

McCormack

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

Full Committee

Nominations Hearing

Wednesday, November 5, 2025 at 2:15 P.M.

DEMOCRATIC QUESTIONS FOR THE RECORD

Mr. Ryan McCormack

COVER PAGE

SENATOR MARIA CANTWELL (D-WA)

I-5 Bridge. Mr. McCormack, the I-5 bridge is a critical project not only regionally, but to the national economy. \$48 billion in American made and grown goods cross the bridge each year. The bridge's national impact is why it is not only supported by the local community, but also national business groups like the American Trucking Associations.

Question 1: Will you commit to keeping the project in the Capital Investment Grant program pipeline until it can be rated by the Federal Transit Administration?

Answer: If confirmed as Under Secretary of Transportation for Policy, I will work with the Federal Transit Administration (FTA) to ensure that coordination continues with the Washington State Department of Transportation (WSDOT), the project sponsor, on the IBR project's status in the Capital Investment Grants (CIG) New Starts program. As I understand it, the status of the IBR project in the CIG program is being monitored monthly and FTA is working with the sponsors related to open questions regarding project cost and other factors. Further coordination will help forecast with more accuracy project elements critical to advancing within the CIG program.

DOT Grants. Mr. McCormack, it is my understanding that several previously awarded pedestrian and bike safety projects and port infrastructure projects across the country have been cancelled after it was determined they did not align with the White House's priorities. Additionally, about 111 transportation infrastructure projects remain under review and are at risk of being cancelled.

Question 1: Current law does not require the Department of Transportation (DOT) to inform Members of Congress in advance of the withdrawal, termination, or cancelation of any grant awards. However, Senators may be able to provide important local context about the importance of projects in their home state that could help inform any reviews of grant awards being conducted by the Department. Will you commit to providing relevant Senators and this Committee at least three days' advanced notice prior to the formal withdrawal, termination, or cancelation of any grant awards?

Answer: If confirmed as Undersecretary of Transportation for Policy, I will notify Congress of grant actions in accordance with federal law. I recognize that the Members of the Committee, and the Congress broadly have context related to specific projects informed by discussions with state and local governments, as well as constituents that may prove helpful and the Department will engage as appropriate on those matters.

Question 2: We appreciate the initial list of canceled and withdrawn grant awards that DOT provided the Committee on November 4, 2025, in connection with your nomination process. Upon review, this list does not appear to reflect a full list of grant awards that were canceled, withdrawn, terminated, or had otherwise lapsed as a result of this Administration's grant re-

evaluation process. Please certify that the list DOT provided on November 4 reflects a complete list of every such grant award, including those from all DOT modal administrations. If not, please provide an updated list to include all omitted responsive grant award(s) as an appendix to your QFR responses.

Answer: Please see the Attachment 1.

Question 3: During your staff interview on October 30, 2025, you indicated you would also provide the Committee a complete list of the roughly 200 grant awards that were still under review by DOT at that time. During your testimony on November 5, 2025, you indicated you were still “working” on providing this list. Will you provide an accurate list of these grant awards to this Committee before your markup is held?

Answer: DOT expects to provide a list by the end of the calendar year. These grants are still part of a deliberative process. In the time since this was first raised in the staff interview, 89 of the grants have since cleared the review process and advanced further toward obligation.

Question 4: Please provide a timeline for when we should expect DOT to provide the list referenced in the above question.

Answer: DOT will provide a list by the end of the calendar year.

Aviation Consumer Protection. After hearing directly from my constituents who had their travel plans ruined during the Southwest Airlines’ meltdown, I knew we needed to make sure the flying public was not left holding the bag wondering if they would ever be made whole after getting their flight canceled or delayed.

Thanks to the Federal Aviation Administration (FAA) law, we ensured passengers are entitled to hassle-free refunds when their flights are canceled or significantly delayed by an airline – no matter the cause. And we empower the DOT to be a strong cop on the beat by establishing a new Office of Aviation Consumer Protection and tripling fines for consumer protection violations.

