

**STATEMENT OF PAUL J. WIEDEFELD**  
**SECRETARY, MARYLAND DEPARTMENT OF TRANSPORTATION**  
**BEFORE THE**  
**SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**  
**WEDNESDAY JULY, 10 2024**

Good morning Chairman Carper, Ranking Member Capito and members of the committee. I am Paul Wiedefeld, Secretary of the Maryland Department of Transportation (MDOT). Thank you for this opportunity to discuss the ongoing response to the collapse of the Francis Scott Key Bridge. Before I address that subject and offer my thoughts on the future direction of our response, I want to take a moment to express my condolences to the families and relatives of those who lost their lives in the disaster. I want to express my gratitude to Governor Wes Moore for his leadership, untiring attention, and support. I also want to thank our partners in the Federal Government who have worked hand in hand with us to immediately respond to the disaster by helping clear the debris and reopening the channel to the Port of Baltimore. I also want to thank the Administration for the immediate provision of \$60M in quick release Emergency Relief funds. Those funds proved invaluable in performing the crucial first steps of clearing the auxiliary channel.

Difficult times call for resolve and unified responses, and I am buoyed by the way all levels of government have rallied to address this crisis. The collapse of the Francis Scott Key Bridge is both a human and economic tragedy. The effects of the bridge will be felt nationwide until the bridge is repaired. This bridge is a key component of the I-95 corridor and is essential to the free flow of needed commerce and vehicle transit. It serves as a vital connection for people

and goods travelling throughout the entire east coast and nation. Over 39,000 vehicles cross the bridge every weekday, carrying a significant value of commerce.

Rebuilding the bridge quickly, stronger, and safer to meet the future needs of commerce is a national imperative. It is crucial to restoring jobs, protecting essential supply chains, and reducing inflation nationwide. This effort will require clear direction, assured funding, and a continuation of widespread bipartisan support at all levels of government.

For this reason, I am urging you to support enactment of legislation introduced by the Maryland Congressional Delegation, S. 4114, “the Baltimore BRIDGE Relief Act”. This legislation will ensure that the Federal Government supports one hundred percent of the replacement costs of this vital bridge and its approach ways in Baltimore City, Baltimore County, and Anne Arundel County. This legislation has been carefully crafted. Specifying that the Federal Government will pay the upfront costs of the bridge does not mean taxpayers will bear the entire expense of the repair. Funds recovered from insurance proceeds and culpable parties will be applied to reduce the cost ultimately borne by the Federal Government. These sums are expected to be substantial.

Preliminary estimates indicate the bridge replacement will cost approximately \$1.7 billion. Recovering these amounts from culpable parties and insurance settlements will take time. Additionally, seeking to identify other possible sources of funding at different levels of government will result in delays and engender protracted debate over whether the funding sources should be used for the bridge reconstruction given the purposes for which these monies were originally set aside. Clearly specifying the source of funding for this work also will bring economies in contracting by reducing design and construction costs associated with multiple uncertain fund sources.

This funding approach parallels the action the Federal Government has taken to respond to other disasters that require immediate, focused response and dwarf the capabilities of state and local governments. The Federal Government often intervenes after major disasters to pay the upfront costs of the disaster while pursuing recovery actions against insurance companies and culpable parties. For example, the Federal Government has provided the upfront costs of two highly visible bridge disasters in recent years.

When the I-35 bridge located in Minneapolis, Minnesota collapsed on August 1, 2007, within a matter of days Congress came together and provided the necessary funding to rebuild their critical piece of infrastructure. Congress quickly responded in a bipartisan way to help the people of Minnesota recover from this heartbreaking tragedy and agreed the Federal Government should bear the entire upfront costs of the repairs. Cost recovery actions were successfully pursued against others afterwards.

In May 2013, the I-5 Skagit River Bridge in Washington collapsed when an eighteen-wheeler carrying an oversized load crashed into the bridge. The Federal Highway Administration provided the initial funding to pay the upfront cost of the repairs. The subsequent recovery action against the culpable party resulted in federal costs being recouped.

The Federal Government has taken the same approach in the case of other disasters. During the Deepwater Horizon and Exxon Valdez oil spills, the Federal Government provided the upfront costs of the response action while pursuing legal action against the responsible parties. This approach ensured an effective, immediate response through the provision of upfront funding while successfully instituting recovery actions against those responsible.

As these examples show, there is precedent for the Federal Government to fund the complete upfront costs of the Francis Scott Key Bridge replacement subject to the understanding that any recovery rights against third parties will be fully pursued. This approach is sound because it enables the Federal Government to fully vindicate its legal rights to recoup its expenditures from others through judicial processes, which takes time.

The collapse of the Francis Scott Key Bridge is a national problem, and promptly and effectively repairing it will require clear and focused action by the Federal Government. I urge the Congress to support the enactment of S. 4114, and to provide the same consensus support for passage of this legislation that has been displayed by the Administration, Congress, and others in the actions taken to date to clear the channels from debris, reopen the Port of Baltimore, and provide the Emergency Relief funding that has been so important to the initial response to this disaster.

In seeking your support for enactment of the Baltimore BRIDGE Relief Act, I want to assure you that MDOT and the Maryland Transportation Authority (MDTA) is totally focused on rebuilding the Francis Scott Key Bridge in the most effective and efficient manner possible. We have already released a Request for Proposals (RFP). Bids have been received and are under evaluation. We expect to have a project team selected by mid-to-late summer with a project completion date of fall 2028. For this critical project, the MDTA is using a Progressive Design-Build process that brings on board a project designer and builder to work side-by-side, resulting in greater efficiencies. The MDTA has a proven track record of delivering projects on-time and on-budget utilizing this approach. While the project scope and accelerated timeline requires a significant amount of skilled labor to complete the construction safely, reliably, and expeditiously, we are confident that the work will be successfully delivered under this

contracting mechanism. The State is also leaning forward to perform all environmental reviews as quickly as possible, including pursuing the applicability of a Categorical Exclusion under the National Environmental Policy Act (NEPA) for the bridge work.

I would like to conclude my remarks by again extending sympathies to the families of the victims that died in the bridge collapse. I also wish to express my gratitude to the MDTA first responders and who took quick action to close the bridge and prevent further loss of life, as well as personnel in my agency, USDOT, the U.S. Coast Guard, the U.S. Army Corps of Engineers, the U.S. Navy, and the Maryland Department of Environment who have worked and are working tirelessly to mitigate supply chain impacts, manage traffic operations, reopen the Port of Baltimore, and ultimately reconstruct the bridge. Thank you.