

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

Full Committee

Nominations Hearing

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

REPUBLICAN QUESTIONS FOR THE RECORD

Ms. Laura DiBella

COVER PAGE

SENATOR DAN SULLIVAN (R-AK)

Federal Maritime Commission Investigation Into Transit Constraints at International Maritime Chokepoints

Background: On March 14th of this year, The U.S. Federal Maritime Commission (FMC) noticed an investigation into global maritime chokepoints, including Russia's Northern Sea Route (NSR), reflecting its growing significance in international shipping.

As Arctic sea ice diminishes, the NSR offers a shorter and more fuel-efficient route between Europe and Asia, presenting potential commercial and strategic opportunities for U.S. maritime interests. The opening of the NSR has generated governance disputes. Russia asserts control over the route and imposes fees on transiting vessels, while other nations advocate for freedom of navigation and international access.

The NSR's strategic importance is underscored by increased Russian and Chinese military activities, including joint Arctic patrols, construction of new bases, and expansion of icebreaker fleets. These developments reflect the route's relevance to nuclear deterrence, missile defense, and broader Arctic security. The FMC's investigation, which also examines chokepoints such as the Suez and Panama Canals, highlighting heightened U.S. interest in Arctic maritime policy and security.

FMC oversight and policy decisions regarding the NSR will have implications for Alaska's ports, Arctic shipping supply chains, and national defense readiness. Understanding the commercial, legal, and strategic dynamics of the NSR is essential to ensure that U.S. maritime infrastructure and Arctic operations are both competitive and secure, while maintaining compliance with international maritime law.

1. (Focused on Arctic Access): Given the growing accessibility of Arctic waters, how would you, as an FMC Commissioner, ensure that U.S. maritime policy protects Alaska's ports and Arctic supply chains—while balancing international navigation rights, national security interests, and the commercial opportunities presented by new Arctic shipping routes?
 - a. *If I am confirmed as an FMC Commissioner, I will ensure a competitive and reliable international ocean transportation system that supports the U.S. economy, protects Alaskan interests, and aligns with broader national security and international policy objectives. Ways in which I would go about this would involve leveraging the FMC's economic regulatory authority, closely monitoring shipping rates, surcharges, and service contracts for vessels using Arctic routes to and from U.S. ports, particularly those in Alaska. This will ensure that U.S. shippers are not subject to unjust and unreasonable charges or unfair practices as commercial activity increases. As a member of the U.S. Committee on the Marine Transportation System (CMTS), I would advocate for the robust development of a detailed maritime transportation and infrastructure strategy for the U.S. Arctic that includes adequate port facilities in Alaska to ensure that Alaska's ports remain competitive amidst the growing needs of the shippers in the Arctic waters. I would*

collaborate with and support our federal partners that have a primary national security role like the U.S. Coast Guard (USCG), U.S. Maritime Administration (MARAD), and U.S. Department of War as America's economic security is a key part of national security. I would also coordinate with agencies like the USCG, NOAA, and the Department of Homeland Security (DHS) to support their efforts in charting unmapped waters, developing port access routes, and ensuring safe navigation. I would ensure that any FMC initiatives are developed in consultation with state, regional, and tribal representatives, as well as the National Shipper Advisory Committee (NSAC), to ensure local communities' needs and concerns are considered in the development of new shipping routes and port operations. I would ensure all FMC actions are consistent with U.S. foreign policy and international law, including the principle of freedom of navigation and the "Arctic exception" under UNCLOS Article 234, which grants coastal states authority to enforce pollution control laws in ice-covered areas. I would use the FMC's authority to conduct investigations into transit constraints at international maritime chokepoints, including potential Arctic routes, to gather data on shipping conditions and inform policy decisions. And finally, I would promote transparency in the industry by ensuring all tariffs and charges related to new Arctic routes are publicly available and clear, allowing the market to function efficiently and fairly.

2. (Competition and Sovereignty in the Arctic): As Arctic shipping lanes, particularly the Northern Sea Route, become more active, how would you help safeguard U.S. competitiveness—especially for Alaska's strategic ports—in the face of foreign control, navigation fees, and evolving international claims, while ensuring alignment with international maritime law and national security priorities?
 - a. *If I am confirmed as an FMC Commissioner, I would safeguard U.S. competitiveness in the Arctic with a multi-faceted approach that would combine diplomatic and persistent military presence, along with robust, dual-use infrastructure development and investment (to include icebreaker fleet expansion), regulatory measures, international cooperation, and strategic messaging to ensure the U.S. and Alaska remain competitive and secure in the evolving Arctic landscape. Asserting international law principles through operational presence, enhanced military presence, and strengthening partnerships with allies and local communities will address foreign control, i.e. Russia's attempts to control the Northern Sea Route (NSR), navigation fees, and evolving international claims while aligning with maritime law and national security priorities. And incentivizing routes that align with U.S. priorities will improve the safety and efficiency of U.S. shipping, reducing reliance on foreign-controlled passages.*
3. (Supply Chain and National Security): Alaska's ports are critical to the state's economy and serve as key national defense assets. How would you work with federal partners, including the Coast Guard and Department of Defense, to ensure Alaska's maritime supply chains remain resilient and secure as Arctic maritime traffic increases?