But I’m concerned that DOT will revert back to a 2020 Trump Administration rule that weakened airline oversight, changing DOT’s interpretation of what is considered an “unfair and deceptive practice.” We cannot afford a light-touch approach to consumer protections when Americans have experienced so many costly and widespread travel disruptions caused by airlines in the past three years.

Question 1: Must DOT show they are committed to upholding and enforcing protections for everyday travelers?

Answer: The Department must faithfully uphold the law.

Question 2: If confirmed, will you make protecting passenger rights a priority during your time at DOT?

Answer: My current role has not delved into any aviation consumer protection issues, and if confirmed to the role of Under Secretary of Transportation for Policy, the Office of Aviation Consumer Protection would not report to me. However, I do want to convey that my top priority would be to continue upholding safety on our nation's roadways, railways, and yes, – skies, as well as exercising the Secretary's authorities over competition and economic licensing in aviation. Should there be an issue where passenger safety is at concern or the competitive vitality of aviation services, I too expect that DOT should be a "strong cop on the beat," and I will not hesitate to elevate the issue. I also want to advance policies that will benefit the passenger experience and look forward to working with the Committee on those issues.

Question 3: The 2024 FAA law requires DOT to take a stronger approach to consumer protection. Do you commit to fully implementing all the consumer protection requirements as required by the FAA law as quickly as possible?

Answer: I will follow the law.

Roadway Safety. Roadway deaths have increased 15 percent in the last decade. In the state of Washington, 730 people were killed on our roads last year – a 34 percent increase from a decade ago, and the number of people killed while walking or biking has reached an all-time high.

Question 1: In 2022, the Department released the first-ever National Roadway Safety Strategy with the long-term goal of zero fatalities on our roadways. Will you continue this mission to save lives and prevent deadly traffic crashes?

Answer: Yes. Far too many Americans die on our roadways. I cite reducing highway fatalities as one of my top priorities and if confirmed, will continue the work to further reduce highway fatalities. As Secretary Duffy has said, the Department is committed to putting safety first. For example, this July, USDOT launched a nationwide roadway safety effort to prioritize investments that improve mobility and safety on roadways through the Federal Highway Administration's (FHWA) Safe Arterials for Everyone through Reliable Operations and Distraction-Reducing Strategies—SAFE ROADS—initiative. The program targets non-freeway arterial roads, which is where more than half of U.S. roadway deaths occur. The response has been unprecedented, with all 50 States, the District of Columbia, and Puerto Rico identifying safety concerns they will address.

Question 2: We have learned from other industries the importance of a safe-system approach to prevent fatal accidents. How will you ensure that DOT works across modes to improve safety?

Answer: Safety is my top priority. The integration of emerging technologies is a key factor in enhancing safety across all modes of transportation. Collaboration is key in further bolstering safety. I support the Safe System approach that works by building and reinforcing multiple layers of protection from all Operating Administrations to both prevent crashes from happening in the first place and minimize the harm caused to those involved when crashes do occur. If confirmed,

I will ensure that the surface transportation operating administrations continue to build on strategies that work through coordinating activities.

Commercial Space Launch and Reentry. The commercial space industry has encountered significant issues with the FAA's Office of Commercial Space Transportation (AST), including chronic resource shortages, regulatory inefficiencies, and delays in processing licensing and approvals. These problems will only get worse as the commercial space industry grows. Last year's rate of licensed launches was up 33.3 percent from 2023, and 97.4 percent from 2022. 85% of the licensed launches in 2024 were conducted by SpaceX, including 4 Starship launches, which means that SpaceX receives more time and attention from the FAA than any other launch company. Yet SpaceX and Elon Musk have been the most vocal public critics of the FAA's Commercial Space Transportation Office.

Question 1: Smaller innovators and new start commercial space companies often struggle to compete against well established players. What role do you see DOT and the FAA playing in ensuring the government fosters a diversified ecosystem of space providers to increase resiliency and reduce dependency on any single company?

Answer: It is important we promote as much competition as possible in the marketplace. The Department, including the FAA, should be broadly supportive of all space providers seeking launch and reentry approvals, consistent with safety protocols.

Question 2: Will you commit to reactivating the Commercial Space Transportation Advisory Committee and appointing new members as a means of receiving formal input from across industry and other interested stakeholders and experts?

