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U.S. Senate Date: Wednesday, February 26, 2025

Committee on Environment
and Public Works

Washington, D.C.

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INFRASTRUCTURE INVESTMENT AND JOBS ACT IMPLEMENTATION AND CASE
STUDIES

Wednesday, February 26, 2025

United States Senate

Committee on Environment and Public Works

Washington, D.C.

The committee met, pursuant to notice, at 10:03 a.m. in room 406, Dirksen Senate Office Building, the Honorable Shelley Moore Capito [chairman of the committee] presiding.

Present: Senators Capito, Whitehouse, Ricketts, Husted, Merkley, Markey, Kelly, Padilla, Schiff, Blunt Rochester, Alsobrooks.

STATEMENT OF THE HONORABLE SHELLEY MOORE CAPITO, A UNITED STATES
SENATOR FROM THE STATE OF WEST VIRGINIA

Senator Capito. Well, I want to welcome everybody to what I think will be a nice journey for this committee, and that is the Highway Bill, it is a massive bill that we have the pleasure of working on in this committee.

Before I begin, I would like to express all of our thoughts and prayers for our colleague, Senator Cramer, who had an accident just several days ago. I will sure miss him over here right next to me, because he is a wonderful member of the conference, but hopefully he will be back soon.

So everybody keep, he had a fall on ice, and we know how cold it has been. So let's hope he gets a quick recovery.

Thank you for joining us this morning to continue oversight of the implementation of the IIJA. Today our focus is on the Surface Transportation Reauthorization Act, one of the foundational components of the IIJA, which was developed in a bipartisan manner by this committee.

This hearing comes at a critical time, I think, as we approach the expiration of these provisions at the end of 2026 in September. We want to continue what is working, but discontinue what isn't working.

Since the law's enactment on November 15th, 2021, transportation stakeholders have been delivering on its promise

but at time experiencing some challenges.

We have some of those stakeholders with us today. I appreciate them coming to provide us with an on the ground update of their efforts to deliver transportation projects in rural and urban communities.

On the positive side, the Federal Highway formula programs received approximately 90 percent of the funding in the IIJA, which was something that I strongly supported. This funding has provided States with the certainty and with the flexible project eligibilities to address the transportation needs of Americans across the Country.

In my home State of West Virginia, that formula funding is upgrading and modernizing our roads and bridges, which will connect our communities to job and economic opportunities. I also championed commonsense provisions aimed at accelerating projects so that communities are not stuck waiting to realize the safety and reliability benefits that they will bring.

As an example, the IIJA codified the One Federal Decision policy which expedites, or should expedite, the environmental review process for certain projects by setting a two-year goal for those reviews and allowing the use of a single coordinated process to develop an environmental document.

I am curious to hear from our witnesses today if these provisions are being used and whether they have been having the

desired impact. Despite the many benefits, I am aware that we have some challenges with the implementation of the IIJA. Inflation is certainly the contributing factor. It has eaten into the overall funding increase provided by the IIJA, and increased project costs.

I look forward to our witnesses sharing the real-world impacts of this inflation on the work that they are doing.

Another challenge is that many of the new discretionary grant programs established by the IIJA have been very slow in achieving their Congressional intent. These programs require significant time and money from eligible applicants. And once a grant has been awarded, the project grant agreement was often taking more than a year to be negotiated and signed by the prior administration, which delays the benefits of each project.

This slow-down has contributed to a ballooning amount of unused obligation authority that must be sent back to the States as part of a process known as the August redistribution. In 2024, that amount was \$8.7 billion. This results in an end of the fiscal year scramble as States seek to put that amount of funding to use, often putting it toward lower priority projects.

We advanced a bipartisan fix to help with this issue last year. But the challenge remains, and is growing.

I am sure we will learn more about our witnesses' experience with applying for and managing a discretionary grant

award today.

In addition, the implementation of the IIJA was sometimes clouded by executive overreach of the prior administration. My colleagues on this committee have often heard me talk about two examples of overreach: the December 16th policy memorandum that was issued, and the Greenhouse Gas Performance Measure Final Rule.

The goal of this overreach was simply advancing the priorities of the prior administration even when those priorities were often specifically considered by this committee and excluded from the IIJA.

Ultimately, it took more of a year for the prior administration to correct their misstep with the December 16th memo, and it required litigation from 22 States and action by the Trump administration to finally end the unauthorized Greenhouse Gas Performance Measure final rule.

With the opportunities and challenges of the IIJA implementation in mind, I look forward to receiving testimony from our panel of witnesses. This review of the real-world impacts of the IIJA and the feedback on what is working and what isn't working will inform this committee's bipartisan on the upcoming Surface Transportation Reauthorization bill.

Thanks to the witnesses and members for participating today. I now recognize Ranking Member Whitehouse for his

opening statement.

[The prepared statement of Senator Capito follows:]

STATEMENT OF THE HONORABLE SHELDON WHITEHOUSE, A UNITED STATES
SENATOR FROM THE STATE OF RHODE ISLAND

Senator Whitehouse. Thank you, Chairman, and thanks to our witnesses for joining us.

Infrastructure Week had become something of a long-running joke until four years ago when Democrats and Republicans joined together and passed the Bipartisan Infrastructure Law. It made long overdue investments in our roads, bridges, transit, ports, drinking water, wastewater, and other systems of service, the backbone of our Nation's economy.

It was a monumental first step. About a third of American's 620,000 bridges need repair and nearly 42,000 of those bridges are considered structurally deficient and need replacing. Our Country needs more infrastructure investments.

So I am eager to join with my Republican colleagues to take stock of our Bipartisan Infrastructure Law, craft policies to fix our aging roads and bridges, and pass a package before the current law expires in September 2026.

This is an obviously reasonable cause of action, and in ordinary times we would simply go forward with it. Unfortunately, we have a President who claims powers to himself outside the Constitutional order, even when the law says plainly otherwise. For example, when the Bipartisan Infrastructure Law said that \$5 billion "shall be spent" on building out a national

network of electric vehicle charging infrastructure, this administration canceled State approvals and froze funding way after the time for executive veto was passed.

The Trump regime asks us to believe that they are simply taking time to review it. But this is the law that members of both parties in this body passed. It is not subject to the whims of polluter mega-donors. The ongoing violation is not only illegal, it is costing jobs around the Country, harming our economic and industrial competitiveness, and accelerating climate change, which is already costing families thousands of dollars in increased insurance and grocery bills.

In my home State of Rhode Island, we have urgent work to do to replace or repair bridges. The Washington Bridge, a vital economic artery for our region, served 90,000 vehicles every day before it experienced structural concerns. It has been more than a year since the bridge was shut down and Rhode Islanders are spending more time in traffic with disrupted commutes. Many live on the other side of the bridge from essential services like hospitals. The project to replace the bridge was awarded grants from the Mega and Infra programs, and it is waiting on both.

We have other major bridges that need urgent attention. Fifteen bridges on the I-95 corridor through Rhode Island carry 185,000 vehicles daily and billions of dollars' worth of

freight.

The project to repair those bridges was awarded funding from the Bridge Investment Program under the IIJA. But this administration refuses to sign the grant agreement to allow access to those funds.

Our historic Mount Hope Bridge, which is a gorgeous bridge, if you can say bridges are gorgeous, requires repairs and upgrades to address corrosion in cables due to higher humidity driven by climate change. This project could achieve hundreds of millions of dollars' worth of cost savings if implemented by extending the life of the bridge by 50 to 75 years.

The project was awarded a grant from the PROTECT program, but this administration refuses to sign the grant agreement to allow access to those funds.

Before Trump took office, the Federal Government was a committed partner in the effort to rebuild. Now, we have an administration that is canceling or delaying infrastructure funding nationwide, putting our bridges, our safety and even lives at risk. Communities across the Country are now left questioning whether the funding authorized by Congress will ever be delivered to the projects that they scoped, planned, and started building.

To those questions, they presently get no answers, just what I call the fog bank of evasion, uncertainty, and unanswered

calls and emails.

There are some new ideas out there, too, the Department of Transportation says you now need a high marriage rate and a high birth rate to qualify for funding for transportation projects. Republican colleagues on the committee from Ohio, West Virginia, and Wyoming won't do well under this directive.

The Department of Transportation also plans to unilaterally amend the general terms and conditions of existing grant agreements to impose ideological preferences. Well, when a State or local government signs a contract with the Federal Government for an infrastructure project, they expect and they rely on the Federal Government to honor its contractual obligations. They do not expect to receive a notice telling them that the signed contract has been unilaterally canceled or paused or abrogated or changed by the Federal Government. This kind of uncertainty keeps shovels from ever touching the ground.

The historic Bipartisan Infrastructure Law is the law. We have a lot of good, serious bipartisan work to do to write the next Surface Transportation reauthorization. I speak for all of us on our side when I say we are ready to roll up our sleeves, get to it and pass the next authorization together.

Senator Capito. Together.

Senator Whitehouse. But it will be pointless unless and until this administration respects Article I of the Constitution

and its own obligation under Article II to faithfully execute the law.

