

STATEMENT OF U.S. SENATOR BENJAMIN L. CARDIN  
BEFORE THE SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WEDNESDAY JULY, 10 2024

As Prepared for Delivery

Thank you, Chair Carper and Ranking Member Capito, for holding a hearing on this issue. I would like to first acknowledge the victims and the victims' families who were impacted by the collapse of the Francis Scott Key Bridge, which for nearly 50 years was an iconic part of the Baltimore skyline. It is important that we not lose sight of the humanity of this tragedy. These workers, the six victims, were on the bridge, late at night, working hard to make our roads safer, our economy stronger, and provide for their families. We will make sure that they are not forgotten.

I would like to thank the witnesses that have come here today to testify before the Committee. The U.S. Army Corps of Engineers, Federal Highway Administration, and the Maryland Department of Transportation have been consummate professionals in responding to the collapse of the bridge. The recovery and salvage effort were profoundly complex endeavors, but because of the focus and collaboration of the Unified Command, the mission was completed *safely* in a matter of weeks. The 50-foot federal channel is clear and the Port of Baltimore is open fully for business. However, there still is much work to be done. The Francis Scott Key Bridge was a critical component of our national transportation system. As many of you know, the Maryland Delegation introduced a bipartisan bill to provide an increased federal cost share for the bridge, as has been done in the past during catastrophic disasters. The legislation highlights

existing FHWA regulation that require proceeds from the responsible parties and insurance reduce FHWA's liabilities on the project.

The cost share request was reiterated last week in OMB Director Shalanda Young's letter to Congress requesting a domestic disaster supplemental. The domestic disaster supplemental request includes relief for states across the country affected by disasters (including many represented by the EPW Committee). Hurricane Beryl is continuing its path of destruction northward as we speak, kicking off an early start to what NOAA predicts to be a worse-than-average hurricane season. We have seen in the past few months devastating flooding in the Midwest, a landslide in my colleague Senator Lummis's state of Wyoming, and a tornado event in Senator Boozman's home state, compounding the urgent need for disaster relief funding.

Congress must act quickly to address the current needs in the backlog, including those incurred by the collision of the *Dali*, by passing an Emergency Supplemental that includes the *Baltimore BRDIGE Relief Act*. I want to make clear that there is ample precedent for Congress authorizing FHWA to pay 100% of ER Program expenses for repair and reconstruction projects related to disasters. What the bipartisan Maryland Delegation is asking for with respect to the reconstruction of the FSK bridge is nothing new.

I have heard proposals that Maryland "pay-back" the Emergency Relief program by forgoing a portion of its toll revenue. First, it is inappropriate for Congress to make this request to a disaster-impacted state. This punitive request would never be made of a community impacted by a hurricane or wildfire.

Second, the State is already required to "pay back" the Emergency Relief fund with proceeds recovered from responsible parties and insurance. Rest assured; the responsible parties will be held accountable. Third, Maryland's toll revenue should be used to maintain its system in good

working order and ensure the safety of its users. Period. Asking the State to forgo a portion of its toll revenue will ultimately increase costs to all drivers-both local commuters and thru-drivers.

The Maryland Delegation is not asking for special treatment for our state. We are asking for support after a tragic, unforeseen disaster that impacted a nationally significant infrastructure asset. I look forward to the witness testimony and for my colleagues to have the opportunity to learn more about the response to the collapse and the next steps.

My colleague, Senator Van Hollen, is here to provide remarks. I am grateful, as always, for his partnership and expertise. We are united, along with the rest of the Maryland Delegation in moving the *Baltimore BRIDGE Relief Act* in the first moving vehicle so Maryland can begin to rebuild. Thank you for your attention to this matter.