

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

Full Committee

Nominations Hearing

Wednesday, October 22, 2025 at 10:30 A.M.

**DEMOCRATIC QUESTIONS FOR THE RECORD**

*Mr. Robert Harvey*

**COVER PAGE**

## SENATOR MARIA CANTWELL (D-WA)

### Jones Act

A long-standing tool to protect the U.S. maritime industry is the Jones Act, which requires that water-borne cargo carried between domestic ports must be on U.S. flag, U.S. built, and U.S. crewed ships. The Jones Act fleet consists of approximately 40,000 vessels, supports 650,000 American family wage jobs, and contributes more than \$150 billion to the national economy annually.

*Question 1:* Do you support the Jones Act?

***Answer: Yes***

### Lower Costs for Consumers

In 2022, Congress's Ocean Shipping Reform Act gave the Commission a shot in the arm providing additional authorities to go after bad actors, self-initiate investigations, boost enforcement, and lower costs for American consumers. Since OSRA was signed into law, we have yet to see the Commission use this power to increase investigations into bad actors.

*Question 1:* As a Commissioner, what will you do to drive down costs for consumers?

***Answer: As stated in my hearing testimony, I support robust enforcement by the FMC to go after bad actors, self-initiate investigations, boost enforcement, and lower costs for American consumers.***

*Question 2:* Will you support efforts to increase investigations by the Commission?

***Answer: Yes***

*Question 3:* How will you address cargo diversion to ensure that American ports will continue to be a preferred customer?

***Answer: Use FMC's investigation and enforcement authority to reduce cargo diversion to ensure that American ports will continue to be a preferred customer.***

### Independent Agencies

President Trump has illegally fired over 25 Members from independent Boards and Commissions this year, including at the FTC, NTSB, CPSC, and STB. Like those agencies, Congress created the FMC to be independent. And we should all expect its Commissioners to maintain their independence.

*Question 1:* Do you believe in the importance of bipartisanship on independent boards and commissions like the FMC?

***Answer: Yes***

*Question 2:* Yes or No: Will you commit to maintaining the independence of the FMC as Congress intended, if confirmed?

***Answer: Yes***

*Question 3: Yes or No: If the President or anyone else in this Administration threatened to fire you unless you took an action you disagreed with, would you refuse?*

***Answer: Yes***

**Relevant Experience**

Your prior experience as a securities attorney and in business development does not appear to reflect the background that prior FMC Commissioner nominees possessed.

*Question 1: Do you have any prior maritime experience specifically?*

***Answer: In terms of prior maritime experience, I state as follows:***

***First, I served with the United States Navy on active duty and at Naval Station Great Lakes, Illinois. After active duty, I served as a reservist with Amphibious Group 2, Little Creek, Virginia and U.S. Naval Forces Europe, London, United Kingdom.***

***The lesson learned from my time in the Navy is that economic security and national security are inseparable. U.S. national security protects our economic assets, including critical infrastructure, supply chains, port access, and international trade routes, from both traditional and emerging threats.***

***Second, as President and Executive Director of the Florida Opportunity Fund (FOF), I have become familiar with emerging technologies in the maritime sector. For example, FOF has invested in: (1) cybersecurity/information technology companies that protect critical infrastructure; including vessels, ports and marine infrastructure; (2) companies that fuse real-time data with artificial intelligence to monitor maritime emissions and improve operational efficiency, at sea and ashore, and; (3) logistics companies providing multimodal last-mile delivery solutions, which improve visibility and reduce shipping time and cost.***

***Additionally, FOF has begun to review investments in quantum solutions for the marine industry, enabling potential breakthroughs in route and fleet optimization, quantum sensing and navigation, secure quantum communication, and predictive maintenance and environmental modeling.***

***Third, my economic development activities have been in a state with 1300 miles of coastline, sixteen public seaports, and seven cruise ports. That experience has given me an even greater appreciation for the maritime industry, supply chains, and port access, not only for Florida but the entire country. Furthermore, in my role as Executive Director of Florida Development Finance Corporation, I understand the costs of port modernization for infrastructure projects like ports, docks, wharves, and related facilities.***

*Question 2: Detail why the U.S. Senate should be confident you are prepared for this role.*

***Answer: I believe my over 35 years of diverse experience in the military, legal and regulatory affairs, business, investment and finance, technology, and economic development will allow me to positively contribute to FMC's vital mission.***

### **Legal Advocacy**

As a practicing attorney, you joined two *Amici Curiae* briefs in the case of *U.S. v. Michael T. Flynn*—the first on May 28, 2020, in the DC District Court, and the second on June 2, 2020, in the DC Circuit Court of Appeals. The briefs both supported dismissing the federal case against Michael T. Flynn, a former Trump National Security Advisor who had pleaded guilty to making false statements to the FBI related to his contacts with Russian Ambassador Sergey Kislyak.

*Question 1: What were the circumstances that led to your involvement with these briefs, including but not limited to when you first became aware of the first Amici Curiae brief, how you became aware, and who contacted you about it.*

***Answer: As I recall, the initial outreach was made to members of the Republican National Lawyers Association.***

*Question 2: Which individual(s) or organization(s) led or coordinated the Amici Curiae?*

***Answer: Leslie McAdoo Gordon, McAdoo Gordon & Associates, P.C., authored both briefs and the coordination was led by the Republican National Lawyers Association***

*Question 3: Why did you decide to join these two Amici Curiae briefs?*

***Answer: The amici curiae were a bipartisan group of attorneys with extensive experience in the federal court system, including many who practice criminal law in the relevant courts, and other federal courts. Some were prosecutors, government attorneys, or judges.***

***All had an interest in the proper application of Fed.R.Crim.P 48 in light of Separation of Powers principles.***

*Question 4: Did you receive any compensation in connection with either of these Amici Curiae briefs? If so, please detail the source and amount of compensation.*

***Answer: No***

## **SENATOR TAMMY DUCKWORTH (D-IL)**

### **Federal Elections**

1. Setting aside the Congressional count and certification, do you believe President Donald Trump received more votes than Vice President Kamala Harris in the 2024 U.S. presidential election?

***Answer: Congress certified that Donald Trump won the 2024 presidential election on January 6, 2025.***

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2. Setting aside the official Congressional count and certification, do you believe President Joe Biden received more votes than President Donald Trump in the 2020 U.S. presidential election?

***Answer: Congress certified that Joe Biden won the 2020 presidential election on January 7, 2021.***