It is Article I for a reason. Our founders did not want to recreate a monarchy. We were to have co-equal branches of government with checks and balances, not rubber stamps. And first among those co-equal branches is the Legislative Branch, Congress, us. Until our existing laws are respected, the work that we as a committee and as a Congress put into writing the laws will cease to matter.

It is time to stand up for the American people and for our democracy, and end this nonsense.

Thank you, Chairman.

[The prepared statement of Senator Whitehouse follows:]

Senator Capito. Thank you, Senator Whitehouse.

And I will now turn to our witnesses for their opening statements. Our first witness is Russell McMurry, Commissioner at the Georgia Department of Transportation. Mr. McMurry is testifying this morning on behalf of the American Association of State Highway and Transportation Officials, known as AASHTO. As Commissioner of Georgia DOT, Mr. McMurry leads a staff of over 5,000, and has an operating budget above \$5 billion.

I now recognize Mr. McMurry, and thank you for coming.

STATEMENT OF RUSSELL R. McMURRY, P.E., VICE PRESIDENT, AMERICAN
ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS;
COMMISSIONER, GEORGIA DEPARTMENT OF TRANSPORTATION

Mr. McMurry. Thank you, Chair Capito, and Ranking Member Whitehouse, and committee members for this opportunity. As stated, I am Russell McMurry, the Commissioner of the Georgia Department of Transportation representing AASHTO), which consists of the 50 State DOTs, Puerto Rico, and the District of Columbia.

The video playing today highlights many successes resulting from the IIJA in Georgia, from maintenance to large capital projects. At Georgia DOT, we recognize that mobility of people and freight safely and efficiently is more than just about projects. It is about our quality of life and it is about our economy.

The IIJA's Federal Surface Transportation funding has absolutely been vital to every State DOT to safely move people and goods. GDOT relies on the core Federal programs to deliver projects from across a very diverse State, from our coast to our mountains, and from rural Georgia, where agribusiness is our number one economy, to metro Atlanta, with over 6 million people and growing. The core IIJA formula programs give States funding certainty to properly plan and deliver for the future.

Federal funding is a foundational investment, vital to

every State for state of good repair of our Nation's highways and bridges. In Georgia, about 80 percent of our capital maintenance program is from the IIJA formula programs, and 90 percent Federal investment for bridge rehabilitation and bridge replacements.

In addition to the foundational investments, IIJA has supported major capital projects like shown on this video. Two of those projects are on the top 100 freight bottlenecks in the Nation list, and have a combined cost of \$3.2 billion. Funding was made possible in a large part by the IIJA funding and also using a design-build finance contracting method. So just two bottleneck projects in Georgia consumed two years of our total Federal funding.

I am sure your State has a freight bottleneck somewhere that needs some work.

It is great to see these large projects in the video, but I like to remind people that a rural bridge may have a significant economic impact as well. If a farmer can't get crops to market efficiently due to a load restricted or closed bridge, that is an impact on the farmer's bottom line. Every State has needs when it comes to bridges and structures, and a core program like the Surface Transportation Block Grant Program and the Bridge Formula Program added by the IIJA has been especially helpful in replacing rural bridges.

Continued Federal investment in the Nation's bridges is very important, because bridges are just like us, they are getting older every day, and the older I get, the more ailments I have.

IIJA increased funding levels for the Highway Safety Improvement Program by 30 percent. This critical investment is helping States to reduce fatalities on our Nation's roadways and provide flexibility we have taken advantage of in Georgia, especially for safety education programs. We partner with private organizations like We Are Teachers to develop age appropriate K-12 curriculum that is approved by the Department of Education in Georgia, and Lutzie 43, a non-profit based on eliminating drivers crash in high school students through safe driving summits.

In my written testimony, I have shared additional examples of the many IIJA successes, and I have shared some challenges as well, like cost increases. When it comes to funding from the IIJA, I love to quote the Charles Dickens classic, it is the best of times, it is the worst of times. Best of times for funding, the worst of times due to cost increases.

Georgia, like most every State, has experienced significant cost increases that have eroded the buying power of what was intended from the IIJA. In Georgia, we have seen a 60 percent increase in bridge costs, 66 percent increase in resurfacing

costs and over 115 percent increase in widening five projects.

Other challenges result from so many discretionary programs with 29 of them just at Federal Highway alone. AASHTO supports using discretionary grants to close the funding gap for most expensive projects, and we need to make sure they are projects of national or regional interest. But the IIJA discretionary funds have been slow to deploy and both State DOTs and local governments have been challenged.

One local grant in Georgia took 31 months from the notice of funding opportunity to the grant award execution. One Federal Decision being included in the IIJA was a very important step in the right direction. However, I believe there is still progress to be made, and look forward to your continued support for improving the IIJA.

Georgia has made progress in delivery of environmental permitting by State funding Federal environmental resource positions and co-locating them in a central office to do the work as a team.

We thank you for your leadership and focus on improving transportation for the Nation. I look forward to answering your questions.

[The prepared statement of Mr. McMurry follows:]

Senator Capito. Thank you very much. We appreciate it.

Our next witness is Mr. Gary Johnson. Mr. Johnson is the Vice President of Granite Construction and is testifying on behalf of the Transportation Construction Coalition this morning.

The TCC is a partnership of 34 national trade organizations and labor unions representing hundreds of thousands of individuals working to build, modernize and maintain the Nation's transportation systems.

I now recognize Mr. Johnson for five minutes for his testimony. Thank you.

STATEMENT OF GARY JOHNSON, VICE PRESIDENT, GRANITE CONSTRUCTION, INC., ON BEHALF OF THE TRANSPORTATION CONSTRUCTION COALITION

Mr. Johnson. Thank you, Chairman, and good morning, Ranking Member Whitehouse. Thank you today for convening the hearing.

I am Gary Johnson, Vice President of Granite Construction. Granite is America's infrastructure company, specializing in complex infrastructure projects, while also building many of the standard day-to-day roads across America that we all drive on.

Today, I am representing the Transportation Construction Coalition, or TCC, a partnership of 34 national trade associations and labor unions. Thanks to the bipartisan leadership of this committee in passing the Infrastructure Investment and Jobs Act in 2021, my company and many others are experiencing record opportunities allowing us to enhance safety and mobility throughout the U.S.

To date, States have committed \$183 billion in IIJA highway and bridge formula funds to support over 91,000 new projects, at least one in nearly every U.S. county. This includes 2,300 projects in West Virginia and almost 500 projects in Rhode Island.

Projects across the U.S. are driving an increase in heavy equipment sales, asphalt and concrete production, and record employment levels for highway and bridge construction. Outcomes

like these are proof the law is working as intended.

While undeniable progress is underway, I would like to highlight three areas for further improvement. First, we must continue to invest and ensure the highest return on those resources. While IIJA was a much-needed course correction after years of status quo Federal investment, delivering the surface transportation network our Nation deserves and needs is not just a five-year endeavor.

Accordingly, the next multi-year bill should preserve and grow current highway and public transportation investment levels, using a user fee revenue source that captures every vehicle on the road. The impact of these investments is clear. At Granite we have seen first-hand the benefits of proper funding and smart project planning.

On California's U.S. Highway 101 improvement project, Granite worked with CalTrans and local agencies using collaborative contracting methods to phase a project into manageable sections and leverage State and Federal funding to deliver critical infrastructure years ahead of schedule and under budget.

As a key first step toward achieving the goal of continued investments, we urge all committee members to cosponsor legislation from Senators Fisher, Lummis, and Ricketts that would ensure drivers of electric vehicles join their fellow

motorists in contributing to the investment and improvement of our Nation's roads and bridges.

Second, Congress must address ways to ensure that Buy America does not impede progress. The TCC fully supports Buy America's objective of strengthening U.S. manufacturing, and we offer two ways to further improve that.

First, prevent disruption in pavement product markets. The TCC encourages Congress to preserve the exemption for aggregates and paving materials that was included in the IIJA. All areas of the Country do not have local access to all the aggregate, cement, and asphalt binder needed for the paving jobs. It must be imported from outside the U.S.

The TCC urges transparency and certainty in the waiver process. Federal agencies should develop a publicly-accessible data base of available Buy America-compliant materials and products to provide stakeholders with procurement options up front.

The FHA recently announced a rollback of its general waiver for manufactured products, making this recommendation extremely timely. As an example, one State department of transportation took 14 months to receive a waiver for a submersible pump, when two other States received approval for the exact same product in a much shorter period of time. There needs to be consistency.

Finally, our employees are our greatest asset, and they

need support through additional legislation to go home safely every day. In 2022, there were 96,000 work zone crashes, 37,000 injuries, and almost 1,000 fatalities. The IIJA made important investments in work zone safety like enhancing the Highway Safety Improvement Program, and supporting the use of intelligent transportation systems. The next highway bill should incentivize States to go further in implementing stricter enforcement measures.

I thank the committee for the opportunity to testify today. I encourage each of you and your staff to talk to a contractor in your State or trade association and go visit a job in your State. Talk to the men and women who are actually doing the work on the grade and get their input.

Thank you.

[The prepared statement of Mr. Johnson follows:]

Senator Capito. Thank you, Mr. Johnson. I have done that, and I will do it again.

Mr. Johnson. Good.

