opportunities for a new infrastructure plan, including the needs of all parts of America, both urban and rural. Since we have not yet made a decision on which options will be utilized, it would be premature for me to speculate on the details and effects of such a plan.

Question 8. Most public discussions of transportation infrastructure only mention highway, transit, and aviation infrastructure. While maritime transportation infrastructure is often less visible to the public it has an enormous impact on our Nation's economy. As you consider how to modernize our decaying transportation infrastructure, please work with the Army Corps of Engineers to include navigation infrastructure in the new Administration's infrastructure plans. There is a tremendous backlog of navigation lock modernization and harbor deepening and maintenance that creates substantial risks to our economy and local communities if not addressed. What additional steps can the Department of Transportation take to improve transportation on our Nation's waterways?

Answer. The U.S. Army Corps of Engineers plays a vital role in our inland transportation system and involves not only inland navigation but also is important to permitting for other forms of transportation. I agree this is an area where better interagency coordination would be very helpful. If confirmed you have my promise to look into this issue further and to work toward improving transportation on waterways. The DOT has also been working on a new National Maritime Transportation Strategy draft and it is something I will review very closely.

Question 9. All Great Lakes region steel and automobile manufacturing depends on the Army Corps' aging navigation locks at Sault Ste. Marie, Michigan and U.S.-flag bulk cargo vessels to obtain iron ore from Michigan's Upper Peninsula and Minnesota. Will you commit to visiting the Soo Locks with the Army Corps' leadership to learn more about this linchpin of the Great Lakes maritime transportation system?

Answer. Thank you for bringing this to my attention. While I cannot pursue the Army Corps commitment for such a visit prior to being confirmed, I look forward to a continued dialogue with you and your office and hope such a visit can become a reality, if I am confirmed.

Question 10. Great Lakes Jones Act shipping alone is responsible for over 128,000 American jobs, nearly \$10 billion in annual income, and \$18 billion in annual business revenue. It brings significant national security benefits as routinely noted by senior military leaders and the Maritime Administration. Great Lakes Jones Act vessels can transport as much as 100 million tons in raw materials such as iron ore, limestone, coal, and other bulk materials that are the lone source for the steel used in U.S. automobile, appliance, heavy machinery, and other durable goods. The Jones Act perfectly aligns with the incoming Administration's policy stance, "Buy American and Hire American." As DOT Secretary, will you be committed to supporting the Jones Act?

Answer. Yes. As I stated during my confirmation hearing, the Jones Act is a very important piece of legislation, and it is the law of the land until Congress elects to change that.

Question 11. The U.S. is undergoing dramatic demographic shifts and local and regional migration patterns are shifting as well. These changes highlight the need for transportation decision-making to be informed by critical tools such as disaggregated data, mapping technology, best practice guidance/examples and other technical assistance to communities. DOT plays a critical role in providing such tools.

How will you approach providing tools and guidance to support the success of state departments of transportation, local and regional transit agencies, and others?

Answer. State DOTs, and local and regional transit agencies understand best the needs of their constituents. If confirmed, I will support state and local agencies and will provide Federal assistance as appropriate.

Question 12. The Federal pipeline safety oversight agency, PHMSA, is located in the USDOT. PHMSA has demonstrated a number of shortcomings over the years but I am hopeful improvements can be made. However, given the unique characteristics of Great Lakes waters, I am concerned that the response plan requirements for owners and operators of Great Lakes pipelines are not adequate to prevent, respond to, and pay for a variety of oil spill scenarios. As the source of drinking water for 40 million people, and an economic engine that supports 1.5 million jobs in multi-billion-dollar shipping, fishing and tourism industries, it is imperative that we have stringent Federal regulations that ensure the safety and integrity of the Great Lakes' oil pipeline network. Are you committed to strong enforcement of pipeline safety and supporting PHMSA so they can finish necessary regulations and pursue new steps to better protect communities from pipeline threats?

Answer. I have not yet been briefed specifically on PHMSA's enforcement program, but given that the country has approximately 2.6 million miles of pipelines, it is important that these underground energy highways operated safely and efficiently. If confirmed, I will take a hard look at how PHMSA has been organized, and how it carries out its mission. Strong enforcement is important to this effort. Other components of an effective pipeline safety program include enabling new technology, increasing the effectiveness of the 811 program, looking for ways to deploy advanced ILI tools, increasing education and outreach, and working with PHMSA's state partners.

