

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

Full Committee  
Nominations Hearing  
Wednesday, July 16, 2025, at 10:00 A.M.

**DEMOCRATIC QUESTIONS FOR THE RECORD**

*Mr. Paul Roberti*

**COVER PAGE**

## **SENATOR MARIA CANTWELL (D-WA)**

### **Federal Workforce Staffing Cuts**

In May, the Department of Transportation paused its planned reductions in force due to ongoing litigation. On July 8, the Supreme Court allowed the Administration to move forward with widespread firings. There is now uncertainty about what actions DOT plans to take. Meanwhile, 13.1 percent of Pipeline and Hazardous Materials Safety Administration (PHMSA) employees have already left the agency through the deferred resignation program.

*Question 1:* Yes or No: Do you oppose a reduction-in-force at PHMSA, particularly when the agency has already lost over 13 percent of its workforce?

**Response:** I am not currently at the agency or informed about its workforce needs, but, if confirmed, I will advocate for PHMSA to have the resources it needs to fulfill its critical safety mission.

*Question 2:* Are you concerned that widespread departures may be contributing to the decline in enforcement actions?

**Response:** I understand the agency announced changes to its enforcement process in May and has brought numerous enforcement actions since then. A strong enforcement program will be a priority for me if confirmed.

### **Compliance with PHMSA Rulemaking Transparency Requirements**

Congress required PHMSA to provide monthly updates on its progress in implementing congressionally mandated pipeline safety requirements. This is critical information needed to hold an agency accountable for completing Congressional mandates, some of which date back to 2011. However, we have not received a status update since January 2025.

*Question 1:* During your tenure at PHMSA the agency provided timely updates on the implementation of federal law. Yes or No: Do you believe it is acceptable that current agency leadership has failed to keep Congress informed?

**Response:** I am not currently at the agency, but, if confirmed, I will prioritize receiving an update on the status of these reports.

*Question 2:* If confirmed, will you commit to providing the monthly updates that Congress requires?

**Response:** If confirmed, I am committed to following the law.

### **Continuing Pipeline Safety Trust Funding**

The Pipeline Safety Trust was created in the aftermath of the Olympic Pipeline explosion that killed three kids in Bellingham, Washington. The trust works to ensure that other families in communities around the country do not have to face similar tragedies.

*Question 1:* The Trust currently receives grant funding to ensure communities understand the unique risks that pipelines pose to them so that they can adequately prepare. Do you think this kind of public education is important?

**Response:** Congress created the Technical Assistance Grant program to provide funding to educate the public. If confirmed, I will follow the law.

*Question 2:* Do you support continuing the Pipeline Safety Trust's educational efforts?

**Response:** I am not currently at the agency or familiar with the details of the Pipeline Safety Trust's recent educational efforts, but I look forward to getting up to speed on all PHMSA grant programs if confirmed.

### **Safer Rail Tank Cars**

The National Transportation Safety Board has repeatedly found that DOT-111 tank cars do not perform well in derailments. The Board has recommended that these tank cars be phased out for the transportation of all hazardous materials and replaced with stronger DOT-117 tank cars, which have a much better track record of preventing spills during derailments.

*Question 1:* Do you agree that we should phase out DOT-111 tank cars for the transportation of all hazardous materials?

**Response:** Congress mandated that DOT-111 tank cars be phased out by 2029 as part of the FAST Act. If confirmed, I am committed to following the law.

### **Improving Emergency Response Preparedness and Training**

Just this month in Glendora, Mississippi, 12 fire departments and 50 fire trucks fought a fire caused by a train derailment for over 12 hours. The fire was not extinguished until Canadian National Railroad was able to bring specialized firefighting foam to the scene.

*Question 1:* Do you believe we should reform PHMSA's existing hazardous materials emergency response grant programs to ensure that firefighters—like those in Glendora and East Palestine—can obtain the training and equipment they need to respond more effectively to hazardous materials incidents?

**Response:** PHMSA's Hazardous Materials Emergency Preparedness grants support important work. If confirmed, I am committed to working with the emergency response community to identify and implement changes that could make the program more effective.

*Question 2:* What more can we do to ensure that railroads are providing first responders with the information they need to adequately prepare for these kinds of emergencies?

**Response:** If confirmed, I will prioritize ensuring effective implementation of PHMSA's recent regulation requiring railroads to maintain real-time train consist information and provide that information to first responders if an incident occurs. I will also work with the emergency response community to solicit additional thoughts about what they need to prepare for these emergencies.