- a. *If I am confirmed as an FMC Commissioner, I would collaborate with and support our federal partners that have a primary national security role like the U.S. Coast Guard (USCG), U.S. Maritime Administration (MARAD), and U.S. Department of War as America's economic security is a key part of national security. I would also coordinate with agencies like the USCG, NOAA, and the Department of Homeland Security (DHS) to support their efforts in charting unmapped waters, developing port access routes, and ensuring safe navigation. As previously mentioned, I will ensure a competitive and reliable international ocean transportation system that supports the U.S. economy, protects Alaskan interests, and aligns with broader national security and international policy objectives. Ways in which I would go about this would involve leveraging the FMC's economic regulatory authority, closely monitoring shipping rates, surcharges, and service contracts for vessels using Arctic routes to and from U.S. ports, particularly those in Alaska. This will ensure that U.S. shippers are not subject to unjust and unreasonable charges or unfair practices as commercial activity increases. As a member of the U.S. Committee on the Marine Transportation System (CMTS), I would advocate for the robust development of a detailed maritime transportation and infrastructure strategy for the U.S. Arctic that includes adequate port facilities in Alaska to ensure that Alaska's ports remain competitive amidst the growing needs of the shippers in the Arctic waters. I would ensure that any FMC initiatives are developed in consultation with state, regional, and tribal representatives, as well as the National Shipper Advisory Committee (NSAC), to ensure local communities' needs and concerns are considered in the development of new shipping routes and port operations. I would ensure all FMC actions are consistent with U.S. foreign policy and international law, including the principle of freedom of navigation and the "Arctic exception" under UNCLOS Article 234, which grants coastal states authority to enforce pollution control laws in ice-covered areas. I would use the FMC's authority to conduct investigations into transit constraints at international maritime chokepoints, including potential Arctic routes, to gather data on shipping conditions and inform policy decisions. And finally, I would promote transparency in the industry by ensuring all tariffs and charges related to new Arctic routes are publicly available and clear, allowing the market to function efficiently and fairly.*

SENATOR MARSHA BLACKBURN (R-TN)

1. As an FMC Commissioner, can you commit to implementing the FMC's authorities as written by Congress and holding true to the Commission's foundational principles, which

focus on being a nondiscriminatory regulator for the common carriage of goods in the foreign commerce of the United States?

- a. Yes, I can.*
2. Freight forwarders and other Ocean Transport Intermediaries fill a crucial role in the American supply chain by helping American small, medium and large businesses efficiently move cargo via ocean. How do you view the FMC's role in empowering these Ocean Transport intermediaries to help American small and medium business compete?
 - a. The FMC's role is to foster a fair, competitive, and transparent marketplace, providing oversight and consumer protection, and offering dispute resolution services. This helps build trust and integrity in the U.S. supply chain by creating a more level playing field for large and small shippers alike giving them better access to services at competitive rates. The FMC helps ensure that businesses of all sizes, through their freight forwarders and Ocean Transport Intermediaries, can navigate the complexities of international ocean shipping with greater confidence and fewer barriers, allowing them to compete more effectively in the global marketplace.*
3. There are many parties in ocean transportation that are essential to a well-run national economy. Shippers, Consignees, Freight forwarders/OTIs, and the carriers themselves as well as custom-house brokers. If your nomination proceeds, would you support outreach to and listening to feedback from the industry to enhance compliance with existing regulations and to improve the competitiveness of American small and medium businesses?
 - a. Yes, industry feedback and participation are critical to improving the competitiveness of American small and medium sized businesses.*

SENATOR TED BUDD (R-NC)

1. The FMC currently has a case before it involving intermodal chassis that has been going on for over five years. The Commission's ALJ dismissed the remaining issues in the case nearly a year ago. Once confirmed, will you commit to promptly looking into this case and ending the prolonged uncertainty its reaming open has caused?
 - a. Yes, I will.*