Senator Capito. It is always a very great visit.

Our final witness this morning is Michael Carroll, President of the National Association of City Transportation Officials and Deputy Managing Director of the Office of Transportation and Infrastructure Systems for the City of Philadelphia. How in the world do you say all that?

[Laughter.]

Senator Capito. In this role, he coordinates and sets the policy direction for critical functions, including the city's department of streets. His oversight includes infrastructure systems that are made up of more than 2,575 miles of street and 320 bridge structures.

I now recognize Mr. Carroll for five minutes for his opening statement. Thank you for coming.

STATEMENT OF MICHAEL CARROLL, P.E., DEPUTY MANAGING DIRECTOR,
OFFICE OF TRANSPORTATION AND INFRASTRUCTURE SYSTEMS, THE CITY OF
PHILADELPHIA

Mr. Carroll. Thank you. Good morning, Chairman Capito, Ranking Member Whitehouse, and members of the committee. I am Mike Carroll, and I serve as president of the National Association of City Transportation Officials, and am Deputy Managing Director of the Office of Transportation and Infrastructure in the City of Philadelphia. We oversee the delivery of capital infrastructure projects in coordination with our streets department and the Pennsylvania Department of Transportation. We call it PennDOT.

The Federal funding support for the Infrastructure Investment and Jobs Act is a lifeline to overcome decades of neglect in infrastructure, safety, and economic opportunity for communities with real needs. Philadelphia's Chinatown Stitch Planning grant, for example, under the Reconnecting Communities Pilot Program, reconnects a working-class Philadelphia community that was split in half by construction of I-676, known locally as the Vine Street Expressway.

The Safe Streets and Roads for All awards, another example, improves transportation infrastructure along the roads that contribute disproportionately to deaths and serious injuries and deliver essential pedestrian and bicycle safety education in 40

Philadelphia schools.

Our partnership with PennDOT is a good model for the rest of the Country. Our State and Federal partners acknowledge the city is closer to the people we all serve and that we are all committed to in giving effective public service and faithfully implementing the laws and policies regardless of who enacted them.

IIJA discretionary programs enable local government partners to extend the capacity of State DOTs. Our PennDOT partners have then argued for direct funding to the city because they can take the burden off of PennDOT. Any future transportation bills should consider new paths for direct funding to keep decision making as close to the people as possible.

People who live and work in Philadelphia see IIJA's results. We have completed paving and safety upgrades to our city-wide arterial network. We have completed repairs and reopened the Montgomery Avenue Bridge over the northeast corridor rail lines. We expect our MLK Bridge serving the central business district to open later this year.

We see improvements in our port infrastructure and our airport terminal. We have begun work reducing pollution due to stormwater and contamination in our drinking water.

Our contracting community has risen to the challenge as

well. We have attracted new contractors to business in Philadelphia, and the work has also attracted young Americans to the construction industry and helped us retain seasoned tradesmen. This has reversed the death spiral in lost talent and knowledge that could otherwise impair all infrastructure nationwide.

The Federal Government should ensure current funding awards move toward project completion and help us to avoid the added cost that inevitably comes with new uncertainties and delays. The march toward obligation is intensive and means expending local dollars and ramping up contractors and other businesses to seek opportunities.

Everyone involved takes on the risks that are mitigated by trust that the Federal Government is a committed partner. Even where there is disagreement over program purposes, honoring these commitments should be the priority.

Where the PROTECT program is targeted for the use of certain words, awards like the projects for the Bells Mill Bridge and the Green Valley Bridge over the Wissahickon Creek become at risk. These historic bridges serve over 13,000 vehicles a day and urgently need repairs due to extreme weather events.

Like other residents in other cities, Philadelphians want effective government that produces results. No one wants my

opinions about what carbon dioxide does in the atmosphere, or why streets that once were never under water are now under water every spring rain.

Local residents expect that if we follow the rules that were given to us at the time and the Federal Government awards us funding that they will honor these commitments regardless of who is in charge. The best defense you can all provide to combat risk and uncertainty is to take a bipartisan stance in favor of stability, continuity, and results.

Thank you.

[The prepared statement of Mr. Carroll follows:]

Senator Capito. Thank you very much.

I am going to start with a very general question for all of you, and you have touched on this, all of you have, in your statements. But just concisely, what part of the IIJA had the greatest benefit for your experience, and which one has presented the greatest challenge?

Mr. McMurry?

Mr. McMurry. Thank you. The greatest benefit comes from when we consider the core formula programs, that being national highway priority programs, the Surface Transportation Block Grant program, which is truly the most flexible to use for the States and NPOs.

Again, I remind everybody there are sub-allocation by population from under 5,000, from 5 to 50, 2 to 200, and greater. So there is, again, flexibility that we can use.

The other programs certainly are the safety program that I mentioned in my testimony. The increased funding in the Highway Safety Improvement Program is absolutely vital as we take on the Nation's 40,000 fatalities on our roadways, which is just not acceptable.

Then I add the Bridge Formula Program, that again, was added by the IIJA, which again gives funding that can be used especially for local governments. Because bridges are everywhere. In fact, in Georgia, there are more local bridges

than there are State-owned bridges, and we invest in every bridge in Georgia, federally and with State dollars, because all bridges are vital for safe and secure travel.

So those core formula programs have been customary and necessary, not only for utilization but for the planning process. We each do a State transportation improvement program, either four or six years, and long range transportation planning out to 20 years, counting on reliable funding, reliability from year to year, in those core formula programs, because it takes too long to deliver these projects.

So we need that funding certainty in those core programs to know that we can deliver through the planning process, through the design, environmental, right-of-way construction process, to get the infrastructure delivered.

Some of those challenges out of the IIJA in Georgia have been, with some of the new programs, again, to Mr. Carroll's testimony, things are happening and we need to be able to be responsive to be able to use the PROTECT dollars, which again, I have to say thank you in the IIJA, because we never had the ability to use Federal dollars to work on things such as slides or flooding and using Federal dollars. But it has been hard to deploy, because they are new programs.

One of the challenges, too, has been in the TAP program, the Transportation Alternatives Program, to try to deliver

Federal projects local through a competitive process to very rural areas. It is hard to ask a population under 5,000 to deliver a Federal aid project due to the complexity of the funding, the NEPA.

And often in Georgia, we have had cities and communities say no, thank you after they were awarded a grant, or excuse me, through the competitive grant process that the State DOTs have to administer, because they realize how much more cost it takes to actually administer the program. It is simply easier for them just to deliver the project themselves with no Federal dollars.

So those couple of programs, obviously NEVI was a new program, it has already been mentioned today, States have been moving forward with those programs. Obviously it is taking a while to stand up those programs.

From an AASHTO perspective, every State has different procurement rules and methodologies. In Georgia, we believe strongly that we shouldn't put State dollars with the NEVI dollars. We are using a public-private partnership to use the Federal dollars and private sector dollars to deliver the NEVI program.

But States have struggled --

Senator Capito. How many have you built under the NEVI program?

Mr. McMurry. We have five under contract, but they are not built.

Senator Capito. Okay.

Mr. McMurry. And it is a very -- the NEVI program was a very much surface transportation program to a technology solution. So it is very different. No State DOT has built C-Stores or gas stations.

Senator Capito. Right.

Mr. McMurry. So how to do this on private property is taking a long time to navigate.

We are fortunate because we have a public-private partnership, laws that allow us to advance. Other States were really boxed in, that they couldn't even deliver, because they didn't have a method that they could deliver on.

Senator Capito. That is a real problem, yes.

So Mr. Johnson, quickly, the greatest benefit and greatest challenge.

Mr. Johnson. Chairman, I think obviously the greatest benefit is the amount of money coming out in the formula aid funding. It took a while to get started. It was delayed a little bit from authorization to appropriation in 2021 and 2022.

But since then, we have seen a lot of money coming into the States that we work in. We have good backlog, we have hired more people, and all of that is good.

Something else that has been very good about IIJA was the exemptions for the construction materials. It is hard to imagine but 20 to 30 percent of aggregate oil, asphalt binder, cement binder for concrete comes in from outside the U.S. Not because we want it to. But we have to. We have roughly 60 asphalt plants, most of them in the west. But 10 or 15 in Mississippi and Tennessee, and a lot of those asphalt plants use binder from Canada. Some even use binder from South Korea.

If we were to shut that off, or put tariffs on it, it would cause inflation or it would cause problems with getting jobs done on time.

Some of the things that I think the next bill should look at, that it did not, is using recycled materials in the paving. The technology is there to use up to 40 percent reclaimed asphalt pavement in new asphalt. That has the benefit of lowering the cost, reducing truck trips, increasing safety on the roads because you are reducing truck trips, less air emissions, and you are using material that is U.S. material, so you are not having to import from outside the Country.

Senator Capito. I am going to stop you there, because I want to give Mr. Carroll a chance to answer quickly, plus and minus.

Mr. Carroll. Well, there is a lot of agreement, I think. I would focus on the safety investments as one of the biggest

pluses for us. And I will make another plug for discretionary programs and direct funding for cities and other local governments. Because I think we hear directly when there are issues, and are often in a position to react.

