

U.S. Senator Maria Cantwell

Nominations Hearing

July 16, 2025

Opening Remarks

Thank you. Mr. Chairman. As you stated, we are here to consider these three nominees, Mr. Barrs to lead the Federal Motor Carrier Safety Administration, Mr. Roberti to lead the Pipeline and Hazardous Material Safety Administration, Mr. Morrison to lead the National Highway [Traffic] Safety Administration.

Each of these agencies has an important responsibility to protect the health and safety of the traveling public, the movement of goods, and our environment. Unfortunately, since January, we've seen a significant drop in oversight and enforcement actions across these agencies, potentially letting bad actors get away with violating safety and consumer protection laws. So I hope our nominees will share today their thoughts about those numbers and what specific plans we need to have in place.

First, Mr. Barrs, the Federal Motor Carrier [Safety] Administration is responsible for enforcing truck safety laws and vetting motor carriers operating on our roads and highways. Our trucking industry is essential to the movement of goods across the country, with 70% of the total value of commodities shipped in the United States traveling by truck. So -- big responsibility. Over 5,000 people are tragically killed in large truck crashes each year. The Federal Motor Carrier Safety Administration has closed 78% fewer cases this year compared to last year. So we'll want to ask about that.

Since FMCSA can shut down bad trucking companies, this lack of action could mean...unsafe trucking companies may be continuing to operate, or fraudulent actors or people scamming consumers or businesses. So I hope you agree that a plan to address this decline is a serious issue.

Mr. Roberti, the [Pipeline and] Hazardous Material Safety Administration is the federal watchdog responsible for ensuring that explosive and toxic materials are transported safely across the country, whether by pipeline, by truck, or train. Accidents involving hazardous materials have severe consequences. Over the last 20 years, pipeline incidents have resulted in 257 deaths and more than 1,000 injuries and over \$11 billion in damages.

Earlier this month, two trains derailed in northern Mississippi during the same weekend, both resulting in hazardous material spills. One derailment caused a large fire that forced the evacuation of more than 100 residents, and the other required 50 fire trucks from 12 different departments to respond.

PHMSA has opened the fewest pipeline enforcement cases during the first six months of this administration than any other administration over the past two decades. So we want to understand what's going on here. We want to make sure that we have strong pipeline safety laws on the books and they're being enforced.

I wrote to the Deputy Administrator in May sounding an alarm about this trend, and I hope to get further information about this.

Finally, Mr. Morrison, the National Highway Traffic Safety Administration, NHTSA, is responsible for enforcing federal motor carrier safety standards to ensure Americans in the cars that they buy and drive are safe. Its investigations are responsible for initiating nearly 2,000 vehicle recalls affecting over 300 million people in the last 20 years.

So we want you to continue to play an aggressive oversight role. This includes recalling things such as the Takata air bag malfunctions, which killed 28 people when they exploded. However, NHTSA has opened 25% fewer investigations into vehicle safety this year [than during the same period of President Trump's first term]. Don't know why, but let's...find out. And this is especially concerning since *Consumer Reports* found investigations already hit an all time low [in President Trump's first term]. So we need to understand what this trend is about and reverse it to make sure we're focusing on safety.

So Mr. Chairman, look forward to asking these nominees about the need to make sure we have hard working inspectors, investigators and agencies that are doing their job, [and] not taking shortcuts on safety.

And I certainly welcome our former colleague, Senator Scott for being here. We do miss him on the Committee, but maybe someday, maybe someday, he'll be back.

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Q&A

Senator Cantwell: Thank you, Mr. Chairman. Gentlemen, you know, I could probably fill...this roster here with reports from GAO or Inspector Generals about a problem we had in FAA where Organizational Design[ation] Authorization was given to Boeing to have inspectors review the work and work with the FAA. Now, that is still the system we have today. But what we found is that there were those who were retaliating against those ODA members and basically saying, you know, you might lose your job, or this might happen if you take a strong enforcement measure. So we learned in aviation that was a big mistake, big mistake, so we've corrected that by passing a new FAA law that basically protects those ODA members from retaliation.

This Department of Transportation has issued a new [proposed] rule, basically saying that you can retaliate against the inspectors in your agencies. So I want to know from you whether you believe that you are going to protect these inspectors from that kind of retaliation. Will you commit to being a strong policeman on the beat and making sure there's no political interference at your agencies on those inspectors?

