

**NOMINATION TO THE FEDERAL RAILROAD
ADMINISTRATION, UNITED STATES AND
FOREIGN COMMERCIAL SERVICE, AMTRAK
BOARD OF DIRECTORS, AND THE
DEPARTMENT OF COMMERCE**

HEARING

BEFORE THE

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

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

—————
MAY 13, 2025
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Printed for the use of the Committee on Commerce, Science, and Transportation



Available online: <http://www.govinfo.gov>

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U.S. GOVERNMENT PUBLISHING OFFICE

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

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**NOMINATION TO THE FEDERAL RAILROAD
ADMINISTRATION, UNITED STATES AND
FOREIGN COMMERCIAL SERVICE, AMTRAK
BOARD OF DIRECTORS, AND THE
DEPARTMENT OF COMMERCE**

TUESDAY, MAY 13, 2025

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION,
Washington, DC.

The Committee met, pursuant to notice, at 10 a.m., in room SR-253, Russell Senate Office Building, Hon. Ted Cruz, Chairman of the Committee, presiding.

Present: Senators Cruz, Fischer, Moran, Sullivan, Blackburn, Young, Moreno, Sheehy, Capito, Cantwell, Klobuchar, Markey, Peters, Baldwin, Duckworth, Luján, Hickenlooper, Fetterman, Kim, and Blunt Rochester.

**OPENING STATEMENT OF HON. TED CRUZ,
U.S. SENATOR FROM TEXAS**

Chairman CRUZ. Good morning. The Senate Committee on Commerce, Science, and Transportation will come to order.

Today, we will hear from four nominees: David Fink for Administrator of the Federal Railroad Administration; David Fogel for Assistant Secretary of Commerce and Director General of the U.S. and Foreign Commercial Service; Pierre Gentin for General Counsel of the Department of Commerce; and Robert Gleason for the Amtrak Board of Directors. Congratulations to each of you on your nomination. I am eager to hear more about your qualifications for your respective roles.

Let's start with the Department of Commerce. As General Counsel, Mr. Gentin will draw on his experiences as an in-house attorney to provide legal advice to the Secretary and the Department's various agencies. Mr. Gentin is a former Assistant U.S. Attorney for the Southern District of New York who has held legal and management roles at major companies, including most recently as the Chief Legal Officer at McKinsey & Company. He has lectured at Yale Law School, Columbia Law School, and the Wharton School of Business—which as a Harvard grad I will try not to hold against you—a favorite of the President's, that would be Wharton, as we all know. Mr. Gentin will provide strategic legal counsel and support Secretary Lutnick's efforts to address critical policy challenges, such as reallocating spectrum, advancing AI, and building the Nation's manufacturing base.

David Fogel is well versed in international economic diplomacy. As Assistant Secretary of Commerce and Director General of the U.S. and Foreign Commercial Service, he will strive to increase foreign direct investment in the United States and remove trade barriers on American exports.

During the first Trump administration, Mr. Fogel served as Chief of Staff at the Export-Import Bank and as a Senior Advisor to the Undersecretary of Economic Growth at the State Department. If confirmed, he will work to counterbalance the CCP's expanding footprint in global markets and to encourage our allies to buy more products and services made in America.

Now, let me turn to David Fink, the President's nominee for Administrator of the Federal Railroad Administration. As a fifth-generation railroader, Mr. Fink knows the ins and outs of the industry. He led Pan Am Railways when it was the largest regional railroad in the country and he helped negotiate the sale of the company to CSX in 2022. Pan Am's employee injury rate was consistently lower than the Class II railroad industry average for the decade concluding his tenure as CEO. He is deeply committed to the FRA's core mission—safety—and he will ensure it remains top of mind in all regulatory actions.

Finally, Robert Gleason, who has been nominated to Amtrak's Board of Directors. Mr. Gleason will draw on his time serving on transportation commissions in Pennsylvania to enhance the passenger experience across Amtrak's network. I look forward to hearing how he will expand Amtrak's rail service to underserved areas, improve its safety record, and insist on transparency regarding executive compensation.

The nominees before us will champion regulatory clarity and strategic investment in American industries. Our rail nominees, in particular, will take practical steps to improve the reliability, efficiency, and safety of moving people and goods across the country. Let's hear more about how they will help build a stronger, and more prosperous America.

And with that I will turn to Senator Peters for his opening remarks.

**STATEMENT OF HON. GARY PETERS,
U.S. SENATOR FROM MICHIGAN**

Senator PETERS. Well, thank you, Mr. Chairman, and welcome to our four nominees here today, and I certainly also want to welcome your families and friends who are here to support you through this process.

Our first nominee this morning is David Fink, to be the Administrator of the Federal Railroad Administration.

Americans rely on the U.S. rail network to safely move more than roughly 28 million passengers and 1.6 billion tons of goods each and every year. But when things don't go well, entire communities suffer. We saw this in East Palestine in 2023. Yesterday was also the 10-year anniversary of the deadly Amtrak 188 derailment in Philadelphia, an accident that actually is very personal for me, as it was the day that we lost Rachel Jacobs, a family friend of mine with deep roots in the Detroit area.

Rail safety is certainly not something to take lightly. Mr. Fink, it will be up to you to ensure the safety of passengers and community members throughout our rail system. That is why I have concerns about your safety record running Pan Am Railways from 2006 to 2022, which under your leadership had higher than average main line track derailment rates and a series of documented safety issues.

We need leadership at FRA that will put safety and accountability first, and I hope to hear how you plan to address that here today.

We are also considering Robert Gleason to serve as Director of Amtrak's Board.

In my home state of Michigan, we are working to improve and expand rail service to our three lines—the Wolverine, the Blue Water, and the Pere Marquette—and looking to bring back Amtrak service to the historic Michigan Central Station in downtown Detroit, as well as cross-border service to Canada.

That is something we cannot do without the cooperation of both of our rail nominees. Mr. Fink and Mr. Gleason, I hope you will agree with me today that infrastructure investments are not optional for Amtrak's future. They are going to be absolutely essential going forward.

Our next nominee is Pierre Gentin, nominated to be General Counsel of the Commerce Department.

The General Counsel is responsible for providing legal guidance to the Secretary as well as across the Department. Since February, Mr. Gentin has been serving as a Senior Advisor in the Office of the Secretary. Unfortunately, in only a few months, we have already seen the lasting damage that can happen when there is not responsible leadership at the helm—from dismantling NOAA to cutting support for our manufacturers as well as our entrepreneurs here in the country. Mr. Gentin, I expect you to answer questions about these disruptive actions at the Department.

I will also note my concern here that you have not yet provided full information specified in the Committee's questionnaire, which is expected of all of our nominees. Committee staff also advised me that you abruptly left your staff interview early. I hope that your testimony here today shows more regard for this Committee, our constitutional duty to advise and consent.

Our final nominee is David Fogel, nominated to be Assistant Secretary of Commerce and Director General of the United States and Foreign Commercial Service. If confirmed, you will direct the Global Markets unit of the International Trade Administration and be responsible for assisting and advocating for U.S. businesses in international markets.

To state it plainly, that will be a difficult task given the President's destabilizing tariff agenda. These tariffs will not only raise prices, but provoke retaliation, making it harder for American businesses to export their goods and services and harder to work with our allies to counter Chinese influence.

I look forward to your answers on how you plan to keep these departments focused amidst the chaos created by President Trump.

Thank you, Mr. Chairman.

Chairman CRUZ. Thank you, Senator Peters. And I will note for the record that as Chairman I have endeavored to give the minority full opportunity to vet nominees, to consider their qualifications, to consider their background. I will point out that the minority has had significant time to review the nominees before us today. The nominees' committee questionnaires have been submitted for weeks, two of them since late March.

Mr. Gentin's committee questionnaire has been submitted since March 24. On May 2, the minority e-mailed Mr. Gentin's team and asked him to clarify a few items. He met with the minority for more than an hour and a half last Thursday. He submitted an addendum, and he will be producing anything outstanding by the end of the week.

Yesterday, Ranking Member Cantwell had the opportunity to review FBI background investigation reports for all of the nominees before us today, including Mr. Gentin. Unfortunately, she had to cancel due to a scheduling issue.

My team and I remain committed to a bipartisan, careful, and thorough vetting process. That is what we are doing here today. Ranking Member Cantwell, like all members of this Committee, will have ample opportunity to question the nominees as well as to submit questions for the record. And I am happy to continue working with her and her team throughout this process, and so, I trust, are the nominees.

With that I want to recognize our friend and colleague, Senator McCormick, from the commonwealth of Pennsylvania, to introduce Mr. Gleason.

Senator McCormick, welcome to the Commerce Committee.

**STATEMENT OF HON. DAVE McCORMICK,
U.S. SENATOR FROM PENNSYLVANIA**

Senator McCORMICK. Thank you. Thank you, Chairman Cruz, Ranking Member Cantwell, and my Senate colleagues on the Committee. Thank you for having me this morning. I am really honored to be here to introduce a fine Pennsylvanian and a good friend, Rob Gleason, for his nomination to be a member of Amtrak's Board of Directors.

Rob is a proud son on Johnstown and Cambria County, where his family has lived for generations. After graduating from the University of Pennsylvania, Rob went to Air Force Officer Training School and served in active duty from 1962 to 1965, eventually retiring from the Air Force Reserves as a captain.

He is a highly successful businessman who took over his family's storied Johnstown-based insurance business in 1970, and continues to serve as President of the organization.

He is also an experienced public servant who has served the commonwealth of Pennsylvania under Governors of both parties. Under Dick Thornburgh, Rob served as Secretary of the Commonwealth, where he worked with and got to know my dad, placing him in charge of the Pennsylvania Department of State. And Governor Bob Casey appointed Rob to the Pennsylvania Turnpike Commission, which oversees one of the commonwealth's most important highways.

Because of his service there and on the State Transportation Commission, Rob Gleason will bring to Amtrak significant experience in overseeing major transportation networks, and being from Johnstown, Rob knows firsthand, and better than anyone, the importance of rail service to rural communities, and will be a strong and independent voice on the board.

As an Air Force veteran and community leader, Rob embodies the mantra taught to us at West Point, "Duty, honor, country" and is exactly the type of public servant we should be calling upon to serve.

I am honored to be here with you today, Rob. Thank you for allowing me the opportunity to introduce him this morning, and I urge all the members of this Committee to support the nomination of this great Pennsylvanian and this great American. Thank you.

Chairman CRUZ. Thank you, Senator McCormick. And for the record I will note that we have seen a miracle, a West Point graduate praising an airman on the record. I suppose it could be worse. You could be praising a sailor, and that might be a bridge too far. And I assume Senator Sullivan is going to ask your views on the Marines any minute now.

Senator MCCORMICK. We have been friends for a long time. He is an honorary member of the Army.

[Laughter.]

Chairman CRUZ. Well, you are welcome to stay, but I know you have a busy schedule so thank you for being here.

And we will now turn to opening statements, and I recognize Mr. Fink for his opening statement.

**STATEMENT OF DAVID FINK, NOMINEE TO BE
ADMINISTRATOR, FEDERAL RAILROAD ADMINISTRATION**

Mr. FINK. Chairman Cruz, Ranking Member Cantwell, or Peters, members of the Committee, thank you for the opportunity to be here today. Being President Trump's nominee for Federal Railroad Administrator is the honor of a lifetime. I am grateful to President Trump for placing his trust in me, and I am deeply thankful to Secretary Duffy for his confidence in my abilities to lead the FRA.

I am joined today by my wife, Linda, and my son, Andrew. My daughter, Hillary, is 8 months pregnant with our first grandchild and is unable to travel. My wife and family have been very supportive of my career, and I am forever thankful for that support.

As I sit here today before the Senate Commerce, Science, and Transportation Committee, I think back to my first trip to Washington in 1966. I was five years old. My grandfather, Andy Fink, and I hopped on a Pennsylvania Railroad clocker from 30th station. We spent the day touring the city.

The thing I most remember is my visit to the Smithsonian American History Museum. In that museum is a very large, green Southern Railway steam locomotive. I still love to visit that spot and look at that locomotive. Little did I know at that time I would be a fifth-generation railroader, and nominee to lead the Federal Railroad Administration.

I got my start in the railroad industry as a 15-year-old summer track worker for Conrail in 1976. I had two co-op jobs with the Bos-

ton and Maine Railroad while at Northeastern University. After graduate school at Penn State, I worked for General Motors and was able to see the transportation user side of the railroad business. I have also worked in the railway supply business, running a railroad cross-tie manufacturing company. In 1998, I joined Guilford Rail System as Executive Vice President, and in 2006, I became President of Pan Am Railways, the Nation's largest regional railroad.

Our freight railroad system is the envy of the world. It moves what the Nation needs for energy. It moves what the population eats. It moves the parts to the automobile assembly lines, and it takes the finished vehicle to a final distribution location. It moves the containers from our ports. More importantly, it does this safely. Over the course of FRA's existence, freight rail's safety record has been on a positive trajectory for both train accidents and employee casualties. If confirmed, FRA will be dedicated to continuing that safety trend under my leadership.

The nation's rail network also moves millions of people across our great country. Amtrak, the national passenger rail system, provides intercity passenger rail service throughout and across the country, while a host of commuter rail systems provide more local service. It is critical the agency focus on its primary mission, which is one of safety first. We also need to refresh government regulations, innovating where possible and removing burdensome and outdated roadblocks.

The railroad industry in the United States has been developing state-of-the-art technology to make a safe system even safer. Much of this technology is ready to be deployed and I look forward to ensuring FRA is a partner in advancing safety innovations and not a hinderance. If confirmed, one of my first jobs will be to get this safety technology out in the field, working to make the rail system even safer.

Another way I want to ensure FRA is focused on safety and efficiency is through its grant programs, which have grown significantly over the last 4 years. I know firsthand how the Consolidated Rail Infrastructure and Safety Improvements, CRISI, program can support critical rail safety projects. I can also imagine there is room for improvement in the way FRA selects and delivers taxpayer-funded projects.

I look forward to working with the many dedicated professionals at the FRA. They have an extremely important job regulating the safe operation of our Nation's railroads. I also look forward to working with the employees of the railroads, both management and labor.

If I am fortunate to be confirmed as Administrator of the Federal Railroad Administration, I will devote myself to helping the Secretary promote safe and efficient freight and passenger transportation.

Thank you, Mr. Chairman. This concludes my statement, and I would be happy to answer the Committee's questions.

[The prepared statement and biographical information of Mr. Fink follow:]

PREPARED STATEMENT OF DAVID ARMSTRONG FINK, NOMINEE TO BE ADMINISTRATOR,
FEDERAL RAILROAD ADMINISTRATION

Chairman Cruz, Ranking Member Cantwell, Members of the Committee—

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I look forward to working with the many dedicated professionals at the FRA. They have an extremely important job regulating the safe operation of our Nation's railroads. I also look forward to working with the employees of the railroads, both management and labor.

If I am fortunate to be confirmed as Administrator of the Federal Railroad Administration, I will devote myself to helping the Secretary promote safe and efficient freight and passenger transportation.

Thank you, Mr. Chairman. That concludes my statement, and I would be happy to answer the Committee's questions.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): David Annstrong Fink.
2. Position to which nominated: Administrator, Federal Railroad Administration.

3. Date of Nomination: January 20, 2025.
4. Address (List current place of residence and office addresses):
 - Residence: Information not released to the public.
 - Office: Information not provided.
5. Date and Place of Birth: September 10, 1960; Harrisburg, PA.
6. Provide the name, position, and place of employment for your spouse (if married) or domestic partner, and the names and ages of your children (including step-children and children by a previous marriage).
 - Linda Lucas Fink, Retired
 - Hillary Elizabeth Fink, 35 Andrew Lucas Fink, 32
7. List all college and graduate schools attended, whether or not you were granted a degree by the institution. Provide the name of the institution, the dates attended, the degree received, and the date of the degree.
 - The Pennsylvania State University
 - Attended 1983 to 1984
 - MS, Business Logistics
 - Degree received: 1985
 - Northeastern University
 - Attended 1978 to 1983
 - BS in Transportation and Physical Distribution Transportation
 - Degree received: 1983
8. List all post-undergraduate employment, including the job title, name of employer, and inclusive dates of employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.
 - Transportation Specialist, General Motors Corporation 1985–1986; Non-managerial
 - Just-In-Time Coordinator, General Motors Corporation 1987; Non-managerial
 - Group Leader, General Motors Corporation 1987–1988; Managerial
 - President, Perma Treat Corporation 1988–2022; Managerial
 - Executive Vice President, Pan Am Railways 1998–2006; Managerial
 - President, Pan Am Railways 2006–2011; Managerial
 - President, Pan AM Systems 2011–2022; Managerial
 - Part-Time Lecturer, Northeastern University 2020–2024; Non-managerial
 - Presidential, Pan Am Group LLC 2022 to present; Managerial
9. Attach a copy of your résumé.
 - Attached.
10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above after 18 years of age.
 - Member, New Hampshire Department of Transportation Search Committee (*former*)
 - Member, Connecticut Public Transportation Commission (*former*)
 - Member, Wall Street Citizen's Advisory Committee, Madison CT (*former*)
 - Member, Middletown, CT School Superintendent Search Committee (*former*)
11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution.
 - Pan Am Group, LLC. Officer and Director Pan Am Railways, Officer (*former*)
 - Association Of American Railroads, Director (*former*)
 - TTX Corporation, Director (*former*)
 - Perma Treat Corp. Officer and Director
 - Alecia C. Fink 1995 Trust, Trustee
 - Middlesex County Chamber of Commerce, Officer and Director (*former*)
 - Northeastern University, Board of Visitors, Member
12. List all memberships you have had after 18 years of age or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent

or religiously affiliated organization, private club, or other membership organization (You do not have to list your religious affiliation or membership in a religious house of worship or institution). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

Member, Wentworth by The Sea Country Club, 2018 to present
 Member, Treviso Bay Golf Club, 2024 to present
 Member, Sky Meadow Country Club, 2016–2018

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

N/A.

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

N/A.

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years.

9/21/22—Chris Sununu—\$1000
 12/22/21—Responsibility & Freedom Work PAC—\$900
 10/26/21—Jerry Moran—\$931
 6/17/21—Mitch McConnell—\$1000
 9/21/20—James McGovern—\$916
 3/5/20—Mike Crapo—\$810
 1/6/20—American Short line & Regional Railroad Assn—\$250
 9/30/19—Peter DeFazio—\$400
 3/29/19—Earl Blumenauer—\$400
 3/7/19—Responsibility & Freedom Work PAC—\$400
 3/1/19—Mitch McConnell—\$1000
 2/19/19—Responsibility & Freedom Work PAC—\$630
 10/17/18—Erik Paulsen—\$220
 6/19/18—Jeff Denham—\$330
 4/25/18—Earl Blumenauer—\$330
 3/20/18—Ron Wyden—\$500
 9/20/17—Debbie Stabenow—\$830
 9/15/17—Rodney Davis—\$330
 8/29/17—Mike Kelly—\$660
 7/17/17—Kevin Yoder—\$660
 5/7/17—Chris Sununu—\$1500
 5/5/17—American Short Line & Regional Railroad Assn—\$250

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

Transportation Person of the Year 2021, Northeast Association of Rail Shippers

17. List all books, articles, columns, letters to the editor, Internet blog postings, or other publications you have authored, individually or with others. Include a link to each publication when possible. If a link is not available, provide a digital copy of the publication when available.

Union Leader (New Hampshire)
 February 8, 2013
 Another View—David Fink: When discussing passenger rail, do not forget the costs

Link: <https://www.unionleader.com/opinion/columnists/another-view-david-fink-when-discussing-passenger-rail-do-not-forget-the-costs/articlebf5fd6da-1cfb-560f-abf4-047ed7ebcf59.html>

18. List all speeches, panel discussions, and presentations (*e.g.*, PowerPoint) that you have given on topics relevant to the position for which you have been nominated. Include a link to each publication when possible. If a link is not available, provide a digital copy of the speech or presentation when available.

1. ADM
2. FHWA 2017
3. Freight Academy April 2019
4. Maine Rail Group
5. N.E. Railroad Club
6. NEARS 2016
7. Northeastern 2018
8. Northeastern 2018
9. N.S. Plastics
10. NU Transportation Industries
11. Pan Am Basics
12. Pan Am EMDC
13. Portland Oil
14. Project 747 Presentation
15. Rail Market Presentation
16. Shortline Symposium
17. TAPPI
18. Working on the Railroad

19. List all public statements you have made during the past ten years, including statements in news articles and radio and podcasts and television appearances, which are on topics relevant to the position for which you have been nominated, including dates. Include a link to each statement when possible. If a link is not available, provide a digital copy of the statement when available.