More in alignment with what constituents are talking about, I feel like there is certainly a lot of work we need to do to focus on product delivery, and I think you have heard that in the other comments as well. So anything we can do to improve that, to streamline that, I am certainly going to be in favor for.

Senator Capito. Thank you.

Senator Whitehouse?

Senator Whitehouse. Thanks, Chairman.

The Chairman did a very good thing by keeping our record open from our permitting reform hearing for 30 days. We are still in that 30-day period. I would invite each of you to contribute to that record what you see by way of permitting reforms that could help move things forward without compromising the purposes of the permitting requirements.

In particular, in the grant making process, there are what you consider to be excessive or duplicative or unreasonable conditions that attach to various grant making processes. So I invite you to do that.

Mr. Carroll, climate change causes very significant effects

for coastal infrastructure. We are seeing it all the time in Rhode Island. We already have nearly a foot of sea level rise. We have roads near the coast that flood constantly. We are also seeing riparian flooding from rain bursts that is dramatically changing the way that communities have to respond in their infrastructure planning.

What are the dangers where engineers, planners, designers, and construction firms are forbidden to discuss and predict climate effects?

Mr. Carroll. Well, we need to plan so that we can build things effectively. So I would say anything that feels like a restriction in pursuing the work of understanding the impacts on our infrastructure and our communities is going to be a danger not just to good infrastructure, but to the people who live and work in communities themselves.

Senator Whitehouse. Yes. And you mentioned high injury corridors. What would you like to see in a new surface transportation bill to provide additional resources for addressing the safety concerns in high injury corridors?

Mr. Carroll. Well, I think more is always going to be the first thing I answer with. We talked a little bit about reform that would help.

If we are making improvements which are focused on pedestrian movements, in particular, I think it should be pretty

straightforward to get environmental clearance. Sometimes it is not as straightforward as it should be. And so a lot of work could go into making a straight path for a categorical exclusion, something that is more like a checklist, which takes maybe months to process instead of a process that can drag on for years.

Senator Whitehouse. Do you see data gaps in identifying high injury corridors?

Mr. Carroll. Data gaps, you said?

Senator Whitehouse. Yes.

Mr. Carroll. Yes, I do. I think we have done a decent job; we have been focused on this for a while.

Senator Whitehouse. We, meaning your Philadelphia area?

Mr. Carroll. I am sorry, I meant the City of Philadelphia has. This is a subject I will go so far as to say many of the cities that are part of NACTO have been focused on for a while as well.

There is a big differential, if you look at any metropolitan region, between smaller communities. I am sure, rural communities have issues getting the data together to make the case for what they should get. So if there is some work that happened at the Federal level or a way to promote work at the State level to make that data more available, that is going to go a long way.

Senator Whitehouse. Thanks.

Mr. McMurry, I mentioned in my opening remarks that we have PROTECT grant funding that is not coming through at this point. I understand that Georgia has about \$240 million in PROTECT grant funding. What is the status of that as far as you know today?

Mr. McMurry. Out of the total discretionary money that may be coming to Georgia, I am not sure I can answer off the top of my head of how much is being utilized. I can tell you, though, in the formula PROTECT it has been a slow start to get projects through the pipeline.

As you understand, the new projects --

Senator Whitehouse. Would you take that as a question for the record? I am just interested in the status today of the Georgia PROTECT grant funding and whether it is cleared to go, whether you still need grant agreements signed, what its status is, its process status is on the way toward being able to embark on those projects. So if you would do that for the record, I would appreciate it.

Mr. McMurry. Will do.

Senator Whitehouse. The reason I ask that question, Madam Chair, is because what I believe I am seeing in the wake of the court order that has instructed the Trump administration to end frozen funds in certain areas and to come into compliance with

the court's decision about illegal freezes is what I call the fog bank technique, where the official won't say no, we are not going to do that, I will make myself a target for violation of the court order, instead they retreat into the fog bank and you either get e-mails not answered, phones not answered, vague responses, we don't know, we are still looking into it, stand by. Even assurances that it is fine, but then the money never comes, or the grant agreement never gets filed.

I think that is actually strategy at this point from the Trump administration. And I think we are going to have to press our way through that because slow-mo contempt of court orders is still contempt of court orders. I really think we need to get to the bottom of this.

As you and I have both said, Chairman, there is really important bipartisan work to do in this committee. And it just isn't going to work when we have an administration that won't faithfully execute the laws, despite the oath that was sworn to faithfully execute the laws.

Senator Capito. Thank you. Agreed, and that is part of the oversight that we are doing in this committee.

Senator Husted?

Senator Husted. Thank you, Chairman Capito. I appreciate the witnesses spending some time with us today.

I come recently from State government, where we oversaw the

department of transportation and had a lot of variety of transportation projects we were trying to get approved, and would constantly fog over when they would talk with me about the Federal review process and permitting process and environmental review, and how long it was going to take to do this project that was of urgent nature.

So we sit here today, trying to figure out how we all get better at this. I will start with you, Mr. McMurry. How do we get better? How do we shorten that time period for review, when we find situations where literally the permitting process takes longer than the construction of these projects? How do we get better?

Mr. McMurry. Thank you for that. One, States that have taken on NEPA delegation or assignment, as it is called, have seen marked improvements in their time to permit. Georgia has not done that, but we have tried to do some other things.

In my testimony, I mentioned, we call it an office of environmental quality, of where the State DOT pays for Federal resource agency positions at the Corps of Engineers, National Marine Fisheries, U.S. Fish and Wildlife, to name a few. We have co-located them in one office that we fund, so that they can work as a team to work on our environmental reviews and permitting.

We have seen great gains there. In my testimony, I

mentioned up to 80 percent time improvement on some of those permitting reviews. Not on all, but on some.

So I call it really an alignment, because most of the Federal resource agencies outside of USDOT or Federal Highway or FTA, their primary mission is not to advance infrastructure projects. So we really have to have an alignment. That is what we have been able to do in Georgia to pull all these resource agencies, including State resource agencies, together under one roof and work as a team.

Now, that sounds very commonsensical. Why wouldn't everybody work together to try to advance transportation infrastructure projects? Again, it was very hard. We had to work with each Federal agency to get buy-in and consensus that they would release a person not to work under their roof, but work in a different location to move projects forward.

So that is one thing I think that is perfectly allowable under the law. It can happen today. But it should be really standard across the Nation that there should be an alignment in Federal resource regulatory agencies working together to deliver.

Senator Husted. I want to get to Mr. Johnson. Do you have a thought on that?

Mr. Johnson. Yes, Senator. I understand there are seven or eight States that have worked out authority with the U.S.

Government on handling NEPA, on transportation projects, California being one. We have a lot of work in California, Texas being another. I understand that Texas has reported that since they have done that, they have reduced the time to get through the NEPA process from 36 months to 16 months on average.

Senator Husted. Great. So that begs the question, why isn't every State doing this? I am not sure what the answer is, but I think that should be encouraged.

So just a thought here, we have often talked in recent weeks in this committee about time is money. Time is also cost, it is inflation, effects. The timeline of projects drives up the cost. But time is also lives. On a lot of projects, if you delay, where there are severe traffic issues, it leads to more accidents and takes a toll on human life.

I am getting to Philadelphia and Pennsylvania, I know that the I-95 bridge collapse occurred, and in literally 12 days you were able to fix it. So it is possible to do these things, when we have relief from regulations. I am just curious if anyone has a thought on this. When we have traffic projects that are literally holding up lives, instead of an emergency declaration, or an emergency waiver, could we have an urgency waiver? A thought to really give States the ability to short-circuit some of these delays and go immediately into construction when there is a need to save lives, we know there is an issue.

Mr. Carroll, do you have any thoughts on that?

Mr. Carroll. Yes, I would support something like that. It has to be done carefully, and I think we should definitely learn from States that have figured out how to do it, even if they don't have the delegation for NEPA authority.

So if we can all agree there is a process that works, we should just certify that process and do it. We should get it done. That speaks to even what I mentioned before, there are certain types of projects which we can be pretty comfortable aren't going to create large environmental impacts. They are small in scale, they have a big impact at the intersection or the road segment that they take place, but they are not going to create a situation where there is a cascade of environmental impacts that justify a lot of delays.

So I certainly support something like that.

Senator Husted. Great. Thank you.

Senator Whitehouse. Senator Merkley?

Senator Merkley. Thank you very much, Madam Chairman, and thank you all for bringing your expertise to the discussion here in the Senate.

I am going to start, Mr. Carroll, with you. We have a long list of the major infrastructure projects in Oregon that have benefited from our infrastructure bill. But a lot of them, as I went through the list, the grant agreements were signed but

money had not been obligated or the grant agreements are still under negotiation.

It is just a tremendous amount of concern that this current administration's funding freeze is going to slow everything down. Every time thing slow down, the costs go up. That is so frustrating, because if the costs go up and now you have an additional gap, how are you going to fill that in?

Also the uncertainty about really starting into a project where the entire vision is now on shaky ground, given the uncertainty. From your point of view, has this funding pause created uncertainty or delays that will potentially increase the cost of projects?

Mr. Carroll. Yes. I am very worried about that. I have taken note of Senator Whitehouse's comments.