Answer: Consistent with Executive Order, the Department has undertaken a broad effort to reevaluate the Department's federal advisory committees and is in the process of reconstituting several advisory committees. This process is deliberative and I will follow the law and the direction of Secretary Duffy related to advisory committees. I am interested in hearing from stakeholders and experts in this space to inform Departmental action and will engage as appropriate.

Question 3: As you consider proposals to increase domestic commercial launch industry competitiveness, will you also commit to maintaining public safety and the safety of human spaceflight participants?

Answer: Yes.

5G Spectrum Auction Impacts to Aviation Safety. The safety and effectiveness of the National Airspace System (NAS) depends on the management of radar, navigation, and safety-critical systems on airplanes. As the Federal Communication Commission (FCC) moves towards auctioning off additional spectrum and telecommunication companies' voluntary mitigations end

in 2028, it's imperative that DOT and FAA ensure that radio altimeters and C-Band spectrum can co-exist without jeopardizing aviation safety.

Question 1: To that end, what is the timeline for the FAA proposed rulemaking (NPRM) to be issued so that the FAA and the aviation industry can begin planning towards a stable regulatory baseline?

Answer: The FAA continues to work closely with the FCC on this issue. If confirmed, I will study this issue further and better understand the timeline of the FAA's NPRM efforts to ensure aviation safety is maintained.

Question 2: The current commercial aviation fleet continues to rely on radio altimeters and filters that were not certified to operate adjacent to highpower 5G emissions close to their receiver frequencies. It is still unclear whether updated altimeters would be able to withstand 5G interference and retrofitting altimeters for use alongside full powered commercial 5G will require more than simple filtering. What is DOT doing to proactively address additional issues facing airlines associated with this forthcoming auction with respect to radio altimeter equipment performance and considerations for related retrofits?

Answer: As I understand it, the FAA is working collaboratively with industry and the FCC to evaluate the performance of radio altimeters in the full power 5G environment. The FAA is assessing potential equipment and retrofit needs to ensure continued safety and operational reliability. Findings from this work have informed FAA's preparation of a proposed rule addressing C-band and radio altimeter coexistence, and the FAA will continue to work with industry and the FCC to provide clear requirements for affected operators.

Question 3: Will you commit to keeping this committee updated on this process and ensuring that the FAA and FCC are closely working together to ensure aviation safety is not compromised and that the concerns of aviation stakeholders are accounted for as this auction is designed?

Answer: Yes.

SENATOR AMY KLOBUCHAR (D-MN)

Distracted Driving

You stated that you plan to pay particular attention to reducing highway fatalities. Nine people in the United States are killed everyday in accidents that are reported to involve distracted driving.

1. If confirmed, do you commit to working to combat distracted driving as a part of your efforts to reduce highway fatalities?

Answer: Yes. Safety is my—and the Department's—top priority. We must find ways to reduce fatalities on roadways and I will support efforts to combat distracted driving.

SENATOR TAMMY BALDWIN (D-WI)

1. The Build America, Buy America Act expresses a general policy preference against general applicability waivers. If a waiver to a Buy America law is necessary to overcome short-term market limitations, the Department of Transportation should issue ad hoc, product-specific waivers to ensure projects proceed without delay and signal market demand, triggering new capital investments to expand domestic manufacturing capacities.

- a. Do I have your commitment to enforce current Buy America standards?

Answer: I will follow the law and I share your passion to promote domestic manufacturing and job growth. The President and Secretary Duffy are committed to buying American and hiring American when spending Federal dollars, where possible. If confirmed, I look forward to supporting them in that effort.

- b. Will you commit to only issuing waivers that are ad hoc, product-specific waivers and avoid issuing new general applicability waivers?

Answer: I will follow the law and I share your passion to promote domestic manufacturing and job growth. The President and Secretary Duffy are committed to buying American and hiring American when spending Federal dollars, where possible. If confirmed, I look forward to supporting them in that effort.

2. As Congress works to advance a surface transportation reauthorization bill, one of my priorities is to continue to strengthen Build America, Buy America Act implementation and enforcement required under the Bipartisan Infrastructure Law.