—“Fire Side Chat” with Railway Age on March 31, 2022. I do not have a video of the event.

—Transportation Infrastructure Durability Center (TIDC) at University of Maine
February 16th, 2023

Keynote: A 40 Year Retrospective of Railroading in New England

Link: <https://www.youtube.com/watch?v=G1-7Jk0SZEc>

20. List all digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the full name of an “alias” or “handle”, including the complete URL and username with hyperlinks, you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

N/A.

21. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date, committee, and subject matter of each testimony.

N/A.

22. Given the current mission, major programs, and major operational objectives of the department/agency/commission/corporation to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

As a fifth-generation railroader who started his career at the age of 15 as a summer worker on the track gang, I have seen railroading from the ground level to the C-suite. I have seen a massive change in the industry from the 1970s when a train crew had five workers and a caboose. To today, where the train crew has two members and a computer on the rear of the train replacing the caboose. I have witnessed railroads struggling, operating in bankruptcy, in the 1970s compared to today in which they're highly productive and profitable. Over the same period of time the in-

dustry has made a dramatic improvement on safety. Much of this improvement can be attributed to advancement and investment in technology. To not only survive as an industry, but to thrive, the railroad industry has transformed itself over the past half-century.

My managerial experience running the largest regional railroad in the United States has positioned me to be an effective leader in bringing necessary change to Federal Railroad Administration (FRA). As the FRA states, the mission is to “enable the safe, reliable, and efficient movement of people and goods for a strong America, now and in the future.” In recent years, the FRA’s has experienced mission creep, expanding from safety to greater grant analysis and awarding. FRA programs have grown in size, in particular the management of Amtrak grants. Further, while the industry has had a massive improvement in safety since the Staggers Act passed in 1980, recently the statistics have flattened and safety has not improved.

My industry background and experience give me a unique opportunity to come into the agency ready on day one to improve safety using new technology. My background in managing railroad grants on time and budget gives me the ability to review existing and future grants to ensure they are in the best interest of the Nation’s railroad network.

23. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency/commission/corporation has proper management and accounting controls, and what experience do you have in managing a large organization?

From 2011 to 2022, I led the Nation’s largest regional railroad, overseeing nearly 1,000 employees and managing approximately 1,500 miles of track across the Northeast United States. During this time, I was responsible for administering hundreds of millions of dollars in government grants, consistently delivering projects on time and within budget. This experience has reinforced my commitment to fiscal responsibility, accountability, and efficient project execution.

If confirmed as administrator, I will be responsible for ensuring that taxpayer dollars are managed effectively and in strict accordance with established guidelines. I recognize that the Federal Railroad Administration (FRA) has significantly expanded its role in grant administration in recent years—an area that was not originally part of its core mission. I will prioritize the proper oversight, execution, and rigorous auditing of these grants to ensure they serve the public interest. Transparency, accountability, and operational efficiency will be key focuses of my leadership, and I will make them an immediate priority upon taking office.

24. What do you believe to be the top three challenges facing the department/agency/commission/corporation, and why?

1. Following the passage of the Staggers Act, the railroad industry consistently improved safety year over year, both in employee casualty rates and train accidents. However, in recent years, this progress has plateaued. One key reason, in my view, is the FRA’s reluctance to allow the testing and implementation of new safety technologies. Advancing and adopting these innovations will be essential to renewing safety improvements.
2. In recent years, the FRA has taken on a significantly larger role as a grant administrator—an area that was not historically a core part of its mission. This expansion has shifted focus away from its primary responsibility: ensuring safety. It is critical to rebalance priorities so that safety remains at the forefront while effectively managing grant programs.
3. The FRA needs a comprehensive regulatory review and modernization effort. All regulations should be assessed and updated to align with current industry practices and technological advancements. Outdated regulations should be eliminated, and new regulations should be introduced to support the adoption of emerging technologies that enhance safety and efficiency.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts, such as a 401(k) or pension plan.

Upon confirmation, I will resign from my position with Pan Am Group LLC. I own stock in Pan Am Group LLC, and will continue to do so until the company is wound down in 2025. I have no other equity interests in the company. My current Pan Am Group LLC 401k with shift from Pan Am management to my management.

I am employed as a part-time lecturer at Northeastern University on a semester-by-semester basis. My last contract ended in December 2024. If confirmed, I will not contract to be a lecturer during my Federal appointment.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association, or other organization during your appointment? If so, please explain.

I have no commitments or agreements.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation (DOT) Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved consistent with the terms of the ethics agreement I have entered into with the DOT Designated Agency Ethics Official, which will be provided to this Committee.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

I have investments in several railroad stocks as well as business relationships with industry.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation (DOT) Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved consistent with the terms of the ethics agreement I have entered into with the DOT Designated Agency Ethics Official, which will be provided to this Committee.

5. Identify any other potential conflicts of interest and explain how you will resolve each potential conflict of interest.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation (DOT) Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved consistent with the terms of the ethics agreement I have entered into with the DOT Designated Agency Ethics Official, which will be provided to this Committee.

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

As President of Pan Am Railways the organization was a member of the Association of American Railroads (AAR) and the American Short Line and Regional Railroad Association (ASLRRRA).

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, an Inspector General, professional association, disciplinary committee, or other professional group? If yes:

- a. Provide the name of the court, agency, association, committee, or group;
- b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
- c. Describe the citation, disciplinary action, complaint, or personnel action;
- d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

No

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, municipal, or foreign government entity, other than for a minor traffic offense? If so, please explain. No.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

Yes, in 2006 I was Executive Vice President of Pan Am Railways when it had a locomotive leak fuel in Ayer, MA. The company was found guilty of not reporting the leak promptly. The top four officers were placed on probation.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain.

Yes, in 2006 I was Executive Vice President of Pan Am Railways when it had a locomotive leak fuel in Ayer, MA. The company was found guilty of not reporting the leak promptly. The top four officers were placed on probation.

5. Have you ever been accused, formally or informally, of sexual assault, sexual harassment, or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain. No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination. No.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency/commission/corporation complies with deadlines for information set by congressional committees, and that your department/agency/commission/corporation endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority? Yes.

2. Will you ensure that your department/agency/commission/corporation does whatever it can to protect congressional witnesses and whistleblowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

RÉSUMÉ OF DAVID ARMSTRONG FINK

David Armstrong Fink

Nationally recognized fifth-generation railroader with 45+ years of transportation experience. Led the largest Class II railroad in the United States with a focus on business growth, customer service, and safety.

SUMMARY

- Accomplished business leader with extensive supply chain experience across multiple transportation industries.
- Proven ability to translate strategic vision into tactical actions.
- Track record of working across all levels of an organization from the Board of Directors and senior management to junior staff and field personnel.

EXPERIENCE

Pan Am Group LLC

President

Portsmouth, NH

2022 – Present

- Negotiated the sale of Carrier Airways
- Negotiated the sale of Pan Am Brands
- Executed the closing and sale of Perma-Treat Corporation

Northeastern University D'Amore-McKim School of Business

Part-time Lecturer

Boston, MA

2020 – Present

- Developed curriculum and taught Graduate-level course focused on transportation, logistics, supply chain and information management.
- Provided students with career advice to assist in their post-graduate entrance into transportation and logistics workforce.

Pan Am Systems

President & Chief Executive Officer

North Billerica, MA

2011 – 2022

- Managed bidding process and eventual merger of Pan Am Railways to CSX Transportation for over \$600m.
- Decreased track caused accidents through the use of advanced technology.
- Negotiated the sale of the Knowledge Corridor to the Commonwealth of Massachusetts.
- Approved capital program to increase track speeds and reduce transit times.
- Reengineered the northern portion of the railroad to improve service and eliminate cost by reducing 60 miles of main line track.
- Approved purchase of upgraded locomotive fleet leading to lower emissions and increased fuel efficiency.
- Developed a stock incentive program for senior management.
- Partnered with state of Maine on several U.S. Department of Transportation CRISI Grants to improve rail infrastructure.

Pan Am Railways

President

North Billerica, MA

2006 – 2011

- Managed the nation's largest regional freight railroad, with over 1,500 miles of track and 1,000 employees.
- Led Executive-team of seven Vice Presidents covering Operations, Administration, Legal, Real Estate, Marketing, Finance, and Safety/Police.
- Negotiated \$140 million Patriot Corridor project with Norfolk Southern Corporation.
- Successfully led the transformation of the senior management team to improve customer service and profitability.
- Instituted aggressive safety program to reduce personal employee injuries and train accidents.
- Re-engineered the capital program to spend dollars more efficiently.
- Collaborated with connecting carriers to increase profitability and market share.
- Developed and managed the corporation's strategic plan, with a focus on finding solutions with strategic partners.
- Implemented a TIH shipment program to reduce the chance of terror attack.
- Negotiated numerous multi-million-dollar transportation contracts with large customers.
- Worked with union General Chairman on safety issues including hosting quarterly safety meetings with union employees.

David A. Fink

Executive Vice President

1998 – 2006

- Built strategy to manage \$60M passenger rail project. Designed and developed new intermodal operations from 0 to 50,000 units in five years.
- Negotiated sales of surplus railroad land, worked with state government on innovative environmental clean-up plans on contaminated railroad sites.
- Guided the company's project team on a five-year Massachusetts \$2B commuter rail bid.
- Managed the corporation's relationship with all levels of government. Lead regular meetings with senior leaders of Federal Government, including Chairman of the Surface Transportation Board as well as Administrator of the Federal Railroad Administration. Worked with members of the congressional delegation as well as the Governors of the New England States on railroad issues. Testified on a regular basis in front of legislative bodies. Met with local elected officials on items affecting their constituents.
- Worked extensively with the media:
 - Led the effort to improve the railroad's image in the communities it operates in.
 - Act as spokesperson for Pan Am Railways on matters relating to all aspects of the corporation.
 - Handled interviews on derailments and railroad fatalities. Frequently requested to be interviewed for local, state and trade journals.
- Improved on railroad and employee safety, including winning multiple E. H. Harriman Awards in recognition of safety excellence.

Perma-Treat Corporation**Durham, CT; Mattawamkeag, ME; Embden, ME***President*

1988 – 2022

- Successfully lead the profitable turnaround of the company in less than two years.
- Executed the purchase and reopening of a lumber manufacturing facility.
- Negotiated a unique allowance with the state agencies to facilitate the burning of creosote treated materials in an existing co-generation facility.
- Re-engineered the manufacturing facility to produce a new product line.
- Led the planning for and negotiated the permits for a new quarry operation.

General Motors Corporation**Detroit, MI; Kansas City, MO; Los Angeles, CA***Group Leader*

1987 – 1988

- Developed and implemented Just-In-Time system for automobile assembly operation.
- Managed the flow of over 1,200 parts and supervised 26 union employees.
- Promoted to Group Leader in less than two years.
- Created and instructed comprehensive policies and procedures on transportation modes.

Just-In-Time Coordinator

1987

- Developed inbound Just-In-Time transportation system for new assembly plant.
- Trained suppliers, carriers and assembly plant personnel on new Just-In-Time system.

Transportation Specialist

1985 – 1986

- Developed and implemented policies and procedures for assembly plants on transportation modes.
- Coordinated information flow from assembly and manufacturing plants to central office.
- Negotiated with carriers on special new vehicle projects.
- Coordinated new partnerships program.

The Pennsylvania State University**University Park, PA***Graduate Assistant*

1983 – 1984

- Performed research support work on transport economics and policy subject matter.

David A. Fink

AFFILIATIONS

- Member: Board of Directors, Pan Am Group LLC
- Member: Board of Directors, The Perma-Treat Corporation
- Member: Board of Visitors, Northeastern University D'Amore-McKim School of Business
- Former Member: Board of Directors, Pan Am Systems
- Former Member: Board of Directors & Audit Committee, TTX Corporation
- Former Member: Board of Directors, Association of American Railroads
- Former Member: New Hampshire Department of Transportation Deputy Commissioner Search Committee
- Former Chairman: The Middlesex County Chamber of Commerce (Connecticut)

EDUCATION

The Pennsylvania State University **University Park, PA**
Master of Science: Business Administration 1985

Northeastern University **Boston, MA**
Bachelor of Science: Transportation and Physical Distribution Management 1983

Chairman CRUZ. Thank you, Mr. Fink. I now recognize Mr. Fogel for his opening statement.

STATEMENT OF DAVID FOGEL, NOMINEE TO BE ASSISTANT SECRETARY OF COMMERCE AND DIRECTOR GENERAL, UNITED STATES AND FOREIGN COMMERCIAL SERVICE

Mr. FOGEL. Thank you. Chairman Cruz, Senator Peters, and members of the Committee, thank you for the opportunity to appear before you today for what is my second Senate confirmation hearing for the position of Assistant Secretary of Commerce for Global Markets and Director General of the U.S. and Foreign Commercial Service. I am honored to be nominated by President Donald J. Trump for this position, and I also want to thank Secretary Lutnick for his support of my nomination. I also want to thank the Committee for the opportunity to meet with many of you and your staff leading up to this hearing.

Unfortunately, my family is not able to be with me today, given that my three daughters have exams this week back in Connecticut, and they already missed 2 days of high school to attend my first confirmation hearing. I do, however, want to thank my sister, Linda, for attending and joining us today.

The Global Markets Division of the Department of Commerce plays a key role in implementing the priorities of President Trump and supporting the Administration's goals of strengthening the American economy, supporting and creating American jobs, and boosting our economic and national security. The Global Markets team works with foreign governments to ensure fair access for U.S. companies, promotes the export of goods and services for U.S. companies of all sizes, and facilitates foreign direct investment into the United States. In many respects, my private and public sector experience, as well as my educational background, have prepared me well for this important responsibility.

From a young age, my father instilled in me a strong sense of public service. His encouragement led me to attend the Georgetown School of Foreign Service. I stayed at Georgetown for four more years to earn my JD and MBA degrees. While in school, I interned for all three branches of the Federal Government—in the White House, on Capitol Hill for two U.S. Senators, and for a Federal judge—as well as for former U.N. Ambassador, Jeane Kirkpatrick.

My professional career began at Sullivan & Cromwell in New York City as a corporate attorney focused on domestic and international transactions. From there I went on to build three companies in three innovative sectors, continuing to negotiate cross-border transactions and manage large teams.

I also had the privilege of serving in President Trump's first administration. Initially, I was the Chief of Staff at the Export-Import Bank, where I helped oversee a team of professionals who executed billions of dollars of transactions for small, medium, and large U.S. companies. I also helped establish the bank's new financing program to compete with China, which the U.S. Congress had just wisely mandated. Subsequently, I moved over to the State Department where I served as Senior Advisor and Chief Business Development Officer under Keith Krach, the Under Secretary for

Economic Growth. There, I continued my work helping U.S. companies compete with China and win deals abroad.

I hope to leverage all of my experience to help execute the Trump administration's strategy of expanding exports abroad while increasing investments here at home. Our great American businesses produce the best goods and services in the world. They just need a level playing field to compete and succeed in the global marketplace. If confirmed, I will work closely with the members of this Committee, and with Congress as a whole, to ensure that Global Markets Unit of the International Trade Administration is as effective and successful as possible.

Thank you again for your consideration of my nomination, and I look forward to answering your questions.

[The prepared statement and biographical information of Mr. Fogel follow:]

PREPARED STATEMENT OF DAVID L. FOGEL, NOMINEE FOR ASSISTANT SECRETARY FOR GLOBAL MARKETS AND DIRECTOR GENERAL OF THE U.S. AND FOREIGN COMMERCIAL SERVICE, U.S. DEPARTMENT OF COMMERCE

Chairman Cruz, Ranking Member Cantwell, and Members of the Committee—thank you for the opportunity to appear before you today for what is my second Senate confirmation hearing for the position of Assistant Secretary of Commerce for Global Markets and Director General of the U.S. and Foreign Commercial Service. I am honored to be nominated by President Donald J. Trump for this position, and I also want to thank Secretary Lutnick for his support for my nomination. I also want to thank the Committee for the opportunity to meet with many of you and your staff leading up to this hearing.

Unfortunately, my family is not able to be with me today, given that my three daughters have exams this week back in Connecticut, and they already missed two days of high school to attend my first confirmation hearing. I do, however, want to thank my sister Linda for attending and joining us today.

The Global Markets division of the Department of Commerce plays a key role in implementing the priorities of President Trump and supporting the Administration's goals of strengthening the American economy, supporting and creating American jobs, and boosting our economic and national security. The Global Markets team (1) works with foreign governments to ensure fair access for U.S. companies, (2) promotes the export of goods and services for U.S. companies of all sizes, and (3) facilitates foreign direct investment into the United States.

My private and public sector experience, as well as my educational background, have prepared me well for this important responsibility.

From a young age, my father instilled in me a strong sense of public service. His encouragement led me to attend the Georgetown School of Foreign Service. I stayed at Georgetown for four more years to earn my JD and MBA degrees. While in school, I interned for all three branches of the Federal government—in the White House, on Capitol Hill for two U.S. senators, and for a Federal judge—as well as for former UN Ambassador, Jeane Kirkpatrick.

My professional career began at Sullivan & Cromwell in NYC as a corporate attorney focused on domestic and international transactions. From there I went on to build three companies in three innovative sectors, continuing to negotiate cross-border transactions and manage large teams.

I had the privilege of serving in President Trump's first administration. Initially, I was the Chief of Staff at the Export-Import Bank, where I helped oversee a team of professionals who executed billions of dollars of transactions for small, medium, and large U.S. companies. I also helped establish the Bank's new financing program to compete with China, which the U.S. Congress had just wisely mandated. Subsequently, I moved over to the State Department where I served as Senior Advisor and Chief Business Development Officer under Keith Krach, the Under Secretary for Economic Growth. There, I continued my work helping U.S. companies compete with China and win deals abroad.

I hope to leverage all of my experience to help execute the Trump Administration's strategy of expanding exports abroad while increasing investments here at home. Our great American businesses produce the best goods and services in the

world—they just need a level playing field to compete and succeed in the global marketplace.

If confirmed, I will work closely with the members of this Committee, and with Congress as a whole, to ensure that Global Markets unit of the International Trade Administration is as effective and successful as possible.

Thank you again for your consideration of my nomination, and I look forward to answering your questions.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): David L. Fogel.
2. Position to which nominated: Assistant Secretary of Commerce (Global Markets) & Director General of the U.S. and Foreign Commercial Service.
3. Date of Nomination: 2/11/2025.
4. Address (List current place of residence and office addresses):

Residence: Information not released to the public.

Office: Information not provided.

5. Date and Place of Birth: May 28, 1971; Rochester, NY.

6. Provide the name, position, and place of employment for your spouse (if married) or domestic partner, and the names and ages of your children (including step-children and children by a previous marriage).

Wife: Meade Y. Fogel Employment: Homemaker (current and past).

7. List all college and graduate schools attended, whether or not you were granted a degree by the institution. Provide the name of the institution, the dates attended, the degree received, and the date of the degree.

Institution	Dates Attended	Degree(s) Received	Date(s) of Degree(s)
Georgetown University Law Center	1993–1997	JD	May 1997
Georgetown University McDonough School of Business	1993–1997	MBA	May 1997
Georgetown University Walsh School of Foreign Service	1990–1993	BSFS N/A	May 1993 N/A
Washington University (St. Louis) [transferred after 1 year]	1989–1990		

8. List all post-undergraduate employment, including the job title, name of employer, and inclusive dates of employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

Employer	Position	Dates of Service
North Country Colocation Services Corp. (NCCS) [sold to NYDIG LLC 8/2024]	CEO Consultant	2/22–Present 11/21–2/22
Georgetown University Law Center	Adjunct Professor	2018–Present
Bitwise Funds Trust	Trustee	9/2022–Present
U.S. Department of State	Assistant Secretary for Economic and Business Affairs (Nominee Only)	11/20 Nomination
	Senior Advisor to the Under Secretary of State for Economic Growth	9/20–1/21
Export-Import Bank of the United States	Chief of Staff	6/19–9/20
New York Life	Managing Director and Advisor	4/15–12/18
IndexIQ LLC [sold to New York Life 4/2015]	President and COO	6/06–12/18
Groton Partners LLC	Vice President	1/05–6/06
Circle Peak Capital LLC	Co-Founder and Principal	1/03–1/05
Udata Partners	Consultant	2002
TheStreet.com, Inc.	Vice President	1/01–2002

Employer	Position	Dates of Service
SmartPortfolio.com, Inc. [sold to TheStreet.com 12/2020]	Co-Founder and Vice President	5/99–12/00
Sullivan & Cromwell LLP	Associate	9/97–4/99

9. Attach a copy of your résumé.

See attachment.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above after 18 years of age.