We have had a lot of experience in the last few weeks trying to get our calls answered, trying to get our e-mails answered. Everyone, I think, is doing the best they can to make sure that we understand what is going on.

We just spoke about some of the risks of uncertainty just coming from the normal permitting process. If we are determined to fix that, I think it doesn't make a lot of sense to add to risk and uncertainty by creating situations where we are not really even clear what the rules are anymore.

Senator Merkley. Why does the administration think it is

in the Nation's interest to increase the cost of our transportation projects?

Mr. Carroll. I can't speak for that. But I would like for these types of decisions to be based on some case that we can all sort of process and understand.

Senator Merkley. So a different piece of this puzzle is the permitting process. You just mentioned it. Often, environmental permits have to be processed. We are seeing a huge slashing of the staff at the Environmental Protection Agency which will have a fairly significant impact on the ability to process those permits. Then at the Department of Transportation, there is a lot of planning personnel who have been retired or laid off.

So aren't these personnel cuts going to also increase delays for our transportation infrastructure?

Mr. Carroll. I am worried that they will.

Senator Merkley. So we have two factors, delays in the grants, delays in the contracts, delays in the environmental permitting, delays in the transportation team. All of this amounts to a tremendous mess. In what possible way does this make America better?

Mr. Carroll. Again, I am not familiar with what the case is for these decisions, so I can't really speak to that.

Senator Merkley. All right. Well, I can say that I can't

find anybody in Oregon who feels like there is a single thing that is better about this. We have a bridge on the interstate that has been a drawbridge, actually it is a pivot bridge. So we have the last remaining bridge on a major north-south corridor that goes for our transportation up and down the west coast. Finally, we are going to get it fixed, or are we?

We have lots of concerns about preparing critical infrastructure for the big earthquake that will come someday, and we have a 100-year-old other bridge up the Columbia Gorge. It is like, oh, we are finally really making strides in addressing some of these things, and it all just seems to be being messed up right now.

I am really struck that this was an area of bipartisan cooperation. Somehow, we now have to have bipartisan cooperation to say to the administration, you are making things a lot worse.

Mr. Carroll. I would just say, Americans want results. They want results. So the more we emphasize delivering results, the better we are going to be in their good stead.

Senator Merkley. Okay. I think this is something we are going to continue to have a lot of concern about. I appreciate, Madam Chairman, your holding this hearing, because Americans want us to get the job done. There was a lot of challenge, certainly, and a big influx of spending for infrastructure, the

biggest infrastructure effort since building the interstate highway system.

But if we now screw this up, when we are halfway into it, it is really damaging to the United States and a massive waste of resources. It just irritates the hell out of me to hear Elon Musk and President Trump talking about efficiency while they are doing everything they can think of to drive up costs. This Trump-flation is absolutely shocking and unacceptable.

Thank you, Madam Chairman.

Senator Capito. Thank you.

Senator Ricketts?

Senator Ricketts. Good morning. Thank you, Chairman Capito, for holding this hearing, and Ranking Member Whitehouse. I appreciate it. Thank you to the witnesses for traveling here to share your experiences with regard to our transportation infrastructure.

This hearing is timely, as the new U.S. Transportation Secretary Sean Duffy settles into his new role, recently confirmed by Congress, and as Congress prepares to reauthorize the Federal Highway Administration coming up this year.

Transportation infrastructure, we have all said it, is incredibly important in my home State of Nebraska, just like it is from where you all come from. It is important for our competitiveness, for our industrial opportunity, and for really

just our quality of life. So it is something that we want to make sure we are doing the best job possible.

As we are looking to reauthorize the highway authorization, States need to be playing a more active role in the programming. I am biased, because I was a former governor, and I believe that we ought to allow States, and Mr. Carroll, you even mentioned this, that people locally are going to be able to have a better connection with what it needed locally.

That is why I think one of the things we need to be doing is going through, the Department of Transportation should be doing something where we have empowering States through the formula funding to be able to let them make the decisions and not cherry-pick green projects that are discretionary grants.

I will just give you an example, with the ones that we were talking about, or we have mentioned a little bit earlier, with regard to electric vehicles. There has been grants for electric vehicle charging stations and so forth. But in Nebraska, electric vehicles don't work so well. Electric vehicles on the east coast, high urban areas, they work pretty good.

But in big rural States where last week the temperature in my State was in the teens and the single digits, you lose about 40 percent of your charge on a battery. I have communities like Bloomfield and Alliance, Valentine, they are 45 minutes from the nearest charging station. So it is not very practical to be

pushing that solution.

We ought to allow American innovation and consumers to decide how we address these issues of reducing impact on the environment. And in the meantime, and Mr. Johnson, you mentioned this, EVs are heavier so they degrade our roads faster and then don't pass the gas tax. So we don't have a way for them to contribute to the road system. And that just doesn't make any sense.

Mr. McMurry, as the tenth largest transportation system in the Country, I would like to hear your thoughts on what the Department of Transportation can do with regard to formula-based funding efficiencies. At the Nebraska Department of Transportation, we try to stretch every dollar. I am sure you try to do the same thing to make sure our infrastructure projects get done. When you have unpredictable funding schemes, that obviously creates havoc with that.

And in particular, would you talk about the flexibilities that would be important to States, and Chairman Capito mentioned this, on the August redistribution? Those funds come late. It makes it difficult for departments of transportation to plan. What can we do better with regard to that? Our department of transportation cites flexibilities in the PROTECT Act. But I would like to hear what you think about how can we address this?

Mr. McMurry. Thank you, Senator. As far as flexibility,

AASHTO would encourage more flexibility among our programs. There are some programs, especially core programs, that have flexibilities, you can flex up to half from one program to another. But that is only in what is called the NE areas, not necessarily sub-allocation by population.

The other flexibility I think we would suggest in reauthorization is looking at the PROTECT program, the NEVI program, carbon reduction, and put those under one umbrella to give States more flexibility. Where NEVI may not work as well for your State but it might work better for another State, to give States, again, sort of that, again, home rule decision making, to have portability and flexibility across programs.

The other important part about flexibility of programs is actually in the delivery of projects. If there is an impediment for delivering in one Federal program bucket, you don't want to forfeit that money or let that money lapse. It would be better if you could flex it and deliver another project while still meeting the legislative intent of programs over the life of a bill.

So if we could look at sort of the top line of funding by Federal program over the life of the transportation bill, make sure that States are spending the money in those categories over the life of the bill, but give us portability year to year to deliver, so we can deliver the right project at the right time.

As it relates to the August redistribution, a very complicated process, and we thank you for the WRDA bill that started to address this large number that has arisen because of not using the allocated funding, predominantly from discretionary programs. It is a very hard thing for States to do to pull down this high level August redistribution. You have to have enough carryover balanced from prior years to pull it down.

We have to solve this. We appreciate Section 120 and the Transportation HUD in Fiscal Year 2025 appropriations that could be a big solution to this to give those allocated programs basically four years to obligate the money, instead of having this huge rollover balance. It makes poor planning. We have to deploy those dollars within five days, which means you have to have projects ready to go very quickly to use those dollars.

Senator Ricketts. And Chair, may I just real quickly, with Mr. Johnson, you mentioned NEPA and other States doing, Nebraska is one of those States that has started this process. One of the things our department of transportation says is that waiving sovereign immunity to implement NEPA compliance at the State level is a very heavy lift.

Just quickly, in your opinion, what amendments to Federal laws are required to quickly construct infrastructure while maintaining high environmental standards, specifically around

taking on the NEPA requirement?

Mr. Johnson. Senator, I am sorry, I am not sure I understand the question.

Senator Ricketts. What kind of reforms, if a State wants to take over NEPA, one of the things we have encountered is you have to waive sovereign immunity. So that is a roadblock for us in Nebraska, it is a heavy lift. But are there other things you think that are roadblocks or things we can do in Federal law that would help States be able to take over the NEPA responsibilities?

Mr. Johnson. I am sorry, that is outside my jurisdiction on what laws have to be. I just know it works in California. It works in Texas. And I would hope that other States would do the same thing.

Talking about getting the formulaic funding out, I agree, more flexibility in moving it from bucket to bucket is key. But something else I think the Federal Government should look at in the next bill is interstate highway systems are very, very important for moving freight. And freight gets bottled up in areas. There are areas where we need to increase capacity and not just maintain roads.

Thirty years ago, 50 percent of the formulaic funding went to new capacity. Now only 20 percent does. The American Trucking Association has predicted that truck freight is going

to increase 30 percent in the next 25 years. That means we need more capacity on the U.S. highways and the Federal highways to move freight by truck from the ports, into the ports and out of the ports.

Senator Ricketts. Thank you, Chairman, for indulging me there.

Senator Capito. Senator Padilla?

Senator Padilla. Thank you, Madam Chair. I appreciate your convening this hearing today.

I am happy to report, colleagues, that the Bipartisan Infrastructure Law has delivered more than \$54 billion in truly transformative projects in California alone. The funding has helped us rebuild roads, expand public transit and make our transportation safer, all while creating 180,000 good-paying jobs. Again, that is just in California alone.