- a. Would you support legislation that would require an additional round of identification of programs at the Department of Transportation that still have not implemented Buy America preference requirements?

Answer: I will follow the law and I share your passion to promote domestic manufacturing and job growth. The President and Secretary Duffy are committed to buying American and hiring American when spending Federal dollars, where possible. If there is technical assistance required to inform your draft legislation, I would be happy to assist.

- b. How would you go about addressing deficient programs under the DOT's purview?

Answer: If confirmed as Under Secretary of Transportation for Policy, I will work to ensure that DOT applies Buy America preferences to its financial assistance programs in a manner consistent with the statutory requirements established by Congress.

3. For the past 40 years, the Department of Transportation's Disadvantaged Business Enterprise Program has helped level the playing field for businesses seeking to participate

in federally assisted contracts. This program has been extremely beneficial for business owners in Wisconsin. I was disappointed to see the recent interim final rule that removes race- and sex-based presumptions of social and economic disadvantage as criteria for consideration for the program.

- a. What are your thoughts on the Disadvantaged Business Enterprise Program?

Answer: Recipients of highway, transit and airport funding distributed by the Department are subject to certain requirements of the Disadvantaged Business Enterprise (DBE) program. The Interim Final Rule referenced in the question would ensure that this program continues to operate in accordance with the Constitution and federal civil rights laws. The Office of Civil Rights, which administers the guidance on DBE, does not report to the Under Secretary of Transportation for Policy. If confirmed, I would nevertheless work to ensure the new guidance is clearly understood by applicants

- b. What do you envision for the future of the program?

Answer: As relayed in my answer to the previous question, the program will continue to operate in accordance with the Constitution and federal civil rights laws.

- c. If confirmed, will you commit to reassessing this interim final rule and considering reversal of the Department's decision?

Answer: I am committed to following the law. For specifics on this interim final, rule, I would refer you to the Office of Civil Rights.

4. One of my longstanding priorities is improving access to air travel for people with disabilities, including our nation's veterans. I was disappointed to see that the DOT announced in September that it would be delaying enforcement of provisions intended to hold airlines accountable for mishandled wheelchairs and provide more regular training for airline personnel and contractors who provide physical assistance to passengers with disabilities and handle passengers' wheelchairs and scooters. My ask for the Department of Transportation is to reverse its decision to delay enforcement of these important provisions in the final rule. Will you commit to reconsidering this decision if confirmed?

Answer: On September 30, 2025 the Department issued a notice that it is delaying enforcement of four provisions of the Wheelchair Rule I: those related to airline liability for mishandled wheelchairs, frequency of refresher training, pre-departure notifications, and fare difference reimbursements until December 31, 2026. My understanding is that this action was taken because the Department is considering a new rule on this topic. It is my understanding that nothing in the September 30, 2025 announcement affects the continued requirement of air carriers to return wheelchairs to their users in the condition in which the air carrier received the wheelchair, or to compensate the passenger for any damage to a wheelchair as a result of the air carrier's actions or failure to act in a prudent manner.

SENATOR TAMMY DUCKWORTH (D-IL)

Question Topic: Federal Aviation Administration (FAA) Reauthorization Act of 2024

1. The Federal Aviation Administration (FAA) Reauthorization Act of 2024 (PL 118-63) included a bipartisan provision titled, “Ensuring Safe Accommodations for Air Travelers with Disabilities Using Wheelchairs” or the Wheelchair rule and was issued on December 16, 2024. However, the U.S. Department of Transportation (USDOT) released in the Federal Register on September 30, 2025, that would delay enforcement of the rule until the end of 2026, and a notice of proposed rulemaking (NPRM) seeking to weaken core protections in the law.

- A. What disability advocacy groups did you or USDOT officials meet with prior to making this change to the existing law?

Answer: I did not participate in deliberative processes related to this NPRM. As I explained in the hearing, this is not part of my portfolio in my current role nor does the Office of Aviation Consumer Policy report to the role I am nominated for.

- B. When did you meet with such groups and which individuals were included?

Answer: Refer to my answer in “A.”

- C. What recommendations were made by such groups?