Government Entity	Position	Dates of Service
U.S. Department of State	Assistant Secretary for Economic and Business Affairs (Nominee Only)	11/20 Nomination
	Senior Advisor to the Under Secretary of State for Economic Growth	9/20–1/21
Export-Import Bank of the United States	Chief of Staff	6/19–9/20
Town of Fairfield, CT Representative Town Meeting (RTM) [local government/comparable to a town council]	District Representative [interim appointment to fill vacancy of departing member; did not run for office]	11/18–6/19
Sen. Fred Thompson (TN)	Intern	Summer 1997
U.S. District Judge Michael Telesca (WD–NY)	Intern	Summer 1994
U.S. Ambassador to the United Nations, Jeane Kirkpatrick	Intern	Summer 1993
White House	Intern	Summer 1992
Sen. Alphonse D'Amato (NY)	Intern	Summer 1991

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution.

See responses to Questions 8 and 12, which include all information requested—no other positions.

12. List all memberships you have had after 18 years of age or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization (You do not have to list your religious affiliation or membership in a religious house of worship or institution). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

See below. None of the clubs or organizations restrict membership in these ways.

Organization	Office Held (if any)	Dates of Membership
<i>Educational</i>		
Georgetown University Law Center, Washington, D.C.	Adjunct Professor	2018–2024
Georgetown University McCourt School of Public Policy, Washington, D.C.	Board of Advisors	2022–Present
Georgetown University McDonough School of Business, Washington, D.C.	Board of Advisors	2015–2019
Georgetown University McDonough School of Business, Washington, D.C.	Entrepreneur-in-Residence	2018–2019
Georgetown University Wall Street Alliance, New York, New York	Member, Board of Advisors	2004–2019
<i>Civic</i>		

Organization	Office Held (if any)	Dates of Membership
Global Tech Security Commission	Commissioner (Development Finance)	2022–2024
Atlantic Council	Nonresident Senior Fellow Member—Gray Zone Task Force	2022–2024 2022–2023
Krach Institute for Tech Diplomacy Freedom House	Member—Advisory Council Member, Board of Trustees	2022–Present 2016–2019, 2022–Present
Citizens Union of the City of New York	Member, Board of Trustees	2002–2008
Landmarks Conservancy of New York City	Member, Board of Directors	2007–2010
<i>Charitable</i> Horizons of Sacred Heart University	Board of Directors	2021–Present
<i>Professional</i> New York State Bar Association	Member	2008–Present
<i>2</i> American Bar Association	Member	2008–Present
<i>Other</i> National Rifle Association	Member	2008–Present
Federalist Society	Member	2019–Present
Republican Jewish Coalition	Member	2009–Present
<i>Social Club Memberships</i> Country Club of Fairfield (Fairfield, CT)		2020–Present
Eastward Ho! Golf Club (Chatham, MA)		2017–Present
Cape Cod National Golf Club (Brewster, MA)		2011–Present
Gulf Stream Golf Club (Gulf Stream, FL)		2021–Present
Idle Hour Country Club (Lexington, KY)		2005–Present
Ten Mile River Preserve (Dover Plains, NY)		2015–Present
The University Club of NY (New York, NY)		2005–Present
The Links Club (New York, NY)		2009–Present
Ned's Club (New York, NY)		2024–Present
The Metropolitan Club (Washington, DC)		2022–Present
Capitol Hill Club (Washington, DC)		2021–Present
<i>2</i> Gulf Stream Bath and Tennis Club (Gulf Stream, FL)		2015–Present
Chatham Beach and Tennis Club (Chatham, MA)		2005–Present
Stage Harbor Yacht Club (Chatham, MA)		2016–Present

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

I have never been a candidate. See response to #10 for public offices held.

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

N/A.

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years. *See attachment.*

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

Organization	Type	Date Received
Export-Import Bank of the United States	Distinguished Service Award	September 2020
Georgetown University McDonough School of Business	Dean's Award	September 2016
Georgetown University Alumni Association	Entrepreneur of the Year Award	May 2016
Georgetown University Law Center	—Magna Cum Laude —Order of the Coif —Law Review, Georgetown Law Journal	May 1997 May 1997 1995–1997
Georgetown University School of Foreign Service	—Summa Cum Laude —Phi Beta Kappa —J. Raymond Trainor Award (highest overall GPA in international politics courses) —W. Coleman Nevils Medal (excellence in the study of U.S. diplomatic history)	May 1993

17. List all books, articles, columns, letters to the editor, Internet blog postings, or other publications you have authored, individually or with others. Include a link to each publication when possible. If a link is not available, provide a digital copy of the publication when available.

To the best of my recollection and based on searches I conducted, my responses are below.

Title	Publisher/Periodical/Source	Date
“Guest Viewpoint: North Country Data Center’s future thwarted by proposed regulations”	North Country Now https://www.northcountrynow.com/stories/north-country-data-centers-future-thwarted-by-proposed-regulations,236005?	4/12/24
“What Russia’s war in Ukraine shows the U.S. about hybrid conflict with China”—Section entitled “When it comes to China, the West can’t rely on an economic strategy designed to weaken Russia”	Atlantic Council https://www.atlanticcouncil.org/content-series/hybrid-warfare-project/what-russias-war-in-ukraine-shows-the-us-about-hybrid-conflict-with-china/#david-fogel	4/21/23
“Scoping the gray zone: Defining terms and policy priorities for engaging competitors below the threshold of conflict”—Section entitled “Involving economic policies and institutions”	Atlantic Council https://www.atlanticcouncil.org/content-series/strategic-insights-memos/scoping-the-gray-zone-defining-terms-and-policy-priorities-for-engaging-competitors-below-the-threshold-of-conflict/	12/22/22
“The National Defense Strategy shows the Pentagon’s increased focus on the gray zone. Here’s what that means.”—Section entitled “How can the U.S. government and private sector complement traditional military efforts?”	Atlantic Council https://www.atlanticcouncil.org/content-series/hybrid-warfare-project/the-national-defense-strategy-shows-the-pentagons-increased-focus-on-the-gray-zone-heres-what-that-means/	12/13/22

18. List all speeches, panel discussions, and presentations (e.g., PowerPoint) that you have given on topics relevant to the position for which you have been nominated. Include a link to each publication when possible. If a link is not available, provide a digital copy of the speech or presentation when available.

To the best of my recollection and based on searches I conducted, my responses are below.

Title	Publisher/Periodical/Source	Date
“EXIM Staff Participates in Roundtable Discussion with Business Leaders in Serbia”	EXIM Website https://www.exim.gov/news/exim-staff-participates-roundtable-discussion-business-leaders-serbia	9/22/20
“Remarks on EXIM’s Review Process for EXIM’s Economic Impact Procedures and Additionality Guidelines”	EXIM Website https://www.exim.gov/news/archives/speeches/re-marks-exims-review-process-for-exims-economic-impact-procedures-and	5/21/20

19. List all public statements you have made during the past ten years, including statements in news articles and radio and podcasts and television appearances, which are on topics relevant to the position for which you have been nominated, including dates. Include a link to each statement when possible. If a link is not available, provide a digital copy of the statement when available.

To the best of my recollection and based on searches I conducted, my responses are below.

Title	Publisher/Periodical/Source	Date
“Massena Bitcoin mining operation set to receive significant investment for expansion at former Alcoa East plant”	North Country Now https://www.northcountrynow.com/stories/massena-bitcoin-mining-operation-set-to-receive-significant-investment-for-expansion-at-former,268559	10/21/24
“Town of Massena passes crypto mining regulations after years-long moratorium”	North Country Now https://www.northcountrynow.com/stories/town-of-massena-passes-crypto-mining-regulations-after-years-long-moratorium,264675	9/28/24
“Town of Massena to weigh adopting crypto regulations, overriding 2 percent tax cap in Sept. 18 public hearings”	North Country Now https://www.northcountrynow.com/stories/town-of-massena-to-weigh-adopting-crypto-regulations-overriding-2-tax-cap-in-sept-18-public,262445	9/16/24
“Crypto regulations under review in Massena, nearing finish line”	North Country Now https://www.northcountrynow.com/stories/crypto-regulations-under-review-in-massena-nearing-finish-line,250030	7/6/24
“Massena crypto regulations nearly finalized, county review planned”	North Country Now https://www.northcountrynow.com/stories/massena-crypto-regulations-nearly-finalized-county-review-planned,243309	5/25/24
“Massena town board extends crypto moratorium again, potentially delaying \$100 million expansion project for one operation”	North Country Now https://www.northcountrynow.com/stories/massena-town-board-extends-crypto-moratorium-again-potentially-delaying-100-million-expansion,240823	5/9/24
“Massena crypto regulations nearly finalized but one operation pushes back on language in proposal”	North Country Now https://www.northcountrynow.com/stories/massena-crypto-regulations-nearly-finalized-but-one-operation-pushes-back-on-language-in-proposal,232905?	3/22/24

20. List all digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the full name of an “alias” or “handle”, including the complete URL and username with hyperlinks, you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

Facebook: <https://www.facebook.com/david.fogel.946> [david.fogel.946]

Instagram: <https://www.instagram.com/david.fogel.946/> [david.fogel.946]

X/Twitter: <https://x.com/legofdavid> [legofdavid]

Truth Social: <https://truthsocial.com/@legofdavid> [@legofdavid]

21. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date, committee, and subject matter of each testimony.

Nomination Hearing (same position), U.S. Senate Committee on Banking, Housing and Urban Affairs, 4/10/2025

22. Given the current mission, major programs, and major operational objectives of the department/agency/commission/corporation to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

- Experienced and accomplished business executive and entrepreneur across multiple sectors.
- Extensive transaction and business development experience.
- Served in international economic diplomacy and commercial roles at Export-Import Bank of the United States and State Department (Economic Division) from June 2019–January 2021.
 - These roles specifically included advocating for U.S. business interests in foreign countries.
 - I participated in three U.S. multi-agency economic delegation trips in 2020, including approximately 15 countries across Europe, Africa, Latin America and Asia.
- Continued international economic policy engagement post-departure through service with Atlantic Council, Krach Institute, and Global Tech Security Commission, as described above.
- Degree in Foreign Service from Georgetown Walsh School of Foreign Service, MBA from Georgetown, and JD from Georgetown.

23. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency/commission/corporation has proper management and accounting controls, and what experience do you have in managing a large organization?

Effective management and financial controls are essential in any organization. I have led three businesses in three different industries during my long career in the private sector. In addition, I served as the chief of staff at the Export-Import Bank and as the senior advisor and chief business development officer at the State Department. In all of these roles, strong leadership and active management, including over financial controls, were key. For the government positions, my goals were the careful stewardship of taxpayer funds and collaborative leadership with my team in fulfilling the Administration's priorities. For the private sector, I ensured each company was operating at peak efficiency, while maximizing the potential of my employees.

24. What do you believe to be the top three challenges facing the department/agency/commission/corporation, and why?

Global Markets in the International Trade Administration occupies a key role supporting the trade policies of the President. This critical task, however, comes with several significant challenges:

1. The global landscape for foreign direct investment is incredibly competitive. One of my top objectives at Global Markets will be increasing the share of FDI into the U.S.
2. The private sector in the United States often faces many hurdles to access foreign markets, between tariffs and non-tariff trade barriers. Fighting for American businesses to ensure we are competing on a level playing field will take significant effort.
3. Lastly, close coordination and collaboration within ITA and across other Federal departments and agencies will be vital to our success at Global Markets.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts, such as a 401(k) or pension plan.

As described in my Form 278 Sections 2 and 3 and Ethics Agreement, I will have limited continuing dealings with former employers:

- My equity in NYDIG LLC was received in connection with the acquisition of North Country Colocation Services Corp. (NCCS), my past and current employer, in 2024. NCCS is now a wholly-owned indirect subsidiary of NYDIG. Upon confirmation, I will have no ongoing financial arrangements with NYDIG or NCCS, except for (1) continuing to hold the NYDIG LLC interests and (2) maintaining a relatively small 401K account with NYDIG (the plan sponsor will not make further contributions after my separation).
- I am resigning from the Board of Ligilo, Inc. on April 15, 2025. After separation, I will retain my equity investment in Ligilo and my vested stock options received in connection with my Board service.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association, or other organization during your appointment? If so, please explain.

No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

I have worked with lawyers in the Ethics Department of the Department of Commerce to identify and resolve potential conflicts of interest. That resolution is memorialized in my Ethics Agreement that has been reviewed and approved by the Department of Commerce and the Office of Government Ethics. Upon confirmation, I will abide by the terms of my Ethics Agreement and follow applicable government ethics laws and regulations based on guidance from the Ethics Office of the Department of Commerce.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

None, other than already disclosed in my responses to #s 1 and 3 above.

5. Identify any other potential conflicts of interest and explain how you will resolve each potential conflict of interest. None.

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

As CEO of NCCS, I advocated against the adoption of cryptocurrency mining regulations by the Town of Massena, NY. See this link for more information: <https://www.northcountrynow.com/stories/north-country-data-centers-future-thwarted-by-proposed-regulations,236005?>

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, an Inspector General, professional association, disciplinary committee, or other professional group? If yes:

- a. Provide the name of the court, agency, association, committee, or group;
- b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
- c. Describe the citation, disciplinary action, complaint, or personnel action;
- d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, municipal, or foreign government entity, other than for a minor traffic offense? If so, please explain. No.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain. No.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain. No.

5. Have you ever been accused, formally or informally, of sexual assault, sexual harassment, or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain. No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination. None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency/commission/corporation complies with deadlines for information set by congressional committees, and that your department/agency/commission/corporation endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority?

Yes, as appropriate.

2. Will you ensure that your department/agency/commission/corporation does whatever it can to protect congressional witnesses and whistleblowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee?

Yes, as appropriate.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

(Nominee is to include this signed affidavit along with answers to the above questions.)

RÉSUMÉ OF DAVID L. FOGEL

DAVID L. FOGEL
[REDACTED]

Summary Background

- Successful entrepreneur/business executive who has built and sold 3 financial-related businesses:
 - Large crypto mining company sold to NYDIG, a diversified alternative asset/crypto company
 - Early ETF company sold to New York Life (Fortune 75 company)
 - Early Internet company sold to TheStreet.com (former ticker: TSCM)
- Proven business executive with management, operations, finance, legal/ compliance, and sales experience.
- Private investment professional with experience evaluating, executing, and monitoring investments.
- Former corporate lawyer with focus on mergers and acquisitions, securities, and banking law.
- Active in public service, previously serving in senior positions at U.S. State Department and EXIM Bank.

Professional Experience

NCCS / COINMINT (Sold to NYDIG / Stone Ridge Asset Mgmt) Massena, NY 2021 – Present
Chief Executive Officer

- Led business turnaround, growth and sale of large crypto mining company (~5.5 Exahash and 176 MW) utilizing clean hydro-electric power with 85 employees, > \$100 million in revenue, and significant profits.
- Responsible for all facets of the business, including: management of executive team; customer relationships; operations at two facilities; power purchasing and management; financial reporting and budgeting; regulatory affairs at federal, state and local level; external public affairs; and legal/corporate/HR.
- Executed sale process to NYDIG, including: retaining financial and legal advisors; structuring deal; preparing selling memoranda and financial data; conducting management presentations to numerous bidders; and negotiating principal deal terms and agreements.

UNITED STATES DEPARTMENT OF STATE Washington, DC 2020 – 2021
OFFICE OF THE UNDER SECRETARY FOR ECONOMIC GROWTH, ENERGY, AND THE ENVIRONMENT
Assistant Secretary of State for Economic and Business Affairs (2020 Nominee)

Senior Advisor and Chief Business Development Officer

- Advised the Under Secretary on all matters related to promoting U.S. economic interests around the world.
- Coordinated inter-agency, foreign government, and private sector engagement on U.S. government financing efforts in global markets, particularly in telecom/5G, energy, and infrastructure sectors.
- Represented State Department (and EXIM) on inter-agency economic delegation and diplomatic trips to Europe, Africa, Middle East, Latin America, and Asia involving meetings with foreign leaders, ministers, and businesses.

EXPORT-IMPORT BANK OF THE UNITED STATES (EXIM) Washington, DC 2019 – 2020

Chief of Staff

- Managed policy, strategy, and day-to-day operations as number two official of 500-person independent agency.
- Coordinated with White House, other departments and agencies, Congress, U.S. exporters, foreign businesses and governments, and other external stakeholders on policy matters and transactions.
- Facilitated transactions for Board and analyzed financial/risk, legal, national security, and political considerations.
- Addressed policy and legal issues in establishing new transformative financing program to compete with China.
- Led agency response to COVID-19 pandemic, including coordinating emergency measures to assist U.S. exporters, co-chairing agency task force, running daily leadership calls, and managing operational issues.

- NEW YORK LIFE / INDEXIQ (Sold to New York Life)** Rye Brook, NY 2006 – 2018
Managing Director of NY Life / Co-Founder, President, COO & CFO of IndexIQ
- Jointly led indexing and ETF company through formation, multiple financings, growth, and 2015 sale to New York Life (Fortune 75 Company); managed business through post-acquisition transition, integration and scaling.
 - Responsible for all daily operations, including: product development; portfolio management and trading; corporate financial reporting and budgeting; fund operations and finance; legal and compliance; regulatory affairs; investor relations; administrative (e.g., banking, HR / benefits, and taxes); and IT / cybersecurity.
 - Executed sale process to New York Life, including: retaining financial and legal advisors; structuring deal; preparing selling memoranda and financial data; conducting management presentations to numerous bidders; and negotiating principal deal terms and agreements.
- GROTON PARTNERS LLC** New York, NY 2005 – 2006
Vice President
- Engaged primarily in private investments and financial advisory activities for boutique merchant bank.
- CIRCLE PEAK CAPITAL LLC** New York, NY 2003 – 2005
Co-Founder and Principal
- One of two senior principals of private equity firm focused on small/mid-cap consumer product companies.
- UPDATA PARTNERS** Red Bank, NJ 2002 – 2003
Consultant
- Identified and evaluated attractive industries for investment and contacted potential target companies.
- THESTREET.COM, INC.** New York, NY 2001 – 2002
Vice President, New Product Development
- Served as senior executive for public company following successful acquisition of SmartPortfolio.com.
- SMARTPORTFOLIO.COM, INC. (Sold to TheStreet.com)** Lakeland, FL 1999 – 2000
Co-Founder and Vice President
- Jointly led profitable online financial newsletter company through formation, growth to 250,000 subscribers, and sale to publicly traded company following a competitive auction process.
- SULLIVAN & CROMWELL LLP** New York, NY 1997 – 1999
Associate
- Corporate attorney focused primarily on mergers and acquisitions, securities and banking law.