And we are not done. We fully expect that additional funding and more jobs are on the way as investments continue to come, unless Elon Musk and his DOGE cohorts block our progress. As they slash support staff, engineers and critical safety personnel, there is real concern and it already impacts folks that I am hearing from in my State.

I will just share one example. I won't name the city because they are fearful of retribution, but it is a Bay Area city that was literally on the verge of finalizing a long-sought

grant agreement for a critical infrastructure project, one they spent years working, trying to secure.

A couple of Fridays ago they were working closely with their contact at the Department of Transportation. By the following Monday, that DOT staff member was gone and the Department has been completely unresponsive since. So they are wondering back home what is next? Are we ever going to see this money? When? Because the more we wait, as we all know, time is money.

Another program I am especially proud of, the Clean School Bus program, is also in jeopardy. As the Chairwoman knows, this initiative not only benefits school districts across the Country but also fuels domestic manufacturing, including a major facility in West Virginia. So the chaos is having real consequences for cities, for school districts, and for manufacturers alike.

Now, on top of the challenges I just went through, last month the Department of Transportation published an order that prioritizes funding for communities with high marriage and birth rates. Senator Whitehouse touched on this earlier. It demands cooperation with Federal immigration enforcement. That is new for DOT.

It also calls on DOT staff to unilaterally amend existing grant agreements that have already been negotiated and signed,

entered into, what we consider legally binding, right? That has been our practice when it comes to infrastructure funding.

So my first question is this, for Mr. Carroll. What infrastructure projects or programs would be affected if your city and State were to suddenly lose Federal transportation funds that have been committed, even if the loss is temporary? What is the impact?

Mr. Carroll. As far as I can tell, it is the whole spectrum that could be impacted. We focus quite a bit on improvements to safety and state of good repair. We are an old city, we have a lot of old infrastructure, and I think we have all talked about that so far today, that we can't wait, these things aren't going to fix themselves. They need to be fixed and they need to be planned for so that those repairs take place.

A lot of work has gone into getting where we are right now. So we need to maintain progress. What is worrisome is that when we have to bring in the services of folks who look at these agreements and give the sign-offs from our own law department from the Commonwealth of Pennsylvania's attorneys and then again from attorneys at the Federal level, that could take years. Sometimes it does take many months to get anything that even looks like a hint of where we are going.

So when you get to the finish line and you have

communicated with constituents, you have communicated with contractors, you have communicated with people who are seeking employment, that there is something coming, and just wait, we are going to get going, we are going to see some real on the ground things you can touch and feel, and then it stops and there is no explanation for it, it is nerve-wracking.

Senator Padilla. It sounds like it has been disruptive.

Mr. Carroll. Yes.

Senator Padilla. And forget frustrating, it is becoming costly for taxpayers, right?

Another program I wanted to touch on, the Infrastructure and Jobs Act created the Charging and Fueling Infrastructure Grant program, which has awarded \$1.8 billion to recipients in nearly every State to support the increasingly popular zero emission vehicles. This funding was appropriated by Congress and mandated in statute.

Yet the Trump Administration has blatantly ignored the law, freezing funding for the program, again, leaving grant awardees in the dark.

Mr. Carroll, the city of Philadelphia has been awarded \$20 million for these particular grants, this category of grants. Will you talk about the importance of getting these grant agreements finalized and what the funding would mean for your city?

Mr. Carroll. Yes, again, we have started training electricians. We badly need electricians, and this is something that really is the wind at the back of bringing new people into the industry. We expect that we would have thousands of jobs across the region involved in this work and installing infrastructure, maintaining the infrastructure, promoting small businesses in terms of convenience stores that are going to be great locations.

It supports developing commercial corridors. It is aligned with PennDOT's policy. They had a very good reception to their NEVI plan.

So all of that work is something we want to see keep moving.

Senator Padilla. Thank you very much.

Thank you, Madam Chair.

Senator Capito. Thank you.

Senator Blunt Rochester?

Senator Blunt Rochester. Thank you, Chairwoman Capito and Ranking Member Whitehouse.

I am proud to have worked on the Bipartisan Infrastructure Law, something that we have talked about in our Country for a very long time. As you have heard from others, I too am deeply concerned about the Trump administration's freezing of Federal funding and mass firings, and the real life impact that will

have on these critical projects for our communities and States and across the Country.

In my State of Delaware, I even did a bridge tour, literally while we were streaming live, I took folks from DelDOT. The engineers took me to different bridges, we looked under the bridges. One was 80 years old. And really just to show people what the real life impact is on their everyday life.

For me, we can't afford to go backwards. Programs like Rebuilding American Infrastructure with Sustainability and Equity Grant program, also known as the RAISE program, or the Reconnecting Communities program, which I helped co-author, will help communities be safer, have more accessibility and ensure that we have a strong economy.

So my first question is for you, Mr. McMurry. In January of this year, my State was awarded \$13 million in RAISE grant funding that will go toward modernizing a 58-year old bridge on State Route 9. It will make it safer. Then we were also awarded \$12 million to help save lives, to make our roads and our streets more safe for our cyclists and pedestrians.

Following up on Senator Merkley's question, with your experience as commissioner of the Georgia Department of Transportation, what are the effects of the uncertainty, this uncertainty that we are seeing with funding freezes and firings of Federal employees as we are trying to accomplish these

projects?

Mr. McMurry. Thank you, and you have a great DOT at DelDOT, by the way.

Senator Blunt Rochester. We sure do.

Mr. McMurry. Listen, AASHTO totally supports that we need to move forward where everything, if there is a grant agreement in place, AASHTO believes that is a contract. Same in Georgia, if we have a grant agreement in place, we are counting on moving forward.

And I hate to use this analogy, but I believe we can fly that airplane while we are still building it and working on it or tweaking it. So let's keep things moving. It is just that important to our Nation's economy not to pause.

I use this example as, we as DOTs have been playing by the rules. The rules may need changing, but let's keep playing the game. Another bad analogy. But we need to move those forward.

I have a rural bridge that we received a grant for, a rural grant to grade separate over a railroad. The train blocks the town. So we are over a year from the grant award and we still don't have a grant executed, while we are designing and buying the property. But that is important, because we are counting on that grant to get this community so they are not cut off when the train blocks the town.

Senator Blunt Rochester. Yes, one of the bridges I was on

connects to the Dover Air Force Base. These are really vital.

Can you talk also about the impact on employment of these funding freezes? How does that affect employment?

Mr. McMurry. I personally can't speak or on behalf of AASHTO speak of what that may or may not mean. I haven't seen that play out just yet. So it is a little early for us to tell in Georgia what that impact may or may not be.

Senator Blunt Rochester. I can tell you as former secretary of labor, it means that you stop putting shovels on the ground, it means people aren't working. That also is a connection to our economy.

I am going to shift to you, Mr. Carroll. The Reconnecting Communities grant program through DOT focuses on righting communities harmed by past transportation decisions, and also about eliminating barriers to ability and economic development. Some of these policies started in the 1950s.

I had the opportunity to ride with Representative Dwight Evans on Amtrak from Delaware to Philadelphia to meet with residents and community members who have been trying to tackle this. Can you talk about, from your experience, some of the benefits of these projects on communities, and what impacts the freezes would have, real terms, real-life terms.

Mr. Carroll. In my testimony, I talked about our Chinatown Stitch project, which is right in the middle of our center city.

That project, I think, it is going to repair a community that was literally split in half by the Vine Street Expressway. From a regional transportation perspective, that expressway is essential to making the city work, making the nine counties, both in New Jersey and Pennsylvania, accessible to each other. So it is definitely something that needed to happen.

But the way it happened really created a lot of harm in that community. We have a chance not just to fix that because want to be good, but because we can really start to generate a lot of energy, a lot of economic activity. We see people really getting interested in investing in that community.

So this is a chance to get the benefit that we are here to do to make America strong, to make our communities strong, to get people to work and make things that stand up to the test of time.

Senator Blunt Rochester. Thank you so much.

I yield back.

Senator Capito. Senator Kelly?

Senator Kelly. Thank you, Madam Chair. Thank you, all of you, for being here today for this very important hearing. I am glad we are getting to discuss how to best implement the Bipartisan Infrastructure Law.

Before that, though, I want to ask a rather simple question, just to make me feel better. Mr. Carroll, did Russia

invade Ukraine?

Mr. Carroll. Yes, Russia invaded Ukraine.

Senator Kelly. Thank you. I appreciate that. I did not get that answer yesterday in a hearing in another committee. I just want to make sure this isn't contagious.

So, one of the flagship programs we created in the law was the Bridge Improvement program. It did some really rather simple, non-controversial things, which is funding the repairs to failing bridges. Mr. McMurry, I am going to ask you the same question here.

That program was created following all of the best practices that our witnesses here mentioned, that you guys mentioned in your testimony. The majority of the funding is allocated to the States through a formula program to focus on pressing needs.

Then for the projects that fall through the cracks, there is a discretionary grant program that is available. And the program was successful. In December, the Department of Transportation announced that more than 11,400 bridges are being repaired, thanks to that program. When bridges aren't repaired, they can fail, and people can die.