## **SENATOR ED MARKEY (D-MA)**

### **Enforcement**

*Question 1: Pipeline enforcement cases have fallen by more than two-thirds so far this Administration. Do you commit to reversing this trend and ensuring that enforcement actions continue?*

**Response:** I understand the agency announced changes to its enforcement process in May and has brought forth numerous enforcement actions since then. A strong enforcement program will be a priority for me if confirmed.

*Question 2: How do you plan to ensure that pipeline operators are held accountable for regulatory violations?*

**Response:** PHMSA implements a comprehensive oversight program that involves rigorous inspections, robust enforcement, and the issuance of pipeline safety policies and regulations. As Chief Counsel, I oversaw cases with record setting civil penalties for the agency and prioritized swift resolution of enforcement actions. If confirmed, I will bring that same commitment to my role as Administrator.

### **Staffing Cuts**

PHMSA has always struggled with insufficient staffing to carry out its mandates on pipeline safety. To make matters worse, in recent months, 20 percent of the agency's staff has departed. For example, the Community Liaisons—which were already understaffed with only a dozen FTEs covering the entire nation—are reportedly down to a team of three people.

*Question 1: Do you believe reductions in staffing can affect safety, inspections, and community outreach?*

**Response:** I am not currently at the agency and am not aware of any recent staffing changes that would negatively impact PHMSA's ability to successfully advance its safety mission.

*Question 2: What specific steps will you take to rebuild PHMSA's workforce?*

**Response:** I am not currently at the agency or informed about its workforce needs, but, if confirmed, I will advocate for PHMSA to have the resources it needs to fulfill its critical safety mission.

*Question 3: Do you believe community outreach is an important component of PHMSA's work?*

**Response:** Yes.

*Question 4: Will you commit to fully staff the Public Engagement Division*

**Response:** I am not currently at the agency or informed about its workforce needs, but, if confirmed, I will advocate for PHMSA to have the resources it needs to fulfill its critical safety mission.

### **Liquid Natural Gas**

PHMSA's existing liquefied natural gas (LNG) safety regulations are out of date; they have not been substantially updated in more than two decades and come from an era before the rapid proliferation of massive U.S. LNG export terminals. This regulatory gap is especially concerning given the flammable and explosive nature of LNG and the proximity of many facilities to communities. After two Congressional mandates in 2016 and 2020 to update LNG safety regulations, PHMSA recently published an advanced notice of proposed rulemaking on the topic.

*Question 1: How do you plan to seek input from community members near LNG facilities? Please include how you will ensure physical and virtual accessibility, as well as transparency for community members.*

**Response:** I am not currently at the agency or informed about its plans for seeking input from community members on its open rulemaking proceedings

### **Draft Carbon Dioxide Rule**

Last Congress, I introduced a bill to improve pipeline accountability, safety, and environmental standards. Amongst multiple other priorities, my bill would finalize regulations on carbon dioxide pipelines to avoid future disasters like the one that devastated Satartia, Mississippi.

*Question 1: Will you commit to finalizing the draft carbon dioxide pipeline rule, which PHMSA proposed in January of this year?*

**Response:** A draft rule was withdrawn from the Federal Register in January and is currently under review. I am not currently at the agency or familiar with the status of that review

*Question 2: If yes, by when would you ensure the rule is finalized?*

**Response:** The agency has multiple open rulemaking actions in progress. If confirmed, I will prioritize getting up to speed on the expected timeline for all agency rulemakings

*Question 3: If not, please explain why you do not support a rule to improve safety on this technology, particularly as it expands throughout the country.*

**Response:** Congress mandated that PHMSA complete a gaseous carbon dioxide pipeline safety rulemaking. If confirmed, I am committed to implementing congressional mandates.

## SENATOR GARY PETERS (D-MI)

1. Mr. Roberti, in your written testimony you mention “constant vigilance” as a key to ensuring pipeline safety. I wholeheartedly agree. However, “constant vigilance” isn’t possible without proper staffing.

PHMSA is a relatively small agency that has faced hiring and retention challenges for several years. That’s why the PIPES Act of 2020 – which was signed into law by President Trump – included a mandate for PHMSA to hire 20% more pipeline inspectors in the succeeding three years.

Unfortunately, since the creation of DOGE, PHMSA employees have been encouraged to leave the agency, and many have. Some estimates suggest as much as 20 percent of the agency has left just in the first few months of this Administration.

PHMSA is not an agency I want to have spread thin. The stakes are just too high.

So, Mr. Roberti, can you speak to the importance of proper staffing levels at PHMSA to ensuring pipeline safety? As Administrator, will you work to ensure that PHMSA is properly staffed and, specifically, that the staffing levels outlined in the 2020 PIPES Act are met?

**Response:** I am not currently at the agency or informed about its workforce needs, but, if confirmed, I will advocate for PHMSA to have the resources it needs to fulfill its critical safety mission.