Education

- Georgetown University Law Center and Graduate School of Business Administration – JD/MBA 1997**
- Magna Cum Laude and Order of the Coif* (JD)
 - Law Review: Book Reviews and Essays Editor, Georgetown Law Journal (JD)
 - Concentration in Finance (MBA)
- Georgetown University School of Foreign Service – BSFS 1993**
- Summa Cum Laude and Phi Beta Kappa*
 - J. Raymond Trainor Award (highest overall GPA in international politics courses)
 - W. Coleman Nevils Medal (excellence in the study of U.S. diplomatic history)

Other Civic and Non-Profit Engagement and Awards

CIVIC ENGAGEMENT

Global Tech Security Commission

- Commissioner for Development Finance (2022 – Present)
- Recruited and led 8-member advisory council of development and export finance experts to develop recommendations for competing with China across tech sectors

Atlantic Council

- Nonresident Senior Fellow (2022 – Present)
- Member - Gray Zone Task Force (2022 – 2023)

Krach Institute for Tech Diplomacy

- Member – Advisory Council (2022 – Present)

Freedom House

- Member of Board of Trustees (2016-2019, 2022-Present), Former Co-Chair of 2018 Annual Freedom Awards Dinner, Former Chair of Development Committee and Former member of Board Executive Committee (2018-2019 and 2022-Present)

Early Political Internships

- Interned in White House under President George H.W. Bush (1992), in U.S. Senate for Senator Al D'Amato (1991) and Senator Fred Thompson (1997), for federal judge appointed by President Reagan (1994), and for former UN Ambassador Jeane Kirkpatrick (1993)

GEORGETOWN UNIVERSITY

Georgetown University Law Center

- Adjunct Professor in Entrepreneurship (2018 – Present)

Georgetown University McCourt School of Public Policy

- Board of Advisors (2015-2019)
- Endowed scholarships for conservative students seeking master's degrees in public policy

Georgetown University McDonough School of Business

- Board of Advisors (2015-2019)
- Entrepreneur-in-Residence (2018-19)

Georgetown University Wall Street Alliance

- Board of Advisors (2008-2019)

AWARDS

- Distinguished Service Award (EXIM – 2020)
- Entrepreneur of the Year Award (Georgetown University Alumni Association – 2016)
- Dean's Award (Georgetown McDonough School of Business – 2016)

POLITICAL DONATIONS SCHEDULE: DAVID FOGEL

Recipient (Federal)	Year	Date	Amount
COTTON MAJORITY COMMITTEE	2025	2/18/25	\$7,000
TEAM NUNN	2025	2/8/25	\$6,600
CURTIS BASHAW FOR U.S. SENATE, INC.	2024	11/5/24	\$1,000
REPUBLICAN NATIONAL COMMITTEE	2024	10/23/24	\$4,901
REPUBLICAN NATIONAL COMMITTEE	2024	10/23/24	\$5,099
TRUMP 47 COMMITTEE, INC.	2024	10/23/24	\$10,000
SCHMITT FOR SENATE	2024	10/21/24	\$6,600
CURTIS BASHAW FOR U.S. SENATE, INC.	2024	9/25/24	\$3,300
ROUNDS FOR SENATE	2024	9/21/24	\$3,300
REPUBLICAN NATIONAL COMMITTEE	2024	9/10/24	\$21,700
COTTON MAJORITY COMMITTEE	2024	9/10/24	\$5,000
NRSC	2024	9/10/24	\$5,000
TRUMP 47 COMMITTEE, INC.	2024	9/10/24	\$21,700
THE EYE OF THE TIGER POLITICAL ACTION COMMITTEE	2024	9/9/24	\$5,000
SCALISE FOR CONGRESS	2024	9/9/24	\$3,300
EMMER FOR CONGRESS	2024	9/9/24	\$1,041
SCALISE LEADERSHIP FUND 2024	2024	9/4/24	\$10,000
EMMER MAJORITY BUILDERS	2024	9/4/24	\$1,041
ANDY BARR FOR CONGRESS, INC.	2024	9/4/24	\$1,000
MICHAEL WALTZ FOR CONGRESS	2024	8/31/24	\$3,300
NEVER SURRENDER, INC.	2024	8/30/24	\$3,300
NEVER SURRENDER, INC.	2024	8/30/24	\$3,300
REPUBLICAN NATIONAL COMMITTEE	2024	8/30/24	\$14,226
TRUMP 47 COMMITTEE, INC.	2024	8/30/24	\$25,826
SAVE AMERICA	2024	8/30/24	\$5,000
LAWLER VICTORY FUND	2024	7/30/24	\$3,300
LAWLER FOR CONGRESS, INC.	2024	7/30/24	\$3,300
NEVER SURRENDER, INC.	2024	7/16/24	\$3,300
TRUMP 47 COMMITTEE, INC.	2024	7/16/24	\$3,300
GSL PAC	2024	6/25/24	\$3,300
MICHAEL WALTZ FOR CONGRESS	2024	6/17/24	\$1,700
MICHAEL WALTZ FOR CONGRESS	2024	6/17/24	\$3,300
SERVANT LEADERSHIP FUND	2024	6/9/24	\$5,000
BERNIE MORENO FOR SENATE	2024	5/16/24	\$1,000
EMMER MAJORITY BUILDERS	2024	5/13/24	\$1,500
EMMER FOR CONGRESS	2024	5/13/24	\$1,500
TEAM MORENO	2024	5/11/24	\$1,000
GEORGE LOGAN FOR CONGRESS	2024	5/10/24	\$3,300
IOWANS FOR ZACH NUNN	2024	5/5/24	\$3,300
IOWANS FOR ZACH NUNN	2024	5/5/24	\$3,300
REPUBLICAN MAJORITY FUND	2024	5/1/24	\$5,000
COTTON MAJORITY COMMITTEE	2024	5/1/24	\$10,000
NRSC	2024	5/1/24	\$5,000
TEAM MCCORMICK	2024	3/29/24	\$3,300
REPUBLICAN FEDERAL COMMITTEE OF PENNSYLVANIA	2024	3/29/24	\$3,300
REPUBLICAN NATIONAL COMMITTEE	2024	2/16/24	\$275
LAWLER FOR CONGRESS, INC.	2024	2/6/24	\$2,023
NRSC	2024	1/29/24	\$41,300
GEORGE LOGAN FOR CONGRESS	2023	12/17/23	\$3,300
FRIENDS OF DAVE MCCORMICK	2023	12/16/23	\$3,300
TEAM MCCORMICK	2023	12/16/23	\$3,300
COTTON FOR SENATE, INC.	2023	10/11/23	\$400
COTTON FOR SENATE, INC.	2023	10/11/23	\$400
COTTON MAJORITY COMMITTEE	2023	10/11/23	\$2,500
NRSC	2023	10/11/23	\$1,700
GEORGE LOGAN FOR CONGRESS	2023	10/8/23	\$3,300
STAND FOR AMERICA PAC	2023	9/29/23	\$3,300
TEAM STAND FOR AMERICA	2023	9/29/23	\$3,300
FRIENDS OF DAVE MCCORMICK	2023	9/24/23	\$3,300
NIKKI HALEY FOR PRESIDENT INC.	2023	5/25/23	\$3,300
COTTON MAJORITY COMMITTEE	2023	5/25/23	\$5,000
REPUBLICAN MAJORITY FUND	2023	5/25/23	\$5,000

POLITICAL DONATIONS SCHEDULE: DAVID FOGEL—Continued

Recipient (Federal)	Year	Date	Amount
ANDY BARR FOR CONGRESS, INC.	2023	3/26/23	\$2,300
ANDY BARR FOR CONGRESS, INC.	2023	3/26/23	\$3,300
TIM SCOTT FOR AMERICA	2023	3/19/23	\$1,500
TIM SCOTT FOR AMERICA	2023	3/19/23	\$1,500
NRSC	2023	2/7/23	\$41,300
REPUBLICAN NATIONAL COMMITTEE	2023	1/12/23	\$250
ROSENDALE VICTORY FUND	2022	9/24/22	\$1,500
MATT ROSENDALE FOR MONTANA	2022	9/24/22	\$1,500
SCHELLER FOR CONGRESS, INC.	2022	8/16/22	\$1,000
LEORA LEVY FOR U.S. SENATE, INC.	2022	7/21/22	\$1,000
MICHAEL WALTZ FOR CONGRESS	2022	7/5/22	\$900
MICHAEL WALTZ FOR CONGRESS	2022	7/5/22	\$2,000
SERVANT LEADERSHIP FUND	2022	6/25/22	\$2,000
MICHAEL WALTZ FOR CONGRESS	2022	6/25/22	\$2,000
AMERICAN VALUES FIRST	2022	5/2/22	\$2,500
JAYME STEVENSON FOR CONGRESS	2022	4/2/22	\$2,900
STAND FOR AMERICA PAC	2022	4/2/22	\$5,000
BOGNET FOR CONGRESS	2022	3/3/22	\$2,900
COTTON VICTORY	2022	2/21/22	\$5,800
REPUBLICAN MAJORITY FUND	2022	2/21/22	\$5,000
COTTON FOR SENATE, INC.	2022	2/21/22	\$800
RON JOHNSON FOR SENATE, INC.	2022	2/2/22	\$500
REPUBLICAN NATIONAL COMMITTEE	2022	1/26/22	\$1,100
RON JOHNSON VICTORY	2022	1/24/22	\$500
DAVE MCCORMICK FOR U.S. SENATE	2022	1/13/22	\$2,900
NRSC	2021	11/29/21	\$36,500
TAMIKA HAMILTON FOR CONGRESS	2021	11/12/21	\$1,000
FRIENDS OF TODD YOUNG, INC.	2021	10/25/21	\$5,800
BOGNET FOR CONGRESS	2021	10/23/21	\$2,900
JOHN KENNEDY FOR US	2021	10/4/21	\$2,900
DAN CRENSHAW VICTORY COMMITTEE	2021	9/24/21	\$5,800
DAN CRENSHAW FOR CONGRESS	2021	9/24/21	\$2,900
DAN CRENSHAW FOR CONGRESS	2021	9/24/21	\$2,900
GEORGE LOGAN FOR CONGRESS	2021	9/21/21	\$2,900
GEORGE LOGAN FOR CONGRESS	2021	9/21/21	\$2,900
ROSENDALE VICTORY FUND	2021	9/3/21	\$2,900
MATT ROSENDALE FOR MONTANA	2021	9/3/21	\$2,900
CHAMPION AMERICAN VALUES	2021	8/8/21	\$5,000
COTTON VICTORY	2021	5/23/21	\$10,000
REPUBLICAN MAJORITY FUND	2021	5/23/21	\$5,000
COTTON FOR SENATE, INC.	2021	5/23/21	\$2,100
COTTON FOR SENATE, INC.	2021	5/23/21	\$2,900
MORAN VICTORY COMMITTEE	2021	3/23/21	\$2,900
MORAN FOR KANSAS	2021	3/23/21	\$2,900
STAND FOR AMERICA PAC	2021	3/8/21	\$5,000
CLUB FOR GROWTH ACTION	2021	2/3/21	\$1,000
JIMMY PANETTA FOR CONGRESS	2021	2/3/21	\$2,900
JIMMY PANETTA FOR CONGRESS	2021	2/3/21	\$2,900
REPUBLICAN NATIONAL COMMITTEE	2021	1/29/21	\$1,000
NRCC	2021	1/28/21	\$1,000
ANDY BARR FOR CONGRESS, INC.	2021	1/9/21	\$2,700
ANDY BARR FOR CONGRESS, INC.	2021	1/9/21	\$2,900
GEORGIANS FOR KELLY LOEFFLER	2021	12/31/20	\$2,800
PERDUE FOR SENATE	2020	12/22/20	\$2,800
SENATE GEORGIA BATTLEGROUND FUND	2020	12/22/20	\$5,600
NICOLE FOR NEW YORK	2020	10/23/20	\$1,000
REPUBLICAN NATIONAL COMMITTEE	2020	10/8/20	\$2,000
KEEP PA GREAT	2020	10/7/20	\$3,000
CONNECTICUT REPUBLICAN PARTY	2020	10/2/20	\$1,000
RIDDLE FOR CONGRESS	2020	8/29/20	\$1,000
SULLIVAN FOR CONGRESS	2020	8/23/20	\$2,800
NRCC	2020	8/15/20	\$1,500
BOGNET FOR CONGRESS	2020	6/29/20	\$2,800
MATT ROSENDALE FOR MONTANA	2020	6/12/20	\$2,800

POLITICAL DONATIONS SCHEDULE: DAVID FOGEL—Continued

Recipient (Federal)	Year	Date	Amount
NRSC	2020	5/10/20	\$25,000
REPUBLICAN MAJORITY FUND	2020	3/27/20	\$5,000
REPUBLICAN NATIONAL COMMITTEE	2020	2/24/20	\$1,000
NRCC	2020	2/14/20	\$2500
DONALD J. TRUMP FOR PRESIDENT, INC.	2020	2/2/20	\$2,800
BOGNET FOR CONGRESS	2020	1/30/20	\$2,800
NRSC	2019	11/14/19	\$25,000
COTTON VICTORY	2019	4/11/19	\$5,000
REPUBLICAN MAJORITY FUND	2019	4/11/19	\$2,300
CORY GARDNER FOR SENATE	2019	2/20/19	\$2,800
COTTON VICTORY	2019	2/12/19	\$2,700
REPUBLICAN MAJORITY FUND	2019	2/12/19	\$2,700
REPUBLICAN NATIONAL COMMITTEE	2019	1/23/19	\$1,000
NRCC	2019	1/18/19	\$500
ROSS SPANO FOR CONGRESS	2018	10/15/18	\$1,000
SANTOS FOR CONGRESS	2018	9/26/18	\$500
HELLER FOR SENATE	2018	9/19/18	\$500
NRSC	2018	9/16/18	\$10,000
REPUBLICAN MAJORITY FUND	2018	9/4/18	\$5,000
COTTON VICTORY	2018	9/4/18	\$5,000
NY REPUBLICAN FEDERAL CAMPAIGN COMMITTEE	2018	8/10/18	\$10,000
MATT ROSENDALE FOR MONTANA	2018	7/30/18	\$2,000
JOHN FASO VICTORY COMMITTEE	2018	7/24/18	\$10,000
REPUBLICAN PARTY OF KENTUCKY	2018	6/9/18	\$10,000
COTTON FOR SENATE	2018	5/7/18	\$2,700
COTTON VICTORY	2018	5/7/18	\$2,700
COTTON VICTORY	2018	4/26/18	\$2,700
COTTON FOR SENATE	2018	4/26/18	\$2,700
CONNECTICUT REPUBLICAN PARTY	2018	4/23/18	\$10,000
NRSC	2018	4/2/18	\$15,000
DOMINIC FOR U.S. SENATE	2018	3/4/18	\$1,000
HARRY FOR CT INC.	2018	2/28/18	\$1,000
REPUBLICAN NATIONAL COMMITTEE	2018	1/23/18	\$2,200
NRCC	2018	1/22/18	\$500
NRCC	2017	11/1/17	\$500
FASO FOR CONGRESS	2017	10/19/17	\$2,700
FASO FOR CONGRESS	2017	10/18/17	\$2,700
NRCC	2017	10/1/17	\$500
MATT ROSENDALE FOR MONTANA	2017	9/12/17	\$1,000
NRCC	2017	9/1/17	\$500
CONNECTICUT REPUBLICAN PARTY	2017	8/24/17	\$7,500
NRCC	2017	8/1/17	\$500
NRCC	2017	7/1/17	\$500
NRSC	2017	6/7/17	\$23,400
NRSC	2017	6/7/17	\$1,100
NRCC	2017	6/1/17	\$500
ANDY BARR FOR CONGRESS, INC.	2017	5/18/17	\$2,700
CITIZENS FOR JOSH MANDEL INC	2017	5/15/17	\$250
JEFF FLAKE FOR U.S. SENATE INC	2017	5/7/17	\$1,000
NRCC	2017	5/1/17	\$500
HELLER FOR SENATE	2017	4/30/17	\$500
JEFF FLAKE FOR U.S. SENATE INC	2017	4/30/17	\$1,000
NRSC	2017	4/30/17	\$2,500
CONNECTICUT FIRST	2017	4/12/17	\$5,000
NRSC	2017	4/3/17	\$2,500
NRCC	2017	4/1/17	\$500
REPUBLICAN NATIONAL COMMITTEE	2017	3/27/17	\$1,100
NRCC	2017	3/1/17	\$500
NRSC	2017	2/20/17	\$2,500
ANDY BARR FOR CONGRESS, INC.	2017	2/18/17	\$2,700
NRCC	2017	2/1/17	\$500
NRSC	2017	1/27/17	\$2,500
REPUBLICAN NATIONAL COMMITTEE	2017	1/17/17	\$1,100
NRSC	2017	1/1/17	\$500

POLITICAL DONATIONS SCHEDULE: DAVID FOGEL—Continued

Recipient (Federal)	Year	Date	Amount
CARTER 2016	2016	9/30/16	\$350
AUGUST WOLF FOR SENATE	2016	4/5/16	\$2,000
REPUBLICAN NATIONAL COMMITTEE	2016	3/23/16	\$1,000
KASICH FOR AMERICA INC	2016	2/22/16	\$350
SHABAN FOR CONGRESS	2016	2/15/16	\$350
NRSC	2016	1/29/16	\$255
CLUB FOR GROWTH ACTION	2016	1/11/16	\$1,000
REPUBLICAN NATIONAL COMMITTEE	2016	1/8/16	\$500
NRCC	2016	1/7/16	\$500
MARCO RUBIO FOR PRESIDENT	2015	12/2/15	\$2,700
ANDY BARR FOR CONGRESS, INC.	2015	11/24/15	\$1,000
JIMMY PANETTA FOR CONGRESS	2015	11/16/15	\$2,700
RON DESANTIS FOR FLORIDA	2015	10/4/15	\$500
STUTZMAN FOR SENATE	2015	10/4/15	\$500
CONNECTICUT REPUBLICAN PARTY	2015	8/31/15	\$350
REPUBLICAN NATIONAL COMMITTEE	2015	1/20/15	\$245
NRSC	2015	1/16/15	\$255
RIGHT TO RISE PAC, INC.	2015	1/9/15	\$3,000

Recipient (State/Local)	Year	Date	Amount
Fairfield Republican Town Committee	2024	9/21/24	\$2,000
Harrison for the 132nd	2024	5/18/24	\$320
Fairfield Republican Town Committee	2023	9/25/23	\$1,000
Fairfield Republican Town Committee	2023	9/7/23	\$250
Bob for Governor	2022	3/29/22	\$3,500
Farnen For Fairfield	2022	1/22/22	\$290
Wethersfield Republican Town Committee	2021	10/11/21	\$250
Fairfield Republican Town Committee	2021	5/11/21	\$2,000
Fairfield First Political Action Committee	2021	3/29/21	\$1,000
Fairfield Republican Town Committee	2020	10/3/20	\$1,000
Connecticut Republican Party	2020	10/2/20	\$4,000
Farnen For Fairfield	2020	5/19/20	\$270
Laura Devlin for State Representative	2020	3/1/20	\$270
Hwang4Senate 2020	2020	2/2/20	\$270
Farnen for Fairfield	2019	12/1/19	\$250
Trumbull Republican Town Committee	2019	5/2/19	\$250
Fairfield Republican Town Committee	2019	3/13/19	\$1,500
Fairfield Republican Town Committee	2019	1/30/19	\$500
Muska for State Senate 2019	2019	1/19/19	\$250
GB for Senate	2019	1/19/19	\$250
Bob for Governor	2018	9/24/18	\$350
LeClerc for Probate	2018	8/30/18	\$250
Fairfield Republican Town Committee	2018	8/16/18	\$250
Fairfield Republican Town Committee	2018	8/16/18	\$100
Hwang4Senate	2018	8/3/18	\$250
Laura Devlin for State Representative	2018	4/9/18	\$250
Connecticut Republican Party	2017	11/28/17	\$1,000
Fairfield Republican Town Committee	2017	9/11/17	\$250
Fairfield Republican Town Committee	2017	9/4/17	\$100
Fairfield Republican Town Committee	2017	4/4/17	\$100
Fairfield Republican Town Committee	2016	8/28/16	\$365
Fairfield Republican Town Committee	2016	8/28/16	\$100
Tony Hwang For CT (Exploratory)	2016	7/11/16	\$200
Fairfield Republican Town Committee	2016	5/19/16	\$225
Fairfield Republican Town Committee	2016	5/19/16	\$150
Fairfield Republican Town Committee	2016	4/10/16	\$ 150

Chairman CRUZ. Thank you, Mr. Fogel. I now recognize Mr. Gentin.

**STATEMENT OF PIERRE GENTIN, NOMINEE TO BE GENERAL
COUNSEL, DEPARTMENT OF COMMERCE**

Mr. GENTIN. Chairman Cruz, Senator Peters, and distinguished members of the Senate Commerce Committee, it is a great honor to testify before you this morning as nominee for General Counsel of the Commerce Department. I am deeply grateful to President Trump for nominating me, to Secretary Lutnick for his leadership of the Department, and to this Committee for considering my nomination.

I am grateful to family and friends joining me today, my wonderful wife, Reyna, our son, Micah, and my siblings, Et and Danielle. My mother, Adele, and our daughter, Ariella, are watching on livestream.

My father and teacher, Dr. Benjamin Gentin, passed away last year. He is with me today in spirit.

The honor of appearing before you today belongs entirely to my parents who moved our family from South Africa to the United States nearly 50 years ago, so that my siblings and I could live as free, proud, and productive citizens. It was the American bicentennial; I was 9 years old. My parents lost no time taking us to Boston, Philadelphia, and Washington, fostering in us a deep love of American history and culture, and ensuring that we internalized the great American ideals of freedom, faith and responsibility.

My parents worked hard and overcame many obstacles to become respected professionals in American medicine and law, and equally respected members of their community. I have tried to emulate my parents, personally and professionally, and as a lawyer myself, I have been fortunate to work in government, the private sector, and academia. My life is a testament to the transformative power of American opportunity.

As a young lawyer, I served in the Department of Justice as an Assistant United States Attorney for the Southern District of New York. I came away from that experience with deep respect for the authority that government lawyers exercise and the responsibility that comes with that power.