Answer: Refer to my answer in “A.”

- D. Which recommendations under C. were accepted, why were they accepted and how were they implemented?

Answer: Refer to my answer in “A.”

- E. Which recommendations under C. were rejected and why were they rejected?

Answer: Refer to my answer in “A.”

- F. What airline advocates and industry lobbyists did you or USDOT employees meet with prior to making this change to the existing law?

Answer: Refer to my answer in “A.”

- G. When did you meet with such stakeholders?

Answer: Refer to my answer in “A.”

- H. What recommendations were made by such stakeholders?

Answer: Refer to my answer in “A.”

- I. Which recommendations under H. were accepted, why were they accepted and how did USDOT implement each?

Answer: Refer to my answer in "A."

- J. Which recommendations under H. were rejected and why were they rejected?

Answer: Refer to my answer in "A."

2. Congress passed the FAA Reauthorization Act of 2024 (PL 118-63), which requires the FAA to issue regulations and guidance to increase safety and accessibility for passengers with disabilities and an aging population. Several provisions of the FAA law regarding publication of guidance or rulemaking are already behind schedule. If confirmed as Under Secretary:

- A. Will you prioritize FAA Reauthorization Act of 2024 full and faithful implementation, without delay, regardless of any Executive Order that would force USDOT and FAA to violate statutory requirements or otherwise hinder implementation in contravention of legislative text and congressional intent?

Answer: If confirmed as Under Secretary of Transportation for Policy, I will support the Secretary in implementing regulations required by the FAA Reauthorization Act in a timely manner.

- B. Do you commit to placing all of the FAA Reauthorization Act of 2024's required regulations and guidance on the Unified Regulatory Agenda?

Answer: If confirmed as Under Secretary of Transportation for Policy, I will support the Secretary in implementing regulations required by the FAA Reauthorization Act in a timely manner.

Question Topic: Surface Transportation Reauthorization

Our Nation's infrastructure is in desperate need of updating. Congress is due to reauthorize surface transportation policy next year, and we are already putting our heads together on what needs to be included. One program that we hope to reauthorize is the All Stations Accessibility Program, or ASAP, which aims to make public areas of transit station accessible to people with disabilities. The ASAP program has provided funding on a competitive basis to support such infrastructure projects across the country, including in Illinois, Pennsylvania, Louisiana, Ohio and several other States. These critical investments have helped provide jobs and increase accessibility, but we have a long way to go before the promise of the Americans with Disabilities Act is fulfilled.

1. If confirmed, will you commit to working with me to reauthorize the ASAP program?

Answer: I appreciate and share the commitment to ensuring that Americans with disabilities have access to the transportation services. If confirmed as Under Secretary of Transportation for

Policy, I will continue the work in the Department to ensure the needs of Americans with disabilities are considered when designing transportation systems.

2. A recent [report](#) by the National Council on Disability on the current state of ground transportation and the challenges it presents to Americans with disabilities, who still struggle to get to medical appointments, work, school, the grocery store and so on due to inaccessible routes, transit and insufficient transportation options, and wheelchair users are particularly hard hit due to a lack of wheelchair accessible vehicles. New technologies and innovations, such as transportation network companies, or TNCs (aka, rideshare), and autonomous vehicles present an opportunity to increase accessibility for all Americans.

If confirmed as Under Secretary, do you commit to working with me and stakeholders in the disability community to develop and implement policy to improve the availability of WAVs by TNCs and the accessibility of autonomous vehicles of transportation routes?

Answer: If confirmed, I would be happy to work with you and your staff on these important issues.

Question Topic: Sustainable Aviation Fuel

1. In 2021, multiple U.S. federal agencies, including Department of Transportation and specifically the FAA joined an interagency working group to roll out the SAF Grand Challenge. This was a historic government-wide strategy for scaling up production of SAF that reduces cost and expands the use of SAF across the U.S. airline industry, while also growing the domestic biofuels sector. SAF is a bipartisan topic that Senator Moran and I proudly advocate for as co-chairs of the Senate SAF Caucus. SAF production is critical for the aviation industry. It also creates new economic opportunities in agricultural and rural communities while reducing environmental impacts. It also supports U.S. energy independence and global competitiveness. With the goal of 3 billion gallon per year by the 2030 target, it is important that we remain committed to this goal of American grown, American made biofuels.
- B. Do you remain committed to the expansion of domestic SAF production and usage in this country?