One of these projects is in northern Arizona on Interstate 40. It repairs four bridges that were built back in 1963 that don't meet current safety standards. These bridges provide

access to the capital of the Navajo nation. They also form the backbone of the trade corridor that leads to the ports of Los Angeles and Long Beach.

Yet, for the last 36 days now this project has been halted due to the Trump administration's funding freeze. This is exactly the type of project which those of us who negotiated the Bipartisan Infrastructure Law had in mind. Yet, by needlessly politicizing basic investments in infrastructure, communities in Arizona and across the Country are facing needless uncertainty.

Mr. Carroll, first for you, I imagine your department has received a number of competitive grants over the years.

Mr. Carroll. Yes.

Senator Kelly. Can you speak to how halting the disbursement of awarded funds disrupts a local recipient's ability to plan and execute projects?

Mr. Carroll. I think it is clear that we need to engage with the contracting community as quickly as we can to make sure that we get these projects under construction to make sure that we meet the construction deadlines, which are statutory.

Senator Kelly. How can you meet the deadlines without the funding?

Mr. Carroll. This is the problem. So, we need to at least get clarity so that we can plan. Many of our projects are funded through Federal funds, they aren't all. But we want to

prioritize the ones that have these deadlines, so that may mean that engineers and contractors are going to need to rearrange what they are doing.

So even to get phone calls answered, even if the answer is you have to wait to know how long you have to wait or what you have to do in order to get the work going, that is some certainty. And we would take that. But we are not getting that kind of information.

So it is nerve-wracking.

Senator Kelly. And Mr. McMurry, can you weigh in as well? How does this affect long-term planning? Do you become hesitant to apply for future discretionary grants because of the actions of the administration?

Mr. McMurry. First, I go back to the grant agreements, and thank you for this leadership from this committee on the Bridge Investment program for both large and small. These kinds of programs are very necessary for big, large bridges often crossing State lines to have the ability for States to compete to be able to pull down dollars where it would be such a budget impact on one State or the other to try to do a bi-State crossing.

So going back again, AASHTO supports and Georgia supports any grant agreement that has been executed, we feel that it needs to move forward now. The Bridge Investment program is a

great example of foundational investment for infrastructure.

Senator Kelly. Do you have any of these projects that you know of that have been cut off?

Mr. McMurry. I don't. South Carolina and Georgia jointly have a bridge investment grant for planning, again, for crossing State line on Interstate 95. We are in the planning stages of that, so we haven't got to the construction phase.

Senator Kelly. Thank you. Thank you, Madam Chair.

Senator Capito. Thank you.

Senator Markey, are you ready?

Senator Markey. Ready to go, thank you, Madam Chair.

Senator Whitehouse. When has he not been ready to go?

[Laughter.]

Senator Capito. He is jumping in that seat.

Senator Markey. Thank you.

The Bipartisan Infrastructure Law unlocked the historic funding to rebuild America's infrastructure. In Massachusetts we are using the funds to replace the aging Cape Cod bridges. We are expanding passenger rail, and we are modernizing our transit systems like the MBTA.

By providing five years of funds, the Bipartisan Infrastructure Law gave State and localities a feeling of certainty, that the Federal resources needed to deliver critical infrastructure investments would come through. Unfortunately,

the Trump administration smashed that surety, and sold out our cities and towns.

When Trump's Department of Transportation announced it was freezing unobligated funds with the intent to cut off funds for projects related to climate or working on behalf of disadvantaged communities, it unleashed uncertainty on our communities.

Communities in my State are telling me that grant applications for typically dependable formula funds have slowed to a crawl. They tell me they can't find contractors for basic work like repairing a transit facility's roof, because the contractors fear that they won't be paid. That makes a lot of sense, uncertainty.

They tell me they are worried about receiving funds for critical road safety projects because the project will help disadvantaged communities that Trump wants to leave behind.

Mr. Carroll, we have heard that uncertainty can raise costs and cause delays. Do you agree the Trump administration's decisions to increase costs and delay is immediately jeopardizing projects that make transportation systems safer and more effective for communities all across Massachusetts and the Country?

Mr. Carroll. As I have said, I have a lot of concern that those risks are out there. It will raise costs for our

projects.

Senator Markey. I thank you for that. I agree. Unfortunately, where Congress and the Biden administration provided funding, the Trump administration can offer only uncertainty.

Mr. Carroll, under the Trump administration the Department of Transportation has slowed and even stopped the flow of funds to supposedly root out and rescind any project that addresses the climate crisis or helps communities that have been left behind by Federal investments. So let's unpack what a "climate project" or a "equity project" actually looks like.

Mr. Carroll, please answer yes or no. Would a project to repair a bridge providing better connectivity between communities provide equity benefits?

Mr. Carroll. I believe it would, yes.

Senator Markey. Could a project to improve signaling for subways, enhancing their on-time performance, and making the transit system more reliable for their residents simultaneously provide climate benefits?

Mr. Carroll. I believe it would, yes.

Senator Markey. Could a project that makes a busy roadway safer for pedestrians provide equity benefits?

Mr. Carroll. Yes.

Senator Markey. Well, thank you. Because it is clear to

me that these projects are not only reasonable but are also much needed in Red and Blue States alike. DOT's decision to undermine these projects is not only unnecessary and unlawful, it is also going to be very, very unpopular, especially if they tie it to DEI as the rationale for stopping or slowing vital transportation projects that benefit the entire community.

The Bipartisan Infrastructure Law provided historic funding for passenger rail. In Massachusetts, we are receiving critical funds to finally fulfill our dream of regular passenger rail between western and eastern parts of the State.

Mr. McMurry, Georgia has also received several Federal grants to expand passenger rail in your State. So, Mr. McMurry, do you agree that we must continue to provide robust funding to expand passenger rail?

Mr. McMurry. Thank you, Senator. Yes, AASHTO's position is that under reauthorization, we need to continue the same levels at what was previously authorized.

Senator Markey. Thank you. And that is why last Congress, I introduced the All Aboard Act, which would revolutionize America's rail system. The bill would double down on the Bipartisan Infrastructure Law's historic funding for passenger rail and ensure that the States, which have undertaken ambitious rail projects, like Georgia and Massachusetts, have the funds that they need in order to deliver these projects right on time.

I look forward to working with all of my colleagues to ensure that projects in Red and Blue States, north, south, east and west, get the funding which they were promised.

Thank you, Madam Chair.

Senator Capito. Thank you.

Senator Alsobrooks?

Senator Alsobrooks. Thank you so much, Madam Chair.

The EPW committee has a long tradition of negotiating and passing bipartisan infrastructure legislation, which is one of the reasons that I was so interested in joining this committee. I am looking forward to working with all of my colleagues on both sides of the aisle as the ranking member of the Transportation and Infrastructure Subcommittee to honor this bipartisan tradition and pass legislation that works for each of our States.

Unfortunately, as some of my colleagues have already mentioned, this administration is making this very difficult. It is hard to have a conversation about developing the next Bipartisan Infrastructure Law when we discover that the current law, that it is refusing to implement the current existing law.

Due to this administration's funding pause, Maryland's Department of Transportation has around \$330 million in Federal funding that is currently on hold. These are grants that have already been awarded and dollars that Congress has appropriated.

So with all that in mind, I have just a few questions for our witnesses. I want to thank each of you for being here this morning.

Last week, the Department of Transportation changed the statewide transportation improvement program, STIP, in a project amendment approval process. The department is now requiring projects that were previously approved by the Federal Highway Administration division offices in each State to instead be approved by the general counsel in the Secretary's office.

We have heard a lot in this committee about this need to cut red tape and streamline processes to expedite project delivery and lower costs. With that, I would ask Mr. McMurry and Mr. Carroll, do you believe that sending STIP approvals to the office of the Secretary will lower your project costs and help deliver projects faster?

Mr. McMurry. Thank you, Senator. We certainly, from AASHTO, and from a Georgia point of view, we certainly want to see STIP modifications and amendments to move forward very quickly. So I think that is important, again, is that these are a process, this is a Federal process that is longstanding that we have all worked through to properly plan, working with NPOs, like with Philadelphia, city of Atlanta, all of our 15 other NPOs we have around the State.

This was a process for TIP amendments, for STIP amendments,

and we think it should move forward as it traditionally has.

Mr. Carroll. I concur further with Mr. McMurry.

Senator Alsobrooks. Thank you.

So if this new process creates a bottleneck and slows projects down, how will these delays affect project outcomes?

Mr. McMurry. In Georgia, we actually have a TIP amendment for the Atlanta NPO that is moving forward now. So we are going to see how, if there is a true slowdown in delivery of that approval process. Then if it is slowed, then there could be projects that we are not able to advance because Federal Highway does not have the approval that we can push the button in the system to get the contract authorization necessary for us to bid a job.

In Georgia, I have to have the contract fully encumbered with all the money when I bid a project. So I am not going to bid a project until I know that the money is in place and it has been authorized.

Senator Alsobrooks. Again, in your experience, however, you acknowledge that this new process is one that could add delays? You prefer the traditional process?

Mr. McMurry. We are going to see how this goes. But yes, it could, and we are optimistic that it won't.

Senator Alsobrooks. Okay. The reality is this administration is not actually concerned about efficiencies.