After government service, I spent nearly 20 years at one of the world's largest financial services companies, advising on significant legal and regulatory matters in the banking sector.

As a business lawyer, I saw firsthand the importance of intelligent and effective governmental oversight of industry. But equally, I learned the importance of respecting and empowering innovation, hard work, and the spirit of entrepreneurship that have enabled our country to secure its leading position in global commerce. I drew the same conclusions during my years as a partner at a leading U.S. law firm.

For the past 6 years, I served as Chief Legal Officer at McKinsey, an American company that pioneered the profession of management consulting nearly a century ago. As the first lawyer elected a senior partner at McKinsey and the first to serve on its management team, I counseled the firm's leadership on legal and risk, as well as business and cultural issues.

Over the past three decades, I have also been active in the academic and non-profit arenas, serving multiple times as a visiting professor of law, a lecturer in ethics, and as editor of a book on ne-

gotiating the resolution of business disputes. I have been a trustee of many non-profit boards, including the Practicing Law Institute, a nearly century-old legal education organization, and the Touro Synagogue Foundation which preserves an 18th century synagogue in Rhode Island that symbolizes our Nation's commitment to religious freedom.

I believe my public, private, and academic experience, my commitment to the rule of law, and my desire to help safeguard the well-being of our country, equip me well to proudly serve as General Counsel of the Department of Commerce.

If I am honored to be confirmed, I look forward to working with this Committee and with stakeholders inside and outside government, to help augur an era of greatness for American commerce, and prosperity for our Nation.

Thank you.

[The prepared statement and biographical information of Mr. Gentin follow:]

PREPARED STATEMENT OF PIERRE GENTIN, NOMINEE FOR GENERAL COUNSEL,
DEPARTMENT OF COMMERCE

Chairman Cruz, Ranking Member Cantwell, and distinguished members of the Senate Commerce Committee:

It's a great honor to testify before you today as nominee for General Counsel of the Commerce Department. I am deeply grateful to President Trump for nominating me, to Secretary Lutnick for his leadership of the Department, and to this Committee for considering my nomination.

I'm grateful to family and friends joining me today, including my mother Adele, my siblings Et and Danielle, my wonderful wife Reyna, and our son Micah. Our daughter Ariella is watching online from Jerusalem. My father and teacher, Dr. Benjamin Gentin, passed away last year. He is with me today in spirit.

The honor of appearing before you today belongs entirely to my parents who moved our family from South Africa to the United States nearly 50 years ago, so that my siblings and I could live as free, proud and productive citizens. It was the American bicentennial; I was nine years old. My parents lost no time taking us to Boston, Philadelphia and Washington, fostering in us a deep love of American history and culture, and ensuring that we internalized the great American ideals of freedom, faith and responsibility.

My parents worked hard and overcame many obstacles to become respected professionals in American medicine and law, and equally respected members of their community. I have tried to emulate my parents personally and professionally, and as a lawyer myself, I've been fortunate to work in government, the private sector, and academia. My life is a testament to the transformative power of American opportunity.

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and as editor of a book on negotiating the resolution of business disputes. I've been a trustee of many non-profit boards, including the Practicing Law Institute, a nearly century-old legal education organization, and the Touro Synagogue Foundation which preserves an 18th century synagogue in Rhode Island that symbolizes our Nation's commitment to religious freedom.

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If I'm honored to be confirmed, I look forward to working with this Committee, and with stakeholders inside and outside government, to help augur an era of greatness for American commerce, and prosperity for our Nation.

Thank you.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used): Pierre Marc Gentin.
2. Position to which nominated: General Counsel, Department of Commerce.
3. Date of Nomination: February 3, 2025.
4. Address (List current place of residence and office addresses):

Residence: Information not released to the public.

Office: Information not provided.

5. Date and Place of Birth: February 21, 1967; Durban, South Africa.
6. Provide the name, position, and place of employment for your spouse (if married) or domestic partner, and the names and ages of your children (including step-children and children by a previous marriage).

Spouse: Reyna Marder Gentin Self-employed (author).

Children: Ariella R. Gentin (27), Micah R. Gentin (24).

7. List all college and graduate schools attended, whether or not you were granted a degree by the institution. Provide the name of the institution, the dates attended, the degree received, and the date of the degree.

Columbia Law School, New York, N.Y.
J.D. (1992)

Yale Law School, New Haven CT
September 1990–May 1991
(I spent my second year of law school at Yale).

Princeton University, Princeton NJ
A.B., *magna cum laude* (1989)

8. List all post-undergraduate employment, including the job title, name of employer, and inclusive dates of employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

Department of Commerce, Washington, D.C. (2025 to present)
Senior Advisor, Office of the Secretary

McKinsey & Company, Inc., New York, N.Y. (2019–2025)
Senior Partner and Chief Legal Officer

Cahill Gordon & Reindel, LLP, New York, N.Y. (2015–2019)
Partner

Credit Suisse (USA), Inc., New York, N.Y. (1998–2015)
I served in various legal and risk-related positions over nearly 20 years at Credit Suisse; my last position was Managing Director and Global Head of Litigation, Regulatory Investigations, and Employment Law

Department of Justice, U.S. Attorney's Office, Southern District of New York, N.Y. (1995–1998)
Assistant United States Attorney

LeBoeuf Lamb Greene & MacRae, LLP, New York, N.Y. (1992–1995)
Associate

Lord Day and Lord, Barrett Smith, New York, N.Y. (Summer 1991)
Summer Associate

LeBoeuf Lamb Leiby & MacRae, LLP, New York, N.Y. (Summer 1990)
Summer Associate

New York University, Office of Salary Administration, New York, N.Y. (Summer 1989)
Clerk

9. Attach a copy of your résumé.
Attached.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above after 18 years of age. None.

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution.

In addition to those identified in response to item 8 above, I have previously held the following positions:

University of Cambridge Judge Business School, United Kingdom, Board of Advisors (2024–2025). Member

Practising Law Institute (PLI) (2009–2024). Trustee

Conference Board, Chief Legal Officer (CLO) Council, ESG Center (2019–2023). Member

Princeton University Julis-Rabinowitz Center for Finance and Public Policy, External Advisory Board. (2017–2024). Member

Princeton University Center for Jewish Life (2005–2018). Trustee; Chair, Board of Trustees Touro Synagogue Foundation (2017–2024). Trustee

Columbia Law School Center for Israeli Legal Studies, Board of Advisors. (2005–2012). Member

Fordham Law School Corporate Legal Center (approx. 2005). Member American Bar Association, International Law Section (approx. 2010). Member

12. List all memberships you have had after 18 years of age or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization (You do not have to list your religious affiliation or membership in a religious house of worship or institution). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

New York State Bar Association (1993 to present)

Connecticut State Bar Association (1992–2024)

World Economic Forum: Chief Legal Officer community, Global Agenda Councils (2009–2025)

The Brook Club (2016–2022) (social club)

Anti-Defamation League, Lawyers' Division (approx. 2001)

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt. No.

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities. None.

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years.

Credit Suisse Securities PAC 2013: \$250

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

Phi Beta Kappa (1989)

17. List all books, articles, columns, letters to the editor, Internet blog postings, or other publications you have authored, individually or with others. Include a link to each publication when possible. If a link is not available, provide a digital copy of the publication when available.

Book: Co-Editor, *Financial Services Mediation Answer Book* (2017)

Book Chapter: Co-Author, *Federal Pretrial Practice: Basic Procedure and Strategy*, Chapter 9: Legal and Ethical Issues Arising in Discovery (2001)

Letter to the Editor: *Princeton Alumni Weekly*, December 27, 2001 (available at https://www.princeton.edu/~paw/web_exclusives/more/more_letters/letters_Prickettlet.html)

Columns in *Los Angeles Jewish Journal* from 2021–2024 (available at <https://jewishjournal.com/author/pierregentin/>)

18. List all speeches, panel discussions, and presentations (e.g., PowerPoint) that you have given on topics relevant to the position for which you have been nominated. Include a link to each publication when possible. If a link is not available, provide a digital copy of the speech or presentation when available.

Although not directly relevant to the legal issues I expect to address if confirmed to my position as General Counsel of the Department of Commerce, below are discussions relating to the role and responsibilities of the general counsel of an organization.

Panel: *Being Human*, Financial Times Innovative Lawyers Summit (2024).

Panel: *Law of Corporate Governance*, UCLA Law: Conference on the American Law Institute's Restatement on Corporate Governance (2024)

Panel: *Fireside Chat with Pierre Gentin, McKinsey's Chief Legal Officer*, Silfen Leadership Series, Columbia Business School (June 1, 2023).

Panel: *Avoiding a Splinter in the Eye*, Cambridge Judge Business School (2023).

Panel: *Law, Leadership, and Public Policy*, Princeton School of Public and International Affairs (2023).

Panel: *Good Judgment in Business*, Wharton School Workshop (2023).

Panel: *The Balancing Act of Leading Through a Crisis*, The Bernstein Center for Leadership and Ethics (2021).

Keynote Speaker: *Jonah the Prophet in the Boardroom: What a Reluctant Leader Can Teach Us About Ambition, Values and Success*, Enterprise GC Conference (2018).

Panel: *Second Annual Seminar: Attorney-Client Relationships*, Practising Law Institute (2018).

19. List all public statements you have made during the past ten years, including statements in news articles and radio and podcasts and television appearances, which are on topics relevant to the position for which you have been nominated, including dates. Include a link to each statement when possible. If a link is not available, provide a digital copy of the statement when available.

Although not directly relevant to the legal issues I expect to address if confirmed to my position as General Counsel of the Department of Commerce, below are statements discussing the role and responsibilities of the general counsel of an organization.

Podcast: *The Humanities & Business Education In an Economic Crisis*, Aspen Institute (July 31, 2020).

Podcast: *Pierre Gentin, Chief Legal Officer at McKinsey & Co, on Passion and Professionalism*, Movers, Shakers, and Rainmakers (Mar. 14, 2024).

Interview: *Strategy, Professionalism, and Passion, A conversation with Pierre Gentin, chief legal officer of McKinsey*, Center on the Legal Profession (2023).

Podcast: *Drinks With the Deal: McKinsey's Gentin on Professional, Personal Fulfillment*, The Deal (July 18, 2023).

Interview: *Passion Play: How a Global GC is Helping Staffers Unlock Their Inner Charisma*, *Law.com* (Sept. 19, 2022).

Interview: *McKinsey's Unorthodox GC*, *Brunswick Review* (Sept. 7, 2022).

Interview: *When McKinsey's Top Lawyer Comes to Town—Watch Out*, by Vivia Chen from *Bloomberg Law* (Dec. 16, 2022).

Interview: *Mediation Can Be a Power Tool for In-House Counsel*, by Sue Reisinger (Aug. 11, 2017).

20. List all digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the full name of an "alias" or "handle", including the complete URL and username with

hyperlinks, you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

<https://www.linkedin.com/in/pierre-gentin-73439059>

21. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date, committee, and subject matter of each testimony. None.

22. Given the current mission, major programs, and major operational objectives of the department/agency/commission/corporation to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

Next year, it will be 50 years since I came to the United States as an immigrant at the age of 9 years old. My life and career are a testament to the incredible blessing that it is to be an American. I benefited educationally from a strong public school, university and law school foundation. I am deeply grateful to the President and to the Secretary of Commerce for this nomination at this stage of my life and career, and if I am honored to be confirmed by the Senate, I intend to bring my 33 years of experience in law, business, and academia to my service in the General Counsel role. My motivation is to serve our country and to help American commerce thrive, and I hope to leverage my background to perform, effectively and responsibly, the role for which I've been nominated.

As a young lawyer, I served in the Department of Justice as an Assistant United States Attorney in the Civil Division of the U.S. Attorney's Office, Southern District of New York. I then joined Credit Suisse First Boston (later Credit Suisse), where I worked in various senior legal and risk roles for nearly twenty years in a public, regulated, global financial services company. I was then an equity partner in an established New York law firm, Cahill Gordon, for more than three years before joining McKinsey and Company, one of the world's major consulting firms, as Chief Legal Officer, where I worked for six years, before joining the Department of Commerce as a Senior Advisor.

Alongside my roles in government, and in public and private companies, I have taught for many years at leading U.S. universities, including teaching ethics at the Wharton School of Business, and teaching courses on the role of in-house counsel at Fordham, Columbia and Yale law schools. I have lectured on legal, humanities and business topics at numerous universities and industry conferences in the United States and abroad, and I co-edited a book on the use of alternative dispute resolution to solve business problems on Wall Street. I have also served on various non-profit boards over the past several decades, including the Practising Law Institute, Princeton University's Center on Public Policy and Finance, and the Touro Synagogue Foundation (which preserves the oldest Jewish house of worship in the United States).

23. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency/commission/corporation has proper management and accounting controls, and what experience do you have in managing a large organization?

The General Counsel of the Department of Commerce plays a key role, as a senior member of the Department's leadership team, in helping to ensure that Commerce is managed in a lawful, effective and responsible manner. If confirmed, I will engage with the Secretary, Deputy Secretary, Chief of Staff, and the leadership of Commerce's various bureaus, to help ensure that our management and controls are working well.

I have developed extensive experience in managing large organizations over the past three decades. As Chief Legal Officer at McKinsey and Company, I built and managed a global legal organization of nearly 300 legal professionals working in more than 50 countries. At McKinsey, I served on the firm's management team which oversaw the global professional services activities of 45,000 colleagues working in 70 countries, and I also served as counsel to the firm's global board of directors. As a Managing Director and the senior-most litigation and enforcement lawyer at Credit Suisse, I served for many years on the General Counsel Management Committee, a global team that managed the bank's 2,000-person Legal and Compliance organization.

24. What do you believe to be the top three challenges facing the department/agency/commission/corporation, and why?

In my view, the top three challenges—and opportunities—for the Department of Commerce are the following:

1. Greater cohesion across Commerce's bureaus. The Department of Commerce contains a large group of different bureaus with very important but quite dis-

tinct missions. Given that organizational model, those internal roles and professional capabilities that cut across all of the Department's bureaus—like the General Counsel and the Office of the General Counsel—play a very important organizational function. The Department's legal team must help ensure that the Department's overall goals are understood and implemented across all our different bureaus. The fact that our lawyers have line of sight across the Department's range of activities means we can help bring greater cohesion and alignment to our Department.

2. Modernization of Commerce's practices. I have spent the bulk of my career in the private sector and I hope to explore ways in which some of the innovation in operational practices that has developed in American industry in recent years may benefit the Department of Commerce. As the Secretary has himself noted, Commerce should improve its approach to data capture, database management, and data analytics, in order to be able to drive outcomes more quickly and effectively.
3. Inter-agency collaboration. Commerce's internal bureaus work closely and continuously with our peer agencies across the government. Maintaining and deepening the professional trust and collaboration between and among Commerce and the other agencies is a priority for me.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts, such as a 401(k) or pension plan.

I have disclosed my financial arrangements (including as to retirement accounts) to the Department of Commerce and I will disclose my financial arrangements, and enter into an agreement with, the Office of Government Ethics, to ensure I have no ongoing conflicts of interest, if I am confirmed.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association, or other organization during your appointment? If so, please explain. No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

None, as far as I am aware. As noted, I have disclosed my financial arrangements (including as to retirement accounts) to the Department of Commerce and I will disclose my financial arrangements, and enter into an agreement with, the Office of Government Ethics, to ensure I have no ongoing conflicts of interest, if I am confirmed.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

None, as far as I am aware. As noted, I have disclosed my financial arrangements (including as to retirement accounts) to the Department of Commerce and I will disclose my financial arrangements, and enter into an agreement with, the Office of Government Ethics, to ensure I have no ongoing conflicts of interest, if I am confirmed.

5. Identify any other potential conflicts of interest and explain how you will resolve each potential conflict of interest.

I have disclosed my financial arrangements (including as to retirement accounts) to the Department of Commerce and I will disclose my financial arrangements. I will consult with the U.S. Office of Government Ethics in addition to the Department of Commerce's Designated Agency Ethics Official to identify potential conflicts of interest. If confirmed, any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement I will enter into with the Department's Designated Agency Ethics Official.

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy. None.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, adminis-

trative agency, the Office of Special Counsel, an Inspector General, professional association, disciplinary committee, or other professional group? If yes:

- No.
- a. Provide the name of the court, agency, association, committee, or group;
 - b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
 - c. Describe the citation, disciplinary action, complaint, or personnel action;
 - d. Provide the results of the citation, disciplinary action, complaint, or personnel action.
2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, municipal, or foreign government entity, other than for a minor traffic offense? If so, please explain. No.
3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain. No.
4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain. No.
5. Have you ever been accused, formally or informally, of sexual assault, sexual harassment, or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain.
- In 2020, a Legal Department employee in McKinsey's London office filed a claim with the U.K. Ministry of Labor accusing various McKinsey employees, including myself, of discrimination on the basis of race and nationality. In 2021, she voluntarily withdrew the claim which was dismissed with prejudice. There was no settlement of any kind nor any finding of wrongdoing.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination. None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency/commission/corporation complies with deadlines for information set by congressional committees, and that your department/agency/commission/corporation endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority? Yes.
2. Will you ensure that your department/agency/commission/corporation does whatever it can to protect congressional witnesses and whistleblowers from reprisal for their testimony and disclosures? Yes.
3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.
4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

RÉSUMÉ OF PIERRE M. GENTIN

PIERRE M. GENTIN

EXPERIENCE

Department of Commerce , Washington, DC – <i>Senior Advisor</i>	2025-present
McKinsey & Company, Inc. , New York, N.Y. – <i>Senior Partner, Chief Legal Officer</i>	2019-2025
Cahill Gordon & Reindel LLP , New York, N.Y. – <i>Partner, Litigation Department</i>	2015-2019
Credit Suisse AG , New York, N.Y. – <i>Managing Director</i>	1998-2015

Roles included *Global Head of Litigation, Investigations and Employment Law, Head of Reputational Risk for the Americas Region, and General Counsel for the Global Research Division.*

U.S. Attorney's Office, Southern District of New York – <i>Assistant United States Attorney</i>	1995-1998
LeBoeuf Lamb Greene & MacRae , New York, N.Y. – <i>Associate, Litigation Department</i>	1992-1995

PROFESSIONAL AND CIVIC COMMITMENTS

Recent University Teaching

- **Visiting Lecturer in Law, Yale Law School**, New Haven, CT (Spring 2024). Co-taught course: *"Role of the General Counsel"*
- **Leader in Residence, Columbia Law School**, New York, N.Y. (January-February 2023): Taught seminar: *"Aspiration and Action: The Role of the Chief Legal Officer."*
- **Lecturer, Wharton School of Business**, Philadelphia, PA (2016-2020): Co-taught ethics course: *Aiming High in Business and in Life*
- Separate from the courses noted above, I have been a lecturer, panelist or guest speaker at numerous universities, law and business schools, as well as legal, professional and industry conferences in the United States and abroad, over the past 33 years.

Recent Professional and Volunteer Activities

- **University of Cambridge Judge Business School**, Cambridge, United Kingdom (2024-2025). Board of Advisors.
- **World Economic Forum**, Geneva Switzerland (2008-2025). Community of Chief Legal Officers; previously, member of various global agenda councils, including council on faith.
- **Practising Law Institute (PLI)**, New York, N.Y. (2009-2024). Board of Trustees; Chair, Finance and Governance committees.
- **Princeton University Julis-Rabinowitz Center for Finance and Public Policy**, Princeton N.J. (2017-2024) Advisory Board.
- **Princeton University Center for Jewish Life**, Princeton, N.J. (2005-2018). Trustee; former Chair, Board of Trustees.
- **Touro Synagogue Foundation**, Newport, Rhode Island (2017-2024). Board of Trustees.

EDUCATION

Columbia Law School, New York, N.Y.
J.D., 1992

Yale Law School, New Haven, CT
1990-1991

Princeton University, Princeton, N.J.
A.B., 1989, English, *magna cum laude*, *Phi Beta Kappa*

Chairman CRUZ. Thank you, Mr. Gentin. I now recognize Mr. Gleason. Welcome.

**STATEMENT OF ROBERT GLEASON, NOMINEE TO BE
DIRECTOR, AMTRAK BOARD OF DIRECTORS**

Mr. GLEASON. Thank you, Chairman Cruz and Senator Peters, and the rest of the Committee for allowing me to come before you today. And I want to thank Senator David McCormick for introducing me today.

I am pleased to have my wife, Jeanne, my grandson, Jonathan, and my sister, Pam, here supporting me today.