Question 13. When the Obama administration developed the DOT and EPA Federal fuel economy programs in 2011, it was with the intention that the two programs would be well harmonized, such that a manufacturer could comply with both with a single fleet of vehicles. But I understand there are inconsistencies in the programs that may leave many companies facing fines under the DOT program even if they are compliant with the EPA program. There may be both regulatory and legislative differences between the programs that need to be corrected. On the regulatory side, automakers have petitioned to have a number of items corrected to establish better harmony between the programs. I urge DOT to act on these items as quickly as possible, and work with Congress on potential legislation to harmonize the programs. Are you aware of this situation and what are your priorities as it relates to fuel economy standards?

Answer. If confirmed, a review of the NHTSA CAFE program will be a top priority. Inconsistencies between Federal agencies can be frustrating for industries and consumers. I will work with my colleagues in other related Federal agencies, including EPA, to ensure a robust program that prioritizes safety and fuel efficiency, while ensuring automakers have time to implement necessary changes.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TAMMY BALDWIN TO
HON. ELAINE L. CHAO

Question 1. The Secretary of Transportation is provided broad authority to waive Buy America restrictions on its grants. Please elaborate on how you will use the "public interest waiver" as Secretary.

Answer. As you know, the President Elect has been a staunch and vocal supporter of such provisions. By statute and regulation, the Secretary of Transportation may waive Buy America requirements if those requirements would be inconsistent with the public interest based upon a consideration of all appropriate factors on a case-by-case basis. If I am confirmed, I expect to review any public-interest waivers in accordance with the statutory and regulatory requirements.

Question 2. The Secretary of Transportation is provided broad authority to implement the statutory Buy America requirements in its grant programs. The Department, under Anthony Foxx, improved access to grant opportunities for American businesses by posting all Buy America waiver requests on a central Department website before the waiver is granted. This allows American companies to find out if they can fill a Department need. Will you maintain this process as Secretary?

Answer. If I am confirmed, I would expect USDOT to implement Buy America in accordance with the applicable statutory and regulatory requirements and to support efforts to improve access to grant opportunities for U.S. businesses.

Question 3. Your testimony stated that you would “identify and [address] unnecessary bottlenecks in the processes that govern project development and delivery, as well as the manufacturing processes that we oversee.” I am unaware of what “manufacturing processes” the Department oversees. I am aware that the extent to which “manufacturing processes” occur in the United States is a critical factor for determining compliance with the Department’s regulations implementing the various Buy America laws applied to federal-aid transportation infrastructure spending. For iron and steel, the Department has for many decades required that “all manufacturing processes” occur in the United States to be treated as “produced in the United States.” Was your reference to “manufacturing processes” in hearing testimony implicating these laws and the Department’s longstanding regulations implementing them? If not, please indicate what “manufacturing processes” the Department oversees and why such manufacturing processes result in “bottlenecks.”

Answer. If I am confirmed, I would expect to USDOT to implement Buy America in accordance with the applicable statutory and regulatory requirements. To the extent that other Federal requirements or processes create bottlenecks, USDOT should seek to ameliorate those issues.

Question 4. The Small Shipyard Grant Program generates incentives for our Nation’s small shipyards to modernize their facilities. It enables these businesses to upgrade equipment and processes that make them more efficient and competitive in the global marketplace. Grants may also be used to support worker training programs. Continued investment in this program is a win for shipyards, manufacturers and the workboat fleet—while also supporting good-paying jobs in these industries. If confirmed as Secretary, will you support continued funding and reauthorization of the Small Shipyard Grant Program?

Answer. I have not yet been briefed on this program but if confirmed, I will be briefed on this program and look forward to better understanding the role and mission that it serves.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TAMMY DUCKWORTH TO
HON. ELAINE L. CHAO

Question 1. During your confirmation hearing, there was extensive discussion about the President-Elect’s proposed infrastructure package. I appreciated your leadership and interest in making sure public transportation funds reach disadvantaged business enterprises (DBEs) located in urban and rural areas of Illinois that are home to low-income populations and communities of color. If the President-Elect follows through on the promise to invest trillions in new public infrastructure projects, please describe:

- What criteria you would employ, if confirmed, to select infrastructure projects that benefit under-served communities and communities of color in urban and rural regions; and
- How Congress could help DOT achieve this important goal.