The Department of Transportation is adding an unnecessary layer of review for STIP amendments at the same time it is slashing our Federal workforce, the very civil servants who could help get projects on the ground in our States faster.

So, Mr. McMurry, in your experience, is it normal for the Federal Highway Administration to abruptly halt a bridge project in the middle of construction just because there was a change in administration?

Mr. McMurry. It has not been my experience that that has happened.

Senator Alsobrooks. What about a resurfacing project?

Mr. McMurry. The same.

Senator Alsobrooks. Or any project funded through the standard formula allocation, for that matter?

Mr. McMurry. That has not been my experience.

Senator Alsobrooks. So between planning and construction, what we know is that these are transportation multi-year projects. And if we start subjecting State transportation projects to political whims every time there is a change in administration, do you believe that projects will be completed on time without interruption?

Mr. McMurry. I believe that will cause a challenge.

Senator Alsobrooks. Lastly, I know I am running out of time here, about funding uncertainty. The administration issued

its funding freeze memo, States were locked out of their payment portals without any indication about when they might receive it. Mr. McMurry, what does funding uncertainty mean for a State department of transportation?

Mr. McMurry. We count on the Federal funding reimbursement on a weekly basis to move our funds forward, so that we can pay the contracts and the vendors for the work they do.

Senator Alsobrooks. Thank you.

Senator Capito. We are waiting to see if Senator Sullivan, I will give him a couple of minutes to come. While we are waiting, I am going to make a quick comment about the NEVI program because the Senator from California brought up that \$1.8 billion had been released for that program. But I want to point out that \$1.8 billion has resulted in 58 chargers being built in three and a half years and in 15 States. Mr. McMurry said that he has five on the drawing board.

Mr. Carroll, do you have any input on this?

Mr. Carroll. PennDOT administers the NEVI program. We have been working on the charging fuel infrastructure program. We have not constructed any but we are planning to build about 200 city-wide.

Senator Capito. Right, so I mean, if we are looking for efficiencies and moving things quicker, I am not sure that program is a good example of the best way the Federal government

-- personally, I thought it should all have been left to the private sector just like gas stations were built back in the day. But obviously lost on that one.

Quick question for you, Mr. Johnson. Just curious, we have had a lot of snow and ice, and Mr. McMurry, I am sure, well, all three of you, really, have to deal with the unpredictability when the weather gets cold like this. It really wreaks havoc on the paving, highways, and if there is nothing that gets somebody steamed up more than anything, it is popping a tire in a pothole. It happens frequently in the winter for us in West Virginia.

Are you finding this year is any more exceptional? Mr. Carroll, I will go to you. You have had a lot of cold weather there.

Mr. Carroll. It has been on the high end. What is sometimes worse is the freeze-thaw back and forth. So because it was colder longer, for longer periods of time, it didn't get as high as I have seen it, but it was pretty high.

Senator Capito. So does your municipality handle that?

Mr. Carroll. We do.

Senator Capito. What about you, Mr. McMurry? Are you seeing anything? I know it was even colder down in Georgia.

Mr. McMurry. Yes. We actually had a big event that had snow from metro Atlanta all the way to the coast and down to

Florida just a few weeks ago. That was a very big event for us.

You are right, nobody wants to hit a pothole that results from cold weather. So we do our best to get back out there and repair roadways as soon as the weather clears.

Senator Capito. Mr. Johnson, do you have any?

Mr. Johnson. We do a significant amount of work in the State of California, in Washington. And the rains that we have had, torrential rains in California have caused a lot of short-term and now long-term problems of washing our roads that are going to have to be rebuilt. So it is an issue. And it varies geographically from State to State.

Senator Capito. So no matter how long you plan or how much you plan for, there is always the unpredictability.

Mr. Johnson. Correct.

Senator Capito. We didn't ask about Buy America waivers. Mr. McMurry, do you have a comment how often you use those, how do they work? Are they working? How can we alleviate that in a new bill?

Mr. McMurry. Let me just talk a little bit about Buy America. First and foremost, Georgia and AASHTO totally supports American manufacturing. Foundationally, we are all in violent agreement, I like to say, on that principle.

The issue that has happened through Buy America-Build America is trying through the construction materials, each State

is having to certify the material that is Buy America compliant. So 50 States are having to do 50 different ways. That is where AASHTO stepped in and said, working with Federal Highway, let's make a repository of materials that if they are Buy America compliant in Georgia, it will be the same for West Virginia.

So AASHTO has taken that lead. Now, my comment is that might have been a better Federal Highway initiative to say, if this is good for the Nation, synthesize it one time instead of 50 efforts. But AASHTO has taken the lead in that.

We would hope going forward in reauthorization that that could be a national data base of Buy America compliant components.

As it relates to the waiver that was suspended under the previous administration, I am really worried about that. Because in my written testimony you will see that traditionally utilities that are part of our projects that we all get involved in for water, sewer, telecoms, all those components are usually bought by municipal associations in bulk, not to just do a Federal aid project which may be 1,000 feet or maybe even a half mile long.

They are buying miles of power lines, they are buying miles of ductal iron pipe, fittings. You heard the testimony about submersible pumps. Things like that, the components are really concerning, if we can't have waivers while we work out way to

American-made manufacturing.

Senator Capito. Thank you.

Senator Whitehouse, you are good?

Senator Whitehouse. As long as we are waiting for a minute, I would just comment a bit on the EV program. There is a problem here of the chicken and the egg, what comes first. Are people going to buy good, effective American-made electric vehicles if there is not a charging infrastructure for them? And are people going to build charging infrastructure if electric vehicles aren't being bought?

So to step into that freeze and drive infrastructure, which is what the charging stations are, the same way that you would build roads, same way you would build other things that the Government does, makes perfect sense at breaking that chicken-egg logjam of a new technology that is trying to emerge, to me at least.

So I am all for building out the infrastructure, and I know that in Rhode Island, there was a very significant planning component of where this should go, and talking to lots of people. So the fact that there aren't many actually constructed is a sign that that planning process has been very robust, and now we are ready to go, and we are eager to help build out that piece of infrastructure to support the many Rhode Islanders who have bought electric vehicles.

What we are seeing out of the Trump administration is something completely different. They are willing to actually spend an enormous amount of taxpayer money to rip out electric vehicle charging and basically throw away electric vehicle chargers that have already been built. It is really hard for me not to connect the dots between a fossil fuel industry that has put a minimum of \$100 million into Trump's election, that is what we know of. There is this huge dark money operation where we don't know who is behind it. The number is way beyond that, and I suspect it is fossil fuel money.

And this position that the Trump administration has taken, they are trying to knock down of offshore wind. Guess what? Every electron produced by offshore wind displaces an electron produced by burning natural gas. Huge giveaway to the natural gas incumbents. Every diminution in the electric vehicle market, despite Americans wanting these and the market growing rapidly, not only domestically but globally where our companies need to compete, effectively supports the gasoline manufacturers who have a lock on transportation through internal combustion engines.

Over and over and over again you see fossil fuel money coming into the Trump administration and fossil fuel policies coming out of the Trump administration. I think that is something we just have to be attentive to, because it is really

going to come back to bite us.

We are on the edge right now of a significant dislocation in our property insurance markets, because they can't predict what is coming because of climate consequences. And we are seeing collapse of property insurance markets, prices quadrupling, non-renewals spiking, companies going bust, companies leaving States behind. Very rickety structures being built to prop up the market, but it is all rickety right now. And when you see rickety structures, that is usually the precursor to a collapse.

And this is a collapse that is likely to cascade through the property insurance market into mortgage markets. We just, 10 days ago, had the Secretary of the Treasury say a decade from now, we are going to start having regions of the United States where you can't get a mortgage any longer. Well, if in a decade you are not going to be able to get a mortgage in entire regions, markets are going to start reacting before that.

So this is really upon us right now. And the subservience of the Trump administration to the fossil fuel industry is going to have really, really, really dangerous ramifications. And I just want to take a moment to point that out, while we have a moment.

Senator Capito. I will thank you and we are going to be ringing it down here. I will say that there are 71,000

publicly-available chargers in the United States. And my point is, I voted for this bill. So I was obviously in support of building out an infrastructure.

My complaint is, why is it taking so daggone long? And it is taking so long because the Biden Administration added requirements and mandates to comply to this that then changed the way that States and others could apply for this money and actually get it moving.

So we can debate that.

Senator Whitehouse. I am all for it. I don't know if we are going to have much of a debate. I am all for speeding it up, and I am all for simplification. Together is my motto.

Senator Capito. And I didn't know that Donald Trump was out ripping out electric charging stations. I will have to check into that.

In any event, with no further questions, I would like to ask the witnesses and all my colleagues, thank you for your participation in today's hearing. Senators who wish to submit written questions for the record will have until 5:00 p.m. on Wednesday, March 12th to do so. I believe the Ranking Member had a question for the record that he had already mentioned to you.

The witnesses' responses to those questions are due back to the committee no later than 5:00 p.m. on Wednesday, March 26th,

and will be submitted for the record.

With that, this hearing is adjourned. Thank you very much.

[Whereupon, at 11:42 a.m., the hearing was adjourned.]