My passion for transportation and community development has been a lifelong journey, one deeply rooted in my experiences serving in government at the county, city, state, and national levels. Growing up in Johnstown, Pennsylvania, I saw firsthand how transportation systems can either connect or isolate communities. It is this personal understanding that drives my commitment to bringing better passenger rail service to small towns across America.

In the first half of the 20th century, my hometown of Johnstown was connected to the rest of the world by the Pennsylvania Railroad. Trains with iconic names like the Red Arrow, Broadway Limited, the Fort Pitt, and the Cleavelander, 25 daily passenger trains, all stopped in Johnstown. I was a regular rail passenger, traveling back and forth to Philadelphia to attend the University of Pennsylvania's Wharton School. There you are, Mr. Cruz. Another Wharton School guy.

Our town was bypassed by the interstate highway system, one of only seven cities in the United States of over 100,000 population to miss the interstate, and most airlines overflew us. The region began a downhill slide as passenger train service dwindled, and today we are only served by two passenger trains.

In addition to my personal experiences with the benefits of rail connections and the potentially devastating effects of a community not being on the main transportation grid, I am honored to be nominated to join the Amtrak Board to continue in public service. My civilian government experience makes me well qualified for the role of Amtrak director. I also proudly served our country as a captain in the United States Air Force, with 4 years active duty and 6 years in the Reserves.

I currently serve my community as President of the local Board of Education, and I have served 10 years as a Borough Councilman.

I have served as Secretary of the Commonwealth of Pennsylvania, a member of the Pennsylvania State Transportation Advisory Committee, the Pennsylvania State Transportation Committee, and 4 years as a member of the Pennsylvania Turnpike Commission. And Secretary Sam Skinner appointed me to the National Motor Carrier Advisory Committee.

In 1982, I was appointed to one of the first state government committees in the Nation to study high-speed rail. The nine-member committee was appointed by Governor Dick Thornburgh with a charge to study the feasibility of constructing a high-speed passenger rail line from Philadelphia to Pittsburgh. This wonderful experience will certainly help me as a member of the Amtrak Board.

Economically, passenger rail can be a powerful engine for growth. Delivering a rail project generates thousands of construction, engineering, and operational jobs. Once operational, trains attract riders who spend money in local economies, especially near stations. Entire communities can be revitalized by the presence of a reliable train service.

In short, when done right, passenger rail does not just move people. It drives prosperity.

If confirmed as a Director of Amtrak, I will work diligently to improve and expand passenger rail service across America in a fiscally responsible manner. Amtrak benefits greatly from taxpayer dollars, and I will make sure that money is spent in an efficient and productive manner. I have spent a lifetime in public service living with Pennsylvania's sunshine laws, so I am very proud to support more board transparency.

In conclusion, I hope to gain this Committee's approval to join the Amtrak Board because I firmly believe the United States needs passenger rail service, and that it can be delivered in an efficient and responsible way.

Thank you.

[The prepared statement and biographical information of Mr. Gleason follow:]

PREPARED STATEMENT OF ROBERT A. GLEASON, JR., NOMINEE FOR APPOINTMENT TO
THE AMTRAK BOARD OF DIRECTORS

Thank you Chairman Cruz, Ranking Member Cantwell, and the rest of the Committee for allowing me to come before you today.

I want to thank Senator David McCormick for introducing me today.

I am pleased to have my wife Jeanne and other members of my family here supporting me today, as well as Representative John Joyce.

My passion for transportation and community development has been a lifelong journey—one deeply rooted in my experiences serving in government at the county, city, state, and national levels. Growing up in Johnstown, Pennsylvania, I saw first hand how transportation systems can either connect or isolate communities. It is this personal understanding that drives my commitment to bringing better passenger rail service to small towns across America.

In the first half of the twentieth century, my home town of Johnstown was connected to the rest of the world by the Pennsylvania Railroad. Trains with iconic names like the Red Arrow, Broadway Limited, the Fort Pitt, and the Clevelander, 25 daily passenger trains all stopped in Johnstown. I was a regular rail passenger traveling back and forth to Philadelphia to attend the University of Pennsylvania's Wharton School of Finance and Commerce.

Our town was bypassed by the interstate highway system and most airlines overflew us. The region began a downhill slide. As passenger train service dwindles, we are only served by 2 trains a day.

In addition to my personal experiences with the benefits of rail connections and the potentially devastating effects of a community not being on the main transportation grid, I am honored to be nominated to join the Amtrak Board to continue in public service. My civilian government experience, makes me well qualified for the role of Amtrak Director. I also proudly served our country as a Captain in the United States Air Force, for 4 years active duty and 6 years in the Reserves.

I currently serve my community as President of the Board of Education and I served 10 years as a Borough Councilman.

I have served as Secretary of the Commonwealth of Pennsylvania, a Member of the Pennsylvania State Transportation Advisory Committee, a Member of the Pennsylvania State Transportation Committee and four years as a Member of the 5 person Pennsylvania Turnpike Commission. I also served as a Member of the National Motor Carrier Advisory Committee.

In 1982, I was appointed to one of the first state government committees in the Nation to study high speed rail. The 9 member committee was appointed by Governor Thornburgh with a charge to study the feasibility of constructing a high speed

passenger rail line from Philadelphia to Pittsburgh. This wonderful experience will certainly help me as a Member of the Amtrak Board.

Economically, passenger rail can be a powerful engine for growth. Delivering a rail project generates thousands of construction, engineering, and operational jobs. Once operational, trains attract riders who spend money in local economies, especially near stations. Entire communities can be revitalized by the presence of reliable train service.

In short, when done right, passenger rail doesn't just move people—it drives prosperity.

If confirmed as a Director of Amtrak, I will work diligently to improve and expand passenger rail service across America in a fiscally responsible manner. Amtrak benefits greatly from taxpayer dollars, and I will make sure that money is spent in an efficient and productive manner. I have spent a lifetime in public service living with Pennsylvania's Sunshine Laws, so I am proud to support more board transparency.

In conclusion, I hope to gain this Committee's approval to join the Amtrak Board because I firmly believe the United States needs passenger rail service, and that it can be delivered in an efficient and responsible way. Thank you.

A. BIOGRAPHICAL INFORMATION

1. Name (Include any former names or nicknames used):

Robert Amos Gleason, Jr.

2. Position to which nominated: Amtrak Board of Directors.

3. Date of Nomination: March 11, 2025.

4. Address (List current place of residence and office addresses):

Residence: Information not released to the public.

Office: Information not provided.

5. Date and Place of Birth: August 10, 1938; Johnstown, PA.

6. Provide the name, position, and place of employment for your spouse (if married) or domestic partner, and the names and ages of your children (including step-children and children by a previous marriage).

Spouse: Elizabeth Jeanne Gleason, not employed

Children: Jane Elizabeth Gleason—63; Michael Patrick Gleason—61; Robert Amos Gleason, III—59; Jonathan Charles Gleason—56

7. List all college and graduate schools attended, whether or not you were granted a degree by the institution. Provide the name of the institution, the dates attended, the degree received, and the date of the degree.

University of Pennsylvania: 1957–1961; graduated, Bachelor of Science in Economics; June 1961

8. List all post-undergraduate employment, including the job title, name of employer, and inclusive dates of employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

June 1961 to December 1961, Management Trainee, Bell Telephone Company, McKeesport, PA; January 2, 1962–September 1965, Captain, United States Air Force; September 1965–November 1985, Insurance Agent—The Gleason Agency, Johnstown, PA; November, 1985–January, 1987 Secretary of the Commonwealth of Pennsylvania, Harrisburg, PA; January 1987–January 2011, President, The Gleason Agency, Johnstown, PA; January 2011–January 2016, President and Chairman of Arthur J. Gallagher and Company Pennsylvania, Johnstown, PA; January 2016–March 2025, Waterford Solutions, LLC, President, Johnstown, PA (self-employed); January 2018–March 2025, Cassidy and Associates, Washington, DC Consultant, independent contractor

9. Attach a copy of your résumé. Attached.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above after 18 years of age.

Councilman, Borough of Westmont, Johnstown, PA; 1970–1980 School Director, Westmont Hilltop School District, August 2022 to present; Pennsylvania Lawyers Fund for Client Security, 2013–2019; Cambria County Industrial Development Authority, 2012–2017; Cambria County Economic Development Authority, 2012–2017; Pennsylvania Turnpike Commission, 1993–1997; Pennsylvania

State Transportation Commission, 1997–1981; National Motor Truck Carrier Advisory Committee, 1990–1992; Pennsylvania State Transportation Advisory Committee, 1985–1989; Pennsylvania Toll Roads Task Force, 1982–1986; Pennsylvania High Speed Intercity Rail Passenger Commission, 1982–1985

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution.

Pennsylvania School Board Association, Fellow, 2023 to present; Trustee, Kiskiminetas Springs School, Saltsburg, PA 2010–2014; Independent Catholic Foundation, Altoona, PA 1990–2000; Trustee, University of Pennsylvania, 1998–2013; Trustee, St. Francis University, 1978–1988; Trustee, Conemaugh Memorial Medical Center, 1975–2007; Trustee, Conemaugh Health System, 2002–2013; Director, U S Route 219 Association, 1981–1991; Greater Johnstown Committee, Director 1981–1999; Johnstown Area Regional Industries, Director 1977–2000; The Council of Insurance Agents and Brokers, Director, 1990–2002

12. List all memberships you have had after 18 years of age or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization (You do not have to list your religious affiliation or membership in a religious house of worship or institution). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

Sunnehanna Country Club, Johnstown, PA. 1975—present; The Union League, Philadelphia, PA. 2010 to present; The Duquesne Club, Pittsburgh, PA, 1980 to present; Rolling Rock Club, Ligonier, PA 1989 to present; All social with no membership restrictions.

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

No campaign debt.

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

The Republican Party of Pennsylvania, Chairman, 2006–2017, not paid The Republican Party of Pennsylvania, State Committeeman, 2023 to present

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$200 or more for the past ten years.

2/18/2025—\$500, Rob Bresnahan for Congress
 10/15/2024—\$100, Trump for President
 9/19/2024—\$100, Rob Bresnahan for Congress
 9/17/2024—\$100, Rob Mercuri for Congress
 8/31/2024—\$100, Mike Lawler for Congress
 8/8/2024—\$500, Mercuri for Congress
 5/8/2024—\$100, Trump for President
 5/17/2025—\$1000, Greg for Judge
 5/17/2025—\$2000, Cambria County Republican Committee
 5/11/2024—\$5000, Republican Party of Pennsylvania
 5/22/2024—\$250, Gill for PA
 7/2/2024—\$250, Citizens for Greg
 8/1/2024—\$1000, Friends of Glenn Thompson
 8/9/2024—\$500, Committee to Elect Jim Rigby
 9/18/2024—\$1000, Cambria County Republican Committee
 10/10/2024—\$500, Friends of Jesse Topper
 11/10/2024—\$1000, Friends of Kim Ward
 12/4/2024—\$2500, Hunt/Rager for Commissioner

12/11/2024—\$500, Citizens for Greg
 2/15/2025—\$500, Committee to Elect Don Robertson
 10/16/2023—\$5000, Cambria County Republican Committee
 10/26/2023—\$500, Friends of Dave McCormick
 10/25/2023—\$500, Mercuri for Congress
 10/23/2023—\$500, Republican Party of Philadelphia
 11/20/2023—\$1000, Friends of Scott Hunt
 12/1/2023—\$1000, Citizens for Keith Rager
 11/29/2023—\$1000, Cambria County Republican Committee
 12/20/2023—\$500, Gill for PA
 2/2/2024—\$1500, Republican Party of Pennsylvania
 2/20/2024—\$1000, Republican Party of Pennsylvania
 11/2/2022—\$1000, Citizens for Greg
 1/16/2023—\$1000, Cambria County Republican Committee
 1/20/2023—\$1000, Pennsylvania Opportunities PAC
 3/15/2022—\$1000, Friends of GT Thompson
 4/18/2022—\$1000, Bill McSwain for Governor
 4/23/2022—\$1000, Friends of GT Thompson
 12/12/2021—\$1500, Citizens for Gregg
 12/16/2021—\$5000, Bill McSwain for Governor
 12/16/2021—\$1000, Garrity for Pa
 1/12/2022—\$1000, Cambria County Republican Committee
 4/14/2023—\$100, Brian Subich for District Judge
 5/4/2023—\$2000, Cambria County Republican Committee
 5/8/2023—\$1000, Commonwealth Leaders Fund
 5/17/2023—\$1000, Freedom Pa Pac
 6/20/2023—\$1000, Friends of Joe Rocky
 6/20/2023—\$3000, Great American PA Fund
 6/11/2022—\$1000, Take Back the House
 8/25/2023—\$1000, Friends of Jeremy Shaffer
 10/18/2022—\$526, Oz Victory Fund
 8/18/2021—\$1500, Cambria County Republican Committee
 8/18/2021—\$500, Friends of Stacey Wallace
 10/07/2021—\$500, Sean Parnell for Senate
 10/12/2021—\$3000, Citizens for David Oh
 8/23/2021—\$2500, Friends of Glenn Thompson
 9/16/2021—\$1000, Great American Pennsylvania Fund
 12/13/2020—\$100, Friends of Scott Hunt
 8/22/2021—\$500, Committee to Elect Don Robertson
 9/2/2021—\$1000, Committee to Elect Frank Burns
 10/18/2021—\$2500, Friends of Martina White
 2/22/2022—\$5000, Republican River Wards PAC
 3/22/2022—\$1500, Committee to elect Jim Rigby
 3/22/2022—\$100, Pa Ag Republicans
 4/12/2022—\$1000, Friends of Stephen Schlauc
 4/16/2022—\$500, Citizens for Greg
 4/23/2022—\$500, Friends of Sam Orpeza
 5/9/2020—\$10,000, Republican River Wards PAC
 5/6/2021—\$5000, Republican Party of Pennsylvania
 6/14/2021—\$1000, Guy For PA
 6/14/2021—\$1000, Don Bacon for Congress
 7/13/2021—\$250, Friends of Scott Hunt
 12/18/2020—\$1000, Garrity for Pa
 4/28/2021—\$500, Friends of Laura Hugel

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

Distinguished Alumnus, Kiskiminetas Springs School, Sigma Chi Fraternity, Significant Sig, Cambria County Business Hall of Fame

17. List all books, articles, columns, letters to the editor, Internet blog postings, or other publications you have authored, individually or with others. Include a link to each publication when possible. If a link is not available, provide a digital copy of the publication when available.

Attached.

18. List all speeches, panel discussions, and presentations (*e.g.*, PowerPoint) that you have given on topics relevant to the position for which you have been nominated. Include a link to each publication when possible. If a link is not available, provide a digital copy of the speech or presentation when available.

Attached.

19. List all public statements you have made during the past ten years, including statements in news articles and radio and podcasts and television appearances, which are on topics relevant to the position for which you have been nominated, including dates. Include a link to each statement when possible. If a link is not available, provide a digital copy of the statement when available.

Attached.

20. List all digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the full name of an “alias” or “handle”, including the complete URL and username with hyperlinks, you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

Facebook: <https://facebook.com/robert.gleason.543>

X: Rob Gleason @raindance16

Instagram: @Robert.Gleason

LinkedIn: <https://linkedin.com/in/rob-gleason-77184433>

21. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date, committee, and subject matter of each testimony. I testified in 2000 as President of The Council of Insurance Agents and Brokers.

I do not have details.

22. Given the current mission, major programs, and major operational objectives of the department/agency/commission/corporation to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

The main line of the Pennsylvania Railroad, now Norfolk and Southern, passes through my hometown of Johnstown, PA. In the 1950s, Johnstown was served by 25 passenger trains connecting the region to the entire United States of America. As a young man I rode the train to Philadelphia while attending the University of Pennsylvania. Today Johnstown and all of Pennsylvania West of Harrisburg is served by only two AMTRAK trains. This is true of most of the United States outside the Northeast corridor. Our nation needs more passenger train service.

On February 22, 2025, my wife and I rode the AUTO TRAIN from Virginia to Florida as we have many times. We have ridden the Pacific Coast Starlight, the cross-country California Zephyr, the Pennsylvanian, Northeast Corridor trains and others.

I was a member of the first government committee to study high speed trains in 1982. Governor Dick Thornburgh appointed me to the HIGH-SPEED INTERCITY RAIL PASSENGER COMMISSION which studied the feasibility of high speed rail from Philadelphia to Pittsburgh.

I have had long experience in transportation. I served as a member of the Pennsylvania Turnpike Commission, Pennsylvania State Transportation Commission, Pennsylvania State Transportation Advisory Committee, Pennsylvania Toll Roads Task Force, National Motor Carrier Advisory Committee, and as Pennsylvania Secretary of the Commonwealth.

Most nations of the world have effective, comprehensive passenger train service. It is time for the United States to become a leader in passenger transportation.

23. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency/commission/corporation has proper management and accounting controls, and what experience do you have in managing a large organization?

I am a graduate of the Wharton School of Finance and Commerce of the University of Pennsylvania. I have operated my own insurance agency for many years. I served as Chairman of the Council of Insurance Agents and Brokers, an organization of all the major national insurance brokers. I served as Chairman and CEO of the Conemaugh Health System in Johnstown, PA. I served as Chairman of the Republican Party of Pennsylvania, elected by and represented 3.3 million Republicans. I served as a Trustee of the University of Pennsylvania, who employs 18,000 people. I currently am President of the Westmont Hilltop School District Board of Education. We service a community of 15,000 with a budget of \$28M.

24. What do you believe to be the top three challenges facing the department/agency/commission/corporation, and why? Funding; convincing the public to ride passenger trains; keeping up with new technologies.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts, such as a 401(k) or pension plan. None.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association, or other organization during your appointment? If so, please explain.

Consultant with Cassidy and Associates, Washington, DC. I am an independent contractor.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest. None.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest. None.

5. Identify any other potential conflicts of interest and explain how you will resolve each potential conflict of interest. None.

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy. None.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, an Inspector General, professional association, disciplinary committee, or other professional group? If yes:

- a. Provide the name of the court, agency, association, committee, or group;
- b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
- c. Describe the citation, disciplinary action, complaint, or personnel action;
- d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

No

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, municipal, or foreign government entity, other than for a minor traffic offense? If so, please explain. No.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain. No.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain. No.

5. Have you ever been accused, formally or informally, of sexual assault, sexual harassment, or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain. No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination. None.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency/commission/corporation complies with deadlines for information set by congressional committees, and that your department/agency/commission/corporation endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority? Yes.

2. Will you ensure that your department/agency/commission/corporation does whatever it can to protect congressional witnesses and whistleblowers from reprisal for their testimony and disclosures? Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee? Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so? Yes.

ATTACHMENTS

Gleason reappointed to academy board of visitors

BY DAVE SUTOR
DSUTOR@TRIBDEM.COM

Robert Gleason, a Westmont resident, will continue to be a liaison between the military and his hometown region thanks to his recent reappointment to the Board of Visitors to the U.S. Air Force Academy.

Former President Donald Trump renewed Gleason's membership in December.

The board's mission is to inquire about the general state of the academy, regarding numerous areas, including curriculum, morale and discipline. Gleason has been serving since Trump first appointed him in 2018.

"It's been a great experience," Gleason, former chairman of the Republican State Committee of Pennsylvania, said.

Gleason, an Air Force veteran, has visited the academy in Colorado and the Pentagon as part of his duties.

"The real enjoyment of this is going out eating with cadets and doing those types of things," Gleason said.

One of his goals will be to find expanded uses for the John Murtha Johnstown-Cambria County Airport that once housed the Johnstown National Guard's Apache attack helicopters.

"We have a wonderful airport," Gleason said. "One of my

things that I want to try to do is get a bigger presence by the military at our airport. We used to have those attack helicopters. They took them away from us. Even while I was there, I tried to get them back. I met with some guys. I talked to some people.

"It's a very difficult thing to do. When I asked them what is the best thing I can do to help our community, the guy said, 'Try to get the attack helicopters back.' I wasn't able to. But I'm going to keep working on it. I think that's an important thing."



Gleason

Gleason, Lengenfelder refuse to resign from academy board

BY DAVE SUTOR
dsutor@tribune.com

Two prominent Republicans from Cambria County refused to resign from the Board of Visitors to the U.S. Air Force Academy after given the ultimatum to step down or be terminated by the administration of President Joe Biden, a Democrat.

Messages were sent to 18 board members for the Air Force Academy, Military Academy and Naval Academy who were appointed by Biden's predecessor, President Donald Trump, a Republican, giving them a deadline of Wednesday to make their decisions.

Both received messages from Katie Petrellius, special assistant to the president of the Office of Presidential Personnel.