Answer. The President Elect’s transition team is currently evaluating all of the various financing tools and opportunities for a new infrastructure plan, including the needs of all facets of America, both urban and rural. Since we have not yet made a decision on which options will be utilized, it would be premature for me to speculate on the details and effects of such a plan. However, I fully intend to work with Congress in finding the best solution.

Question 2. Transit funding is critical to the economic health and well-being of Illinois and states across the Nation. However, important public transit project that serve a critical public good do not always attract robust private investment or result in significant revenue gains. As Congress examines reforming how our Nation finances surface transportation, please describe:

- How you would, if confirmed, make sure that direct Federal investment continues to support vital public mass transit programs; and
- Your view on the appropriate role of private-public partnerships in financing portions of our transportation system.

Answer. If I am confirmed, I would expect USDOT to administer direct Federal investment in public transportation programs in accordance with applicable statutory and regulatory requirements and consistent with Congressional appropriations. Public-private partnerships (P3) can be a valuable means of expediting development of portions of our transportation systems, financing or performing state-of-good-repair efforts, and/or supporting operations and maintenance.

Question 3. In Illinois, the expansion of the CTA Redline to the far south side of Chicago is a critical transportation project that promises to bridge the gap between urban and rural communities, while bringing economic growth to underserved areas. CTA Redline expansion would bring access to jobs, opportunities and holds the potential to improve the lives of hard-working Illinois families. Please describe:

- Your view on the benefit of rail transit projects that connect diverse communities across a large state, such as Illinois; and
- How Congress can effectively support DOT in prioritizing transit projects that help create equity between rural and urban areas, such as the CTA Redline expansion, receive robust public support.

Answer. If I am confirmed, I will seek appropriate briefings regarding the quantifiable benefits of rail transit projects that connect diverse communities across large states such as Illinois and how Congress can more effectively help to create equity in rural and urban transit projects.

Question 4. Recently, an alarming number of violent incidents have occurred targeting Chicago Transit Authority (CTA) employees. This increase in violence against CTA employees may be part of a wider trend of increasing attacks on transit personnel, particularly bus drivers who are highly vulnerable to violent assaults as a result of close proximity to riders and lack of physical barriers. Attacks targeting bus drivers are a serious public safety concern that not only put the life of a driver at risk, but also those commuters who use bus transit. Congress sought to address this problem by enacting Section 3022 of the FAST Act, which requires the Federal Transit Administration (FTA) publish a rule to improve workplace safety against physical assaults, including bus upgrades that increase bus driver protection. Please describe:

- What steps you would take, if confirmed, to make sure FTA effectively implements this statutory requirement and meets the congressional deadlines for issuing this vital public safety rule.

Answer. If I am confirmed, I will seek appropriate briefings regarding transit workplace safety and bus upgrades that could increase bus driver protection and USDOT will work to expedite an NPRM to comply with Section 3022 of the FAST Act.

Question 5. Since 1992, the United States Government has established bilateral “Open Skies” agreements with foreign nations to provide rights for air carriers to offer international passenger and cargo air service. DOT is responsible for authorizing foreign airline companies to conduct commercial aviation operations with flights into and out of the United States. As you may be aware, significant controversy surrounds Norwegian Air International’s foreign air carrier permit application. Please describe:

- What actions you would take, if confirmed, to make sure DOT effectively carries out its statutory responsibility to review foreign license applications and make sure foreign airline applicants comply with Open Skies agreement.

Answer. I will take seriously the statutory mandate to strengthen the competitive position of our Nation’s air carriers to ensure at least equality with foreign air carriers, including the attainment of the opportunity for our carriers to maintain and increase their profitability in global markets. I will oppose any foreign air carrier license applications that are inconsistent with our air service agreements or would undermine the economic viability and global competitiveness of our Nation’s air carriers.