Answer: I understand there have been recent deliberations within the Congress related to SAF and that this issue is important to your constituents. I will follow the law and engage with the SAF Caucus and aviation stakeholders as appropriate when the Department considers matters related to SAF.

2. Without the inclusion of U.S. agricultural feedstock for SAF we will miss an incredible economic and environmental opportunity. That being said, some international aviation

sectors have chosen to measure their SAF carbon intensity using the International Civil Aviation Organization's (ICAO) Carbon Offsetting and Reduction Scheme for International Aviation or "CORSIA". However, domestically we prefer Illinois' own Argonne National Laboratories, Department of Energy commissioned Greenhouse gases, Regulated Emissions, and Energy use in Technologies Model or "GREET Model", as it more accurately considers sustainable agricultural practices, reduced land and water uses and other relevant considerations in its calculations.

- A. Do you support the U.S. formally adopting the Argonne GREET model to measure our SAF carbon intensity?

Answer: If confirmed, I will study this issue further and better understand the differences in the CORSIA and GREET Model approaches.

- A. Do you support the global aviation sector adopting one single model to measure the carbon intensity of SAF?

Answer: If confirmed, I will study this issue further and better understand the differences in the CORSIA and GREET Model approaches.

Question Topic: 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: Donald Trump received the majority of certified electoral college votes in the 2024 presidential election.

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: Joseph Biden received the majority of certified electoral college votes in the 2020 presidential election.

SENATOR BEN RAY LUJAN (D-NM)

1. In February, Secretary Duffy released a memo that the Department of Transportation would prioritize projects and goals that “give preference to communities with marriage and birth rates higher than the national average.” When asked about this shift, you stated that the previous administration’s focus on bike paths or transit “inadvertently... restrict[ed] what was possible when it came to family size.” **Please provide the data that your team used to determine that bike paths inadvertently restrict family size.**

Answer: The Department is committed to supporting critical transportation infrastructure improvements. In instances where a bicycle lane removes a motor vehicle travel lane and leads to a significant reduction in travel efficiency it affects motorists, including families.

2. Most recently, the Department of Transportation canceled multiple grants stating they ran “counter to DOT’s priorities ... [to] improve vehicular travel.” This includes an \$11.5 million RAISE grant in New Mexico that was intended to construct a multi-use urban trail for bicyclists and pedestrians through a downtown corridor. The law that authorized these funds states that “in selecting projects... the Secretary shall take into consideration geographical and modal diversity.” Limiting program support to projects that are focused only on vehicular modes of transportation is in direct conflict with the plain language of the law.

a. Were you aware that the sole focus on vehicular modalities directly conflicts with the law?

Answer: The program has not been restricted to vehicular modes of transportation. I will continue to follow the law and if confirmed, will request and follow the advice of counsel in doing so.

b. What role did you play in the cancellation of those grants?

Answer: DOT is conducting a review to ensure all competitive grant activities align with Administration priorities, which was led by the Deputy Secretary in coordination with the Secretary.

To the best of my knowledge and true belief, the Department has carried out grant award announcement withdrawals and grant terminations within the law with regard to relevant statutory authorizations while exercising Secretarial discretion also authorized by those statutes. The Department and I will continue to follow applicable laws.

c. Will you provide Congress with an update on how many similar grants have been cancelled and/or currently under review?

Answer: The committees of jurisdiction have been provided with a list of all grants withdrawn or cancelled.

- d. Will you commit to ensuring that grants are reinstated that are not in conflict with the law?**

Answer: I will continue to follow the law in all that I do.

3. Did Joe Biden lawfully win the 2020 presidential election?

Answer: Joseph Biden received the majority of certified electoral college votes in the 2020 presidential election.

4. Did Donald Trump lawfully win the 2024 presidential election?

Answer: Donald Trump received the majority of certified electoral college votes in the 2024 presidential election.