2. Currently, state utility commissions and state pipeline inspectors oversee about 85 percent of the nation’s pipeline infrastructure. This federal/state partnership is critical, as our state inspectors are intimately familiar with local pipeline operations and their work can lead to more thorough and more frequent inspections than what PHMSA alone could provide. Recognizing the important role our states play in ensuring pipeline safety, in 2024, Congress boosted funding for state pipeline inspection programs to the tune of roughly 30 percent.

Mr. Roberti, do you support continuing to fund state pipeline inspection programs at the levels envisioned by Congress – at up to 80% of their costs – so that states have the tools to oversee pipeline safety and environmental protection?

**Response:** States are critical partners for the agency. If confirmed, I will advocate for PHMSA to have the resources it needs to fulfill its critical safety mission

## **SENATOR BEN RAY LUJÁN (D-NM)**

1. PHMSA has been tasked with drafting leak detection and repair standards for gas pipelines by Congress and signed by President Trump in 2020. PHMSA drafted a final rule that received broad support last year, but was withdrawn.

**What timeline will you commit to ensuring PHMSA complies with this legislative mandate and what are your views on the withdrawn rule?**

**Response:** A draft rule was withdrawn from the Federal Register in January and is under review. I am not currently at the agency or familiar with the status of that review.

2. PHMSA has had an unprecedented drop in enforcement over the past few months.

**What are your plans to ensure that pipeline operators are held accountable for regulatory violations?**

**Response:** PHMSA implements a comprehensive oversight program that involves rigorous inspections, robust enforcement, and the issuance of pipeline safety policies and regulations. As Chief Counsel, I oversaw cases with record setting civil penalties for the agency and prioritized swift resolution of enforcement actions. If confirmed, I will bring that same commitment to my role as Administrator.

3. Most of PHMSA's leadership team has left the agency in recent months. Other departments have been hit especially hard with retirements as well. For example, the Community Liaisons have apparently gone from 13 to 3.

**(a) Do you believe the reduced staffing and leadership levels at PHMSA will impact safety?**

**Response:** During my time as Chief Counsel, I worked with many of the PHMSA leaders currently serving in an acting capacity at the agency and I am confident its safety mission is in good hands.

**(b) If so, what specific steps will you take to rebuild PHMSA's institutional knowledge and leadership capacity?**

**Response:** I am not currently at the agency or informed about its workforce needs, but, if confirmed, I will advocate for PHMSA to have the resources it needs to fulfill its critical safety mission.

**(c) How will you ensure communities have adequate access to pipeline safety information and emergency response coordination?**

**Response:** PHMSA administers multiple programs that support community access to pipeline safety information as well as emergency response coordination. If confirmed, I look forward to supporting that work.

**SENATOR BLUNT ROCHESTER (D-DE)**

**PHMSA and Train Derailments**

Question 1: There has been some discussion about renewing a proposal from the first Trump Administration that would allow for the transport of Liquefied Natural Gas by tanker rail cars without any restrictions on train routes, nor the number of tanker cars allowed on a particular train. The National Transportation Safety Board and the National Association of State Fire Marshall have previously objected to this proposal.

As the nominee for PHMSA Administrator, can you share your thoughts on renewing this proposal? And will you be pursuing this proposal?

**Response:** In June, PHMSA updated its Hazardous Materials Regulations to restore them to the version that existed prior to the effective date of the LNG by Rail Rule (August 24, 2020) that was overturned by the DC Circuit Court of Appeals earlier this year. I am not aware of any plans to revisit that rulemaking.

Question 2: Safety concerns have only increased following recent tanker rail car derailments, including one last month in Bear, Delaware, carrying crude oil—thankfully, no one was hurt.

Can you discuss the vulnerabilities of switching to tanker rail cars as opposed to approved UN portable tanks that PHMSA has historically required?

**Response:** PHMSA regulations have long allowed both rail tank cars and UN portable tanks as safe, approved packages for transportation of crude oil. Under PHMSA regulations, the shipper of hazardous materials identifies which is appropriate for their needs.

**PHMSA and Technology**

Question 1: As you know, pipelines require continuous monitoring and inspections to protect public safety and prevent pipeline system failures and leaks.

As Administrator, how will you incorporate technology innovation into pipeline management?

**Response:** PHMSA's research and development program has invested millions of dollars in support of new technologies to improve pipeline safety. These investments have led to many patent applications and new technologies entering the market. As Administrator, I will ensure the

Roberti

continued effectiveness of PHMSA's research and development program, advance new and updated regulations that encourage innovation and account for technological advancements, and encourage pipeline operators to continue making their own investments in technology to improve performance.