Lengenfelder, an Air Force Academy graduate and acting chair of the board, responded with an email:

"Dear Ms. Petrellius, I have done nothing wrong. I am fully qualified for this position and there is no reason for this termination except the ugliest of politics. You should be ashamed for even sending this type of abbreviated, senseless letter out."

"The answer to your question: I will not resign - if you want to proceed as a dictatorship, feel free to fire me."



Gleason



Lengenfelder

Robert Gleason and Douglas Lengenfelder, both Air Force veterans, did not voluntarily leave Post Park or board, which carries the mission to inquire about issues affecting the academy, including morals, discipline, social climate, curriculum, instruction, physical equipment, fiscal affairs and academic methods. They were presumably then terminated, but were

"My wish for you is that in the future, you are treated as you have treated others."

Some high-profile members of Trump's administration were among those told to resign or be fired, including former White House press secretary Jen Psaki said. "But the president's qualification requirements are not your party registration. They are whether you're qualified to serve and

whether you are aligned with the values of this administration."

Gleason believes he and Lengenfelder are qualified. "It's disappointing because it's really not a political thing," Gleason, former chairman of the Republican State Committee of Pennsylvania, said. "I served five years as a reservist at the Air Force Academy, so when their press secretary says, 'Well, it's not about politics. We want qualified people,' well, who would be more qualified than I am to do that? ... I don't think he might be qualified as well."

Board shall be provided notice of the provisions of this paragraph at the time of such designation."

"I don't know whether the president has the right to terminate me," Gleason said.

Gleason, who was appointed in 2018 and reappointed in 2020, served with members who were selected by former President Barack Obama, a Democrat, and who Trump did not replace.

"The politics is them, not us," Gleason said. "That's where the politics is. There's no reason for this. They've made this nonpolitical thing political."

Lengenfelder, a former Cambria County commissioner, joined the board in June 2020. His term was scheduled to conclude at the end of this year.

Dave Sutor is a reporter for The Tribune-Democrat. Follow him on Twitter @Dave_Sutor.

Expanded passenger rail service in works

BY DAVE SUTOR
dsutor@tribune.com

Ride a westbound Amtrak train through the rolling Appalachian hills to Pittsburgh on a weekend morning; take in a Steelers, Pirates, Penguins or Panthers game during the afternoon; and head back home to Johnstown the same night.

Or catch a show, tour a museum, or kayak around Point State Park or eat lunch.

Right now, those day trips to Pittsburgh are not possible because the only passenger service in western Pennsylvania heads west in the afternoon and east in the morning, and the lack of rail service also limits the ability of folks to visit Johnstown where they could enjoy the outdoors, dine at restaurants, shop, go to tourist sites and attend events, all while spending disposable income.

But that is expected to change in the coming years.

On Feb. 18, Gov. Tom Wolf, Pennsylvania Department of Transportation Deputy Secretary for Multimodal Transportation, Jennie Lowers, Federal Railroad Administration Administrator, Amit Bose and Norfolk Southern Regional Vice President Rudy Hubbard, along with elected officials from the region, held a press conference in Pittsburgh, announcing that plans are being negotiated to make improvements necessary to increase passenger-rail service on the NS-owned corridor west of Harrisburg.

It was the most public and unified display of support ever for the project.

"The main goal, in any plan for increased service, would be to add a westbound train in the morning and eastbound one at night.

No specifics have been finalized, but the tentative plan calls for building additional track and expanding space at rail yards to eliminate possible chokepoints. The project could take up to five years to complete.

"Basically, it's good news that the state, and the federal government and Norfolk Southern are going to move ahead," said Robert Gleason, the former chairman of the Republican Party of Pennsylvania and proponent of rail development in the Johnstown area.

"The bad news is that it's going to take two or three years for this to happen, which I think is ridiculous. ... Could be (as many as five years). Could be."

That Harrisburg-to-Pittsburgh line includes seven stops in between, including a station in Johnstown.

"This is going to be a tremendous



An Amtrak train from Pittsburgh arrives in Johnstown at 9 a.m. Jan. 18.

asset to our community," said state Sen. Wayne Langerholc Jr., R-Richland Township, 36th District, who chairs the Senate Transportation Committee. "It fits right in line with all the good things that are happening in the city."

Langerholc emphasized: "This is our news."

"More work to be done"

Legislators, government agencies, nonprofit and rail enthusiasts have been trying to get extra service for many years, but with nothing reaching fruition.

"There were so many meetings and so many things that we've done over the years, just different people coming to the table," Langerholc said. "I can remember, too, sitting at meetings and people saying, 'This will never happen. There will never be another train west.' It was easy to discount it, and we never took 'no' for an answer. I really credit a lot to Deputy Secretary Lowers, who really had this passion. She is a friend to transportation, and she's a friend to our area."

Gleason has questioned Norfolk Southern's support for increased passenger rail service in western Pennsylvania, saying he thinks an additional line could be running immediately. In his opinion, NS is the "real main culprit" for why the project has taken so long.

"They really have very little interest in having passenger trains running on their freight rails," Gleason said.

"I know that it took them years to do their study to tell the state how much it was going to cost for the state to make the necessary improvements."

Western Pennsylvanians for Passenger Rail President Mark Spada said that to have the plans publicly promoted by government officials and Norfolk Southern was "terrific to see."

"Our group has been advocating for this for close to a decade," Spada said. "There is certainly more work to be done, but this really seems to be a solid commitment by the state, Norfolk Southern to proceed and move things forward so we can get additional service."

Investments have been made, including Johnstown receiving a \$24 million Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant with part of the money going toward making future upgrades to the train station. Spada called the Johnstown project "great news" in the effort to get at least a second run of the "Pennsylvanian" - the name for the passenger train from New York City to Pittsburgh.

"We're encouraged that steps are moving forward to get to that point," Spada said. "It looks like there's some serious thought being given to how this one can be accomplished."

"Sufficient capacity"

A Norfolk Southern feasibility study was recently conducted to see how adding more passenger traffic in the west would affect movement

on the tracks.

The research determined that Norfolk Southern does not have adequate capacity to operate the proposed new and modified Amtrak schedules without degradation to both Amtrak and NS operations."

But, the study said, "With the inclusion of the projects identified as the infrastructure solution set, at an estimated cost of \$142M-\$171M, Future Case outputs indicate that there is sufficient capacity to restore line fluidity and relieve the added congestion the future Amtrak service causes."

"NS has had an outstanding partnership with PennDOT over the years, and we hope to be successful adding a second round-trip passenger train between Harrisburg and Pittsburgh," said Mike McClellan, senior vice president and chief strategy officer for Norfolk Southern, in a statement released following the news conference. "Many critical issues must be resolved before this new service becomes a reality, including the preservation of our ability to serve present and future freight customers, which translates directly to jobs and economic development opportunities in Pennsylvania."

In a message sent to Western Pennsylvanians for Passenger Rail members, Spada wrote that the study "quantifies the importance of investment in public transit and passenger rail services to Pennsylvania's residents, its businesses and its economy."

"For the once-daily Pennsylvanian, ridership was around 46% of pre-COVID levels despite capacity limits of

60%, indicating a high level of continued demand," regarding ridership in May 2021, according to Spada's email.

He stated that ridership was at least 80% of pre-pandemic levels in July, August and September of last year.

"These numbers indicate the demand for the Pennsylvania's service greatly increased later in 2021," Spada wrote. "Also, numbers from the September 2021 report show that the average Pennsylvanian trip distance for Fiscal Year 2021 (Oct 2020 - Sep 2021) was 232 miles (20.8 million passenger miles / 128,500 passengers). This figure, which is essentially a trip between Altoona and Philadelphia (205 miles), is consistent with numbers over the last decade and additionally illustrates the strong demand for existing, as well as expanded, western Pennsylvania passenger rail service."

"A huge thing for rail"

The price tag to do the necessary work to increase service in the western half of the commonwealth could reach \$200 million, according to Langerholc and Gleason.

"It sounds like a lot of money," Gleason said. "It is. But that type of money is available through the Federal Railroad Administration, the FRA, especially since now the infrastructure bill was passed in November. They put a lot of money to Amtrak. Forty-four billion (dollars) is going to go to the Federal Railroad Administration, Pennsylvania can tap into those funds in order to start to do the necessary work in order to allow us to get a second Pennsylvanian. There's finally a pathway, a roadmap to getting this done."

Gleason pointed out that Democrat President Joe Biden, a Pennsylvania native who championed the infrastructure bill, is a well-known Amtrak rider and supporter of passenger rail.

"It was a huge thing for rail - the infrastructure bill," Gleason said. "It's a really positive thing. This will happen. I'm very confident this will happen. Now, we know it's going to happen. Now it's just the time. Before, we weren't sure it was going to happen. But now we know it's going to happen."

U.S. Sen. Bob Casey Jr., a Democrat, said that because of the \$1.2 trillion infrastructure package, "we're going to be able to make critical improvements to both freight and passenger rail."

Casey said: "This news is a win for travelers and businesses who rely on our railways."

Dave Sutor is a reporter for The Tribune-Democrat. Follow him on Twitter @Dave_Sutor.

Gleason joins statewide charter school reform group

BY JOSHUA BYERS
JBYERS@TRIBDEM.COM

Westmont Hilltop School Board President Robert Gleason has joined the Keystone Center for Charter Change at the Pennsylvania School Boards Association.

The school director will serve the group as a resident alongside former state Auditor General Eugene DePasquale.

His interest in the group grew out of his work as a Westmont Hilltop board member.

"It became apparent to me when we finalized our school budget this year that \$600,000 for charter school tuitions is unsustainable," Gleason said.

"In fact, it is one of the principal reasons that we needed to raise school taxes."

Gleason said cyber and charter schools have a place in the state's public school system, but flaws in the current funding formulas for those institutions "result in school districts overpaying by hundreds of millions of dollars, which comes out of the pockets of local taxpayers."

"I look forward to working with the Legislature to ensure that school districts, and taxpayers are no longer overpaying or reimbursing charter schools for costs they do not have," he said.

As a KCCC resident, Gleason will contribute to the public dialogue regarding charter reform.

This will help broaden the group's ability to generate support while "reinforcing the recommendations of the PSBA Charter Task Force and the PSBA Governmental Relations team in coordination with" the center's director, according to a center release.

Gleason is a U.S. Air Force veteran who's held the position of secretary of the Commonwealth of Pennsylvania, chairman of the Republican Party of Pennsylvania and the Republican National Committee, and president of the state electoral college.

He's also served on the state Turnpike Commission, the Pennsylvania Lawyers Fund for Client Security, the Commission of Presidential Scholars and the board of visitors of the United States Air Force Academy.

"Mr. Gleason brings a unique combination of experience, perspective and personal relationships to his role as a resident for the center that will better enable the center to achieve its mission," KCCC Director Lawrence Feinberg said.

"Through Rob's hands-on dealing with the challenges of school funding as Westmont Hilltop School Board president, he is keenly aware of the impact that our outdated charter school law has on our students, taxpayers and school districts."

Feinberg added that Gleason's political experience provides the group with invaluable personal relationships and a statewide perspective.

He said he and the others at the center look forward to working with Gleason and DePasquale "to present a balanced and bipartisan front advocating for fiscal and regulatory reforms that will conserve precious public education resources" and achieve the group's goal of leveling the playing field and treating all public schools fairly.

The Keystone center's aim is to build support for legislation that would provide funding and regulatory change to the state Charter School Law, according to the website.

A public hearing on charter reform will be held by the state House Democratic Policy Committee at 1 p.m. Tuesday at Westmont Hilltop Junior-Senior High School, 200 Fair Oaks Drive.

For more information about the center, visit www.pacharterchange.org.

Joshua Byers is a reporter for The Tribune-Democrat. Follow him on Twitter @Journo_Josh.



March 23, 2025 10:14 am (GMT -4:00)

ROBERT AMOS GLEASON, JR.

HOME ADDRESS



PERSONAL: Born: August 10, 1938
Married: Elizabeth Jeanne Adamson - 1961
Children: Jane, Michael, Rooney, Jonathan
Grandchildren: 8
Religion: Our Mother of Sorrows Roman Catholic Church

EDUCATION: Westmont Hilltop High School
Johnstown, PA - Graduated 1956

Kiskiminetas Springs School
Saltsburg, PA - Graduated 1957

University of Pennsylvania, Wharton School
Philadelphia, PA - B.S. Economics, 1961

MILITARY: Captain, United States Air Force
Active Duty 1962-65, Reserve Duty 1965-72 (served as United States Air Force Academy Liaison Officer)

EMPLOYMENT: **Pennsylvania School Board Association**
Fellow – Keystone Center for Charter Change
2022 to Present

Cassidy & Associates
Washington, DC
Consultant, Government Relations
2018 – Present

Arthur J. Gallagher & Company
Johnstown, PA
Pennsylvania Area President
2011 to 2013
Area Chairman – Western Pennsylvania
2013 to 2016

Gleason, Inc.
Johnstown, PA
Chairman & CEO
1994 to 2011
President

1965 to 1985, & 1987 to 1994
ROBERT A. GLEASON, JR.
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EMPLOYMENT: **Commonwealth of Pennsylvania**
Harrisburg, PA
Secretary of State under Governor Dick Thornburgh
November 1985 to January 1987

Pennsylvania Turnpike Commission
Harrisburg, PA
Commissioner
June 1993 to September 1997

GOVERNMENT: **60TH PA Electoral College**
Received 3,543,308 votes

58th PA Electoral College
Received 2,970,733 votes and elected President of the Electoral College
December 19, 2016

Pennsylvania Lawyers Fund for Client Security
Appointed by the Pennsylvania Supreme Court on December 15,
2013 until April 1, 2019

The Pennsylvania Layers Fund for client Security is a fund established by the Supreme Court of Pennsylvania to reimburse clients who have suffered a loss of money or other property as a result of the dishonest conduct of their attorneys. The Fund is a remedy for clients who cannot reasonably get reimbursement from other sources, such as from insurance or from the attorney involved.

Cambria County Industrial Development Authority
Appointed on August 1, 2012 until July 31, 2017. The Authority performs economic development for Cambria County.

Cambria County Economic Development Authority
Appointed on June 26, 2013 until June 26, 2017. The Authority finances economic development projects in Cambria County.

Pennsylvania Turnpike Commission
Nominated by Governor Robert P. Casey and unanimously confirmed by the State Senate for a four-year term to this five member commission in June of 1993. The commission oversees aspects of the Turnpike operations, including construction, and maintenance, financial and contract issues, as well as implementing traffic rules. Elected Secretary-Treasurer in April 1995.

ROBERT A. GLEASON, JR.

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GOVERNMENT: State Transportation Commission

Appointed by Governor Thomas J. Ridge in October 1997. The Commission gathers and studies information relating to the needs of highways and all types of mass transportation, to determine the need and the recommended order of priority for their construction or reconstruction. Every two years, the Commission recommends a 12 year transportation program to the Governor, the General Assembly and the Secretary of Transportation for their consideration.

National Motor Carrier Advisory Committee (NMCAC)

Appointed by the U.S. Secretary of Transportation, Samuel Skinner to the committee in the fall of 1990 for a two-year term. The committee provides a forum for the motor carrier industry and the Federal Government in areas of taxation, safety, and new highway construction.

Secretary of the Commonwealth of Pennsylvania

Appointed to Governor Dick Thornburgh's cabinet in November, 1985 by the Governor, and assumed office after being unanimously confirmed by the Pennsylvania Senate.

As Secretary of the Commonwealth, headed the Department of State which administered the Bureau of Commissions, Bureau of Professional and Occupational Affairs which oversaw the licensing of 25 business and professions such as medicine, nursing, engineering, etc.; and the State Athletic Commission which regulated boxing and wrestling in Pennsylvania.

Served on the Board of Finance and Revenue which reviewed tax appeals to the Commonwealth.

State Transportation Advisory Committee

Appointed by Governor Dick Thornburgh to the State Transportation Advisory Committee in January, 1985. Served for three years.

The committee consults with and advises the State Transportation Commission and the Secretary of Transportation in planning, development, and maintenance programs and technologies for transportation systems.

Pennsylvania Toll Roads Task Force

Appointed by Governor Dick Thornburgh to the 11 member Toll Roads Task Force in July, 1982 to evaluate the feasibility of expanding the Pennsylvania Turnpike system. Two years later, the General Assembly passed legislation recommended by the task force that allowed Turnpike expansion.

ROBERT A. GLEASON, JR.

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GOVERNMENT: High Speed Intercity Rail Passenger Commission
Appointed in April, 1982 to the nine member Pennsylvania High Speed Intercity Rail Passenger Commission. The commission spent three years and \$5,000,000 studying the feasibility of developing a high-speed rail passenger system across Pennsylvania. The results of the study have been used by other states and the Federal Government in the continuing study of high-speed rail applications in the United States.

Westmont Hilltop School District Board of Education
Appointed August 2022
Elected 2020 to 2024
Elected 2024 to 2028
President 2022 to Present

Westmont Hilltop Recreation Commission
January 1, 2024 to Present

Borough of Westmont - Councilman
Served as a Councilman from 1970 to 1980, including six years as council president of a municipality of 6,500 residents. Helped organize one of the first regional police forces in the state - West Hills Regional Police Force. Also served on Hilltop Recreation Commission.

Commission on Presidential Scholars
Appointed by President George W. Bush
Member, May 11, 2006 – March 2010

Board of Visitors of the United States Air Force Academy
Appointed by President Donald J. Trump
Member, July 1, 2018 to December 31, 2020

POLITICAL: Cambria County Republican Committee
Chairman 1996 - 2011
Vice Chairman - 1990 to 1996
Committeeman - Westmont Borough Precinct #5, 1970 to present

Pennsylvanians for Effective Government (PEG)
Director - 1992 to 2011
PEG encourages better relations between businessman and the state government of the Commonwealth of Pennsylvania

ROBERT A. GLEASON, JR.

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POLITICAL:**Republican National Committee**

Member, 2006 – 2017

One of 165 members that govern the Republican Party
Appointed to Budget, Executive and Rules Committees in 2011, Debate
Committee in 2016

Republican National Convention

Delegate from 12th Congressional District, Elected 1976, 1984, 1996,
2000. Appointed 2008, 2012, 2016, 2020, & 2024 and served as
Chairman of the Pennsylvania delegation 2008, 2012, 2016
Chairman on The Call, 2016
Deputy Permanent Co-Chairman of the Convention, 2016

Republican State Committee of Pennsylvania

Chairman, 2006 – February 1, 2017

Member, March 1996 – February, 1, 2017

In 2006, Gleason was elected Chairman of the Republican Party
of Pennsylvania, serving until 2017. During his tenure the Republican
Party elected a Governor, Senator (twice), 13 Congressmen (out of 18),
and elected record majorities in the State Senate and State House. In
2016, Donald Trump carried Pennsylvania, the first Republican to do so
in 28 years.

Pennsylvania Chairman, Catholics for Bush 2004**COMMUNITY****ACTIVITIES:****University of Pennsylvania**

Trustee, 1998 – 2013

Graduated from the University of Pennsylvania's Wharton
School as an insurance major and has been an active alumni since.

From 1989 to 1991, he served as Vice President of the
University's General Alumni Society. In these positions, he aided in
the formulation of alumni policy and planning of various events. He
advised the administration in many areas and was involved in fund
raising.

He served as a member of the University School of Veterinary
Medicine Board of Overseers. This board helped define objectives,
review the progress and problems of the school, and assess current
contributions to the school in relation to the needs of both the
community and the nation.

Kiskiminitas Springs School

Trustee, 2010 to June 2024

ROBERT A. GLEASON, JR.
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**COMMUNITY
ACTIVITIES:**

Significant Sig Award

The Significant Sig Award recognizes brothers for their professional achievements that have brought "honor and prestige to the name of the Sigma Chi Fraternity."

Memorial Medical Center

Vice Chairman, 2005 – 2007
Chairman of the Board, 2002 – 2005

Trustee, 1975 to June 2007
Secretary, to 2001

Memorial Medical Center is the leading hospital in the Cambria/Somerset County region with a 70%+ market share. It has 566 licensed beds and 2,423 employees. Gross revenues in 2003 were \$544 million.

Rob joined the board in 1975 and served in many capacities over the years. In 2003, he was elected to a 3-year term as Board Chairman. Under his leadership, Memorial has entered into negotiations to purchase UPMC Lee Regional Hospital of Johnstown. In addition, Memorial is planning a new technology park to stimulate employment in Johnstown.