Mr. Barrs: Senator Cantwell, thank you for the question. I can tell you that throughout my career in law enforcement, I mentioned earlier that enforcement is key, and making sure that the bad actors, as mentioned here, are dealt with accordingly. And the inspectors and officers that work within FMCSA have a diligent job to do, and making sure that they can carry out the missions and place these bad actors out. And it's extremely important to me that make sure that we do that and we work together collaboratively with them and then give them the tools and the toolbox that they need to address these issues that you referring to.

Senator Cantwell: So, no political retaliation?

Mr. Barrs: Senator, I'm looking forward to working with them and making sure that they're able to do their job, and I think that's what's important.

Senator Cantwell: Thank you.

Mr. Morrison: Yeah, from my experience working with the fantastic investigators both in the Office of Vehicle Safety Compliance and the Office of Defects Investigation. You know you really need a robust, honest back-and-forth relationship with them. We need the data. We need to analyze the data to determine whether or not there might be a defect or noncompliance, and so ensuring that the level of trust is critical.

Senator Cantwell: And making sure they're not harassed by somebody?

Mr. Morrison: Absolutely.

Senator Cantwell: Great. Thank you, Mr. Roberti?

Mr. Roberti: Senator Cantwell, I would say that in my history of PHMSA, the inspection enforcement teams know how important I think what they do is to carrying out the mission of safety. And I certainly would impose no chilling effects on them exercising their duty subject to oversight. My oversight as administrator to make sure that we are fair, transparent, and impartial in the way we cite operators for violations of federal standards.

Senator Cantwell: Quickly, Mr. Morrison, could you -- because I have a question for Mr. Roberti...what are your priorities in setting regulations? ...The emergency break issues for trucks? What are your first priorities?

Mr. Morrison: I think first need to get in. I'm not in the building now, and so I need to make sure that type...get up to speed with the agency.

Senator Cantwell: Anything that bothers you right now, that you think we need a regulation on?

Mr. Morrison: I think one thing we need to explore. And I mentioned this in my testimony during the first term, we had worked on autonomous vehicle safety framework, taking comment from the public, working with industry to get a sense of the state of technology. I think the state of technology has, has moved forward now, and I think we're at the point now where we need to start looking to find ways we can build public trust, and that includes guidance documents and regulation once you're at that point.

Senator Cantwell: Yeah, I'll ask some more for the record on that. But Mr. Roberti, you mentioned the cybersecurity problem, and you know pipelines are now...you don't, you don't threaten the United States anymore by, well, you might, but sending a sub into our waters or a plane into our airspace. You basically use the pipeline system or some other system to cause failure. So what do we need to do to accelerate our protections of our U.S. pipelines?

Mr. Roberti: Well, the cybersecurity jurisdiction resides within the Department of Homeland Security. During my last time at PHMSA, we negotiated and executed a interagency, interdepartmental agreement to help bolster our presence in control rooms, working with the Transportation Security Administration. We also engage directly with the Department of Energy. I think that across the federal landscape, there needs to be full engagement, information sharing, and thinking about how we can leverage each other's resources. And PHMSA has inspectors out in the field, TSA doesn't, so we work to partner with them, to bring more visibility and put an eye on some of the important factors of what operators should be doing on the pipeline front, collaborating with...

Senator Cantwell: Doesn't [the] Colonial [cyber incident] tell us we need some sort of task force? And you mentioned the private sector. I'm a big believer in encouraging that dialog back and forth. But the problem is here, you're way down in the bowels of DOT and yet, this is a big infrastructure issue for the U.S., and how do we get it elevated so that we are putting the best cyber minds onto this particular task?

Mr. Roberti: Yes, so as I said in my testimony, this is a top priority for me, the...threat vectors are always they're constant, and they're always changing and they're always evolving. I think what you need are people who come into these positions to have that at top of mind, those are the things that should wake any administrator up at 2am that should drive extra activity towards coordinating with other federal agencies, the FBI, the Department of Energy, the Federal Energy Regulatory Commission, the Department of Homeland Security, so that we are have constant information sharing and to be thinking about in the field, both from a physical and cyber perspective, where is the next wave of attack going to be based upon what we have witnessed? But remember this, in my experience, I have a lot of experience with this, working...in prior positions. It is, it is never the moment that the attack of today is an indicator of future threats, but does not necessarily replicate what that next threat vector and attack will be and that's where we need tremendous vigilance. There's not enough –

Senator Cantwell: We're way out of time, but that is a very important -- I'm glad you have such fervor on that point. Thank you, Mr. Chairman.