Conemaugh Health System

Acting Co-CEO, 2004 – 2005
Trustee, September 2000 to June 2013
Secretary, 2002 – 2010

Bon Secours Holy Family Hospital

Trustee, December 1999 to 2000

Foundation of the Roman Catholic Diocese of Altoona-Johnstown

Director, 1990 to 2000
Secretary, 1990 to 1991

The Foundation was organized to help fund the many ministries of the Roman Catholic Church. Rob Gleason participates in the raising and investing the monies of the foundation.

ROBERT A. GLEASON, JR.
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COMMUNITY
ACTIVITIES:

Route 219 Association

Director, 1981 to 1991
President, 1985 to 1991

The association was organized in the 1950's to develop U.S. Route 219 as a four lane limited access highway from Buffalo, NY to Bluefield, WV. Rob Gleason lead the 300 member organization as it promoted this development for 5 years.

Greater Johnstown Committee

Director, 1981 to 1999
President, 1982.

The Greater Johnstown Committee is composed of CEO's of Johnstown area companies. They concern themselves with lifestyle, economic and governmental affairs.

St. Francis College

Trustee, 1978 to 1988
Vice Chairman, 1981 to 1982

Johnstown Area Regional Industries (JARI)

This organization promotes and coordinates economic development in Somerset and Cambria Counties. Rob Gleason served as officer and director from 1972 to 1993.

PROFESSIONAL

ASSOCIATIONS: **The Council of Insurance Agents and Brokers**

The Council is the trade association of the country's largest insurance brokers. Served as Chairman from October 1999 to October 2000 and as a director for 12 years.

MEMBERSHIPS: **Sigma Chi Fraternity** **Train Collectors of America**
Air Force Association

Chairman CRUZ. Thank you, Mr. Gleason.

All right. Mr. Fink, we will start with you. You served as the head of the largest Class II railroad in the United States. Like all rail executives, you faced safety challenges, and I imagine you learned a great deal.

In your opening statement you made a point of describing the Federal Railroad Administration's primary mission as "safety first." How does your professional experience shape your perspective on rail safety, and what should the FRA be doing to improve the safety of the rail system?

Mr. FINK. Thank you for the question, Senator. In my career I really wanted to work toward zero injuries and zero accidents, and that was a push when I was at Pan Am. Another thing I really wanted to work on was a cooperative and collaborative relationship. In that area, I worked very closely with all of our operating labor unions, and would have 16 meetings per year in the field with my staff, meeting with the general chairman and local chairman and any people that had safety issues.

When we first started doing that, about 10 years ago, there was a lot of, I will say, friction, between the parties. We fixed a lot of the issues that were safety related, and as we came toward the merger with CSX we were down to just a handful of issues. So working cooperatively and collaboratively was important.

I also think it is important that as railroad management we used tools that are available to us. Our railroad volunteered two times to do a safety culture assessment with the Short Line Safety Institute. We were one of the original pilot project people, where the Safety Institute came in and looked to see if we had a safety culture, which, when they came in in 2015, they said we had a safety culture; it was a work in progress. We had another one in 2018. We still had work to do, but things that needed to be discussed and things that needed to be worked on, as senior management engaged in safety and wants to see a safe workplace, and they found that we did. Are we giving people the tools they need to do their work, and then we found that we did.

We were one of the only railroads, I think, that has done two of these assessments, while some of the larger railroads have not done any.

So our business is very unforgiving. If something goes wrong it can lead to a catastrophic injury or fatality. So every day we need to be out there, stretching for zero injuries and zero accidents.

Chairman CRUZ. Thank you. Mr. Fogel, you have extensive experience in international business and trade. What are some of the non-tariff barriers to trade that limit our exports, and how do you plan to address them?

Mr. FOGEL. Sure. Thank you, Senator. This is something that is very eye-opening to me. I have been learning quite a bit about it. I think it would surprise some people to know that we are importing \$3 billion of beef from Australia, at least last year, and we are exporting zero dollars of American beef to Australia.

Chairman CRUZ. As a Texan, that pisses me off.

Mr. FOGEL. Of course. That is why I mentioned it. I started with beef. But Argentina, same problem. Because of a regulation that is in place in Argentina regarding mad cow disease from 2002, we

still can't export beef to Argentina. Cars to Japan, South Korea, Germany. We are not selling American cars there due to various import requirements.

So these are more insidious. The non-tariff barriers are more insidious than tariffs. Tariffs are simple to understand, difficult to deal with. But I think non-tariff barriers are even more challenging.

The professional team at Global Markets have years of experience dealing with this. I look forward to working with them to bring these barriers down under President Trump's leadership.

Chairman CRUZ. Thank you. Mr. Gentin, the Department of Commerce manages Federal spectrum allocation through the National Telecommunications and Information Administration, NTIA. As General Counsel, you may be asked to advise on NTIA's legal authority to reallocate spectrum for commercial use. I am hoping you can address the legal safeguards that are in place now to mitigate supposed national security risks due to reallocation.

One key authority is the Commercial Spectrum Enhancement Act, which is 47 USC Section 928, which established a Spectrum Relocation Fund, to compensate agencies for relocating or upgrading systems for spectrum sharing. No Federal user, including the Department of Defense, can be displaced without a fully funded, OMB-approved transition plan.

Similarly, according to statute, DoD shall not surrender its frequencies unless and until NTIA identifies alternative bands with comparable technical characteristics. These alternative bands must be jointly certified by the Secretary of Defense and the Chairman of the Joint Chiefs.

Mr. Gentin, do you agree that these legal requirements mitigate national security risks due to the reallocation of spectrum?

Mr. GENTIN. Thank you, Senator. Yes, I very much do agree. I think there is no question that the statutory protections for spectrum that is associated with national security are very robust and strong, and if I am honored to be confirmed, I will certainly focus on ensuring that those strictures are observed.

Chairman CRUZ. Great. OK. Final question, Mr. Gleason, for you. Amtrak has typically received between \$1 billion and \$3 billion annually in government subsidies, but the Infrastructure, Investment, and Jobs Act of 2021 provided up to \$66 billion in additional funding. Needless to say, Congress wants to ensure that money is being well spent, especially now that certain projects like the Gateway Program and the Baltimore Tunnel have ballooned in costs.

But just last week, an internal investigation by Amtrak's Officer of the Inspector General uncovered a \$12 million health care fraud scheme involving 119 employees, the largest criminal conspiracy in Amtrak's history.

Will you commit to vigilantly ensuring that Amtrak funds are used efficiently and in accordance with law?

Mr. GLEASON. Absolutely.

Chairman CRUZ. And do you also commit to ensuring that Amtrak executive compensation, benefits, and bonuses are appropriate and based on measurable metrics such as ridership, revenues, and safety?

Mr. GLEASON. I would have it no other way.

Chairman CRUZ. Thank you. Senator Peters.

Senator PETERS. Thank you, Mr. Chairman. Mr. Gentin, my first question is for you, sir. At last week's hearing I raised concerns with the Administration's attempt to basically find a back door to abolish the Manufacturing Extension Partnership Program, and on top of that, on Friday, the Michigan High-Speed Internet Office heard from the Department of Commerce that they were terminating funding for their Digital Equity Grant Program. That is formula funding that has already been awarded to local communities, and has already been spent by those communities in the state of Michigan. Basically, what it does is it increases adoption of high-speed internet, raises awareness about cybersecurity, particularly for vulnerable groups like our seniors, digital skills workshop training, as well as educating consumers on online privacy, just to name a few.

The Federal Government, in my view, and I think the view of the courts, as well, can't promise funding to a community and then simply refuse to pay when the bill actually shows up. Both of these programs, the Manufacturing Extension Partnership and the Digital Equity Grant Program, are authorized and fully funded, clearly and very specifically by Congress.

You have been nominated to fulfill the role of the top legal advisor to the Department of Commerce. So my question is, I think, is fairly simple and straightforward. Without input from Congress, is it legal for the Administration to simply cancel funding for authorized and fully appropriated programs put into law by the U.S. Congress?

Mr. GENTIN. Thank you very much, Senator. I am not yet confirmed as General Counsel of the Department of Commerce, and I certainly recognize the importance of the issues you have raised, and you raised in the prior hearing. I have not been involved in either advising or implementing the actions that you describe. I certainly would prioritize, if I am honored to be confirmed, looking at those issues, looking into those issues, working with the relevant bureau leadership and with counsel at the Department of Commerce.

Senator PETERS. Well, I understand, and I tried to highlight a little bit of the issue. I understood that you are not there now, so I fully appreciate that point. But this is basically just a legal question, that if Congress has authorized funding, by law, can the Administration just say, "Sorry, we're not going to do it"? Aren't they supposed to faithfully execute the laws of the United States of America?

Mr. GENTIN. Senator, I hear you loud and clear. I think if I am confirmed, I will make it a priority to look into those issues. I have not, as I say, advised on or been a part of implementing the actions that you describe.

Senator PETERS. Well, if confirmed, we will reach out and we will have those conversations, and hope you would commit to doing that.

Mr. GENTIN. Thank you, Senator.

Senator PETERS. Mr. Fink, in 2022, before Pan Am Railways became part of CSX, an FRA audit found, "significant safety issues are not receiving the serious and thoughtful consideration by rail-

road leadership that Pan Am's employees and the public deserve." That was in 2022. I think you left shortly thereafter from the railroad, as well.

This was on top of court cases that occurred during your time at Pan Am that found, "a culture of intimidating employees," and that as of 2017, "99 percent of injuries at Pan Am that were reportable to the FRA triggered formal charges against injured employees."

So based on what I look at as a very concerning record from these audits, I have a couple of questions for you. First, do you accept the FRA's findings about Pan Am's railroad safety failings?

Mr. FINK. No, sir, I do not, and thank you for the question. The safety audit was done in 2022, and there were some issues that I took with it. First off I would say there was a statement about our lack of a safety culture. We are the only railroad that has done two safety culture audits, I think, in the country, and we took the information that we got from that and we improved on our safety. So when they said we didn't have a safety culture, I just disagree, and that is just not true.

We also worked very closely with organized labor—I did—14 times per year, going out into the field and meeting with the people and finding out what the issues were that were out there, whether it would be walking issues or tripping hazards or situations with locomotives, and we would correct those things, or situations in the shop, to try to make things safer. And that is where our employees came with their union representatives and we talked about those things and made things better.

Senator PETERS. So if I may, you have an audit that has a number of findings and recommendations. Do you believe if you get an audit like that you should respect that audit and at least answer the audit and show exactly, in a concrete way, as to how you are addressing the findings?

Mr. FINK. Yes, sir, and our folks did do that, and wrote a letter back to the FRA, and was working with them all along on these issues. And the audit popped up because we had an awful, tragic accident with a 41-year employee, long-term employee, that lost his life working for our company. And that triggered the audit. The audit went through a lot of different items, and I took exception to the lack of a safety culture. They came in and they looked at things. There were definitely some defects. It was a 49-page audit, and they came up after that with two violations.

Senator PETERS. But I want to say, just in my remaining time here, do you accept that when an audit—you have to take it seriously.

Mr. FINK. Oh, sir—

Senator PETERS. Because as you know, for the FRA, we can't have a culture where railroads say, "Oh, I got a bad audit, but, you know, I just disagree with everything there. Forget it." We cannot have that when it comes to safety. I mean, you heard my opening remarks. This is personal, as well. We have people that are seriously injured and die. Safety has to be paramount. And someone who dismisses audits or thinks they are just unjustified on a regular basis, I have real concerns about.

So please assure me and the Committee that these audits are something that you will aggressively enforce when it comes to talking to the railroads.

Mr. FINK. Absolutely, sir. I did not want to lightly talk about that. I took exception with some of the items that were in the audit. I will definitely work on those. Safety is the first importance in the discharge of duty, and I do not, will not waver from that, at all, as Administrator.

Senator PETERS. Thank you. Thank you, Mr. Chairman.

Chairman CRUZ. Thank you, and Mr. Fink, I agree with you and Senator Peters, that safety has to be first. What was your railroad's objective record when it came to safety and accidents compared to your peers?

Mr. FINK. So when I look at our objective record over the last 10 years that I was there, with the railroads in our class, the Class II, there were 11 railroads. We came in third. In the Olympics that is a bronze medal. I would love a gold, but a bronze isn't bad, and we are always working to do things better every day.

Chairman CRUZ. So your safety record was significantly better than the majority of your peers. Is that accurate?

Mr. FINK. That is absolutely accurate.

Chairman CRUZ. Senator Moran.

**STATEMENT OF HON. JERRY MORAN,
U.S. SENATOR FROM KANSAS**

Senator MORAN. Chairman, thank you. Mr. Fink, let me begin with you. Railroad safety is what we are talking about, and I want to continue in that vein. Freight rail has always had, and already has, a high safety record, but we know improvements could be made, as you have said. In my view, one of the simplest and easiest ways would be to modernize FRA's regulatory approach and allow railroads to innovate and deploy safety technologies across the network. If confirmed, will you commit to ensuring FRA becomes a valued partner, a partner with the railroads, in incorporating new technologies and processes into the system?

Mr. FINK. Thank you for the question, Senator. It was nice bumping into you this morning at the cafeteria.

Yes, absolutely. Technology, I think is important. We have a lot of items out there that can make a safe railroad even safer. I want to work with the parties involved, certainly work with the Office of Safety, continue to gather data, making sure that this technology that we put out there is going to be failsafe and it is going to be better than what we have today.

Senator MORAN. We have utilized, in Kansas, the FRA's Corridor ID Program. That is a program that has allowed communities the opportunity to examine passenger rail planning and development to assess new routes needed in order to adequately connect unserved or underserved communities. We have benefited in that over the years, that program over the years, with our year-long effort of extending Amtrak's Heartland Flyer. Heartland Flyer would connect to Oklahoma City, which then connects to Fort Worth. That would benefit our entire state, but Wichita and Newton, Kansas, would become significant beneficiaries.

If confirmed, will you commit to supporting the Corridor ID Program, particularly as our Kansas Department of Transportation and its partners prepare to advance the second step of that effort?

Mr. FINK. Senator, thank you for the question. I am not familiar with the Corridor ID Program. I am looking forward to sitting down and learning about all the different programs. I have read about a lot of different programs. I have worked with Amtrak over our career. We ran 12 Amtrak trains a day on our little railroad. We were a preferred host of Amtrak.

So I look forward to working with the Amtrak management and looking at how we are going to work on and improve the national network for Amtrak. So you have my word on that. But I need to get there and check these programs out, and I would be happy to report back to you.

Senator MORAN. Mr. Fink, I am happy to highlight the program to you and allow you to do that. Thank you.

Mr. FINK. Thank you.

Senator MORAN. Let me ask Mr. Gleason. The support of long-distance passenger rail, I have had this conversation with nearly every nominee while I have been in the Senate and on this Committee, about their commitment to long-distance passenger rail service. I, on occasion, have utilized the Northeast Corridor, but I want to make certain that the railroads that serve the vast geography of our country are not overlooked. Tell me about your commitment to long-distance passenger rail?

Mr. GLEASON. I am committed. I have ridden long-distance trains. I rode the California Zephyr from Chicago over to San Francisco, and the Pacific Coastliner, and use the Auto Train on a regular basis. We do need that. We absolutely need that.

And I think that you know, you know what your state needs, and I look forward to working with you in order to provide the necessary passenger rail for your state. We need more passenger rail, I believe, in this country.

Senator MORAN. Thank you. Mr. Gentin?

Mr. GENTIN. Yes, Senator.

Senator MORAN. I have asked this question of nominees for General Counsels at the departments that I serve on committees and have jurisdiction over, and it is this. Would you confirm to me that if asked you would provide your client, the Department, with advice that requires them to follow the law, and the law as defined in court orders and decisions? And the point here is to recognize that those court orders and decisions are required to be followed.

Mr. GENTIN. Yes, I would, Senator.

Senator MORAN. Without exception?

Mr. GENTIN. Yes, Senator.

Senator MORAN. Thank you. Thank you, Mr. Chairman.

Chairman CRUZ. Thank you. Senator Klobuchar.

**STATEMENT OF HON. AMY KLOBUCHAR,
U.S. SENATOR FROM MINNESOTA**

Senator KLOBUCHAR. Thank you very much, Mr. Chairman. I will start with you, Mr. Fogel. I enjoyed our discussion yesterday. As I explained, I have long done work in the area with Foreign Commercial Service, and really believe that it is an opportunity, espe-

cially for small businesses that may not have full-time trade experts, to access markets. And I have numerous examples from my own state, that we discussed.

National Rural Export Center in Fargo, you wouldn't think I would be asking about Fargo, but it is right next to Minnesota, to the point I call it Moorhead-Fargo, but Senator Hoeven may disagree.

So Senator Hoeven and I have been leading efforts to permanently establish a Rural Export Center within the U.S. Commercial Service to help rural businesses export their products. I suggested at some point you should talk to him about it.

Could you talk about the importance of rural exports and the work that is done in the Department in the U.S. and Foreign Commercial Service when it comes to rural?

Mr. FOGEL. Sure. Thank you, Senator, and like you said, it was great speaking with you yesterday.

Look, the Foreign Commercial Service plays an essential role in trade, and you mentioned the Rural Export Centers. Agriculture is a key issue. It is a priority of President Trump. The agriculture trade deficit went up significantly in the last 4 years, and he has made it a priority to bring that down. We are already starting to see results with the U.K., and I think we will see more with other trade framework deals that the President and his team will enter into.

But there is a big role for the Foreign Commercial Service, the U.S. Commercial Service to play. What they do, as you alluded to, is help educate small businesses in particular, but all businesses, for exports, what markets to export to, how to deal with non-tariff barriers, import restrictions, et cetera. And as we talked about, if you are a small business owner and you have never exported before, you really need expertise to help get you over the hump.

Senator KLOBUCHAR. Of course, I am very concerned about the effect of these tariffs. I am not going to spend my precious 5 minutes on this. Maybe I will ask you more later, just on farming, with soybeans especially, already the market in China was down to only 20 percent of the market. The rest went to Brazil from the last Trump administration, and now they are concerned they are going to lose it all over. So I hope that we can get in a better place, but it has been a real problem for farmers.

Next up, Mr. Gleason, last year Amtrak launched the new—I don't know if you know about this—the Borealis Line, which runs along the Empire Builder route, and they added a second daily train from St. Paul to Chicago. There was only one, and that was always a problem when there was just one. And interestingly enough, there are 11 stops in between. The ridership exceeded expectations. It has reached 100,000 riders in the first 5 months. And in your testimony you discussed the economic importance of passenger rail to the towns they serve. This stops at 11 stops. Three are in Minnesota—St. Paul, Red Wing, home of Red Wing Shoes, and Winona.

Will you commit to working to improve and maintain passenger rail on long-distance routes that connect rural areas to urban centers?

Mr. GLEASON. Absolutely, and that story of the Borealis is amazing. And it just shows that the people of America, they will ride the trains if they are there. So absolutely, I am committed to that.

Senator KLOBUCHAR. OK. There is another train that we are looking at. It has been long in the making. It is a long and existing route that I ask you to look at if you are confirmed. It is Northern Lights Express. It is in Representative Stauber's district, pretty much in northern Minnesota, Republican Representative. But it goes from the Twin Cities up to Duluth. It is not running yet but it is something that was one of the next-up situations, which would not involve building a lot of track. It is existing use for shipping and the like. And there are many colleges up in Duluth, and it is kind of a growing area and big tourist area, and also the same thing, routes along the way. There is a lot of interest. So if you could look at that I would appreciate that.

Mr. GLEASON. Certainly.

Senator KLOBUCHAR. Thank you. And then last up, Mr. Fink. Blocked rail crossings have always been one of my priorities, just because we have so much shipping going on in Minnesota. We are the fourth-biggest ag exporter in the country. We've got tons of other manufacturing, things we are making. We go to ports, the Port of Duluth a lot, and then we go down the river, down the Mississippi River.

And as you noted in your testimony, FRA's grant programs are a way to ensure safety and efficiency. The Railroad Crossing Elimination Grant does just that by supporting projects that eliminate at-grade crossings. We have had a number of really, really positive projects where we have eliminated a rail crossing where there have been a lot of deaths or accidents, by going under underpasses, overpasses, you name it.

Do you commit to addressing blocked railways and ensuring funds appropriated to the RCE are spent as directed by Congress?

Mr. FINK. Thank you very much for the question, Senator. In my previous job, the majority of the questions I would get from congressional staff was, "Why is your train blocking our crossing?" So I understand it from the railroad side, and now I am going to learn it from the FRA side.

It is important. My interview with Secretary Duffy, that is the second question he asked me, "Why can't railroads not block crossings," and we explained some of the idiosyncrasies of that. That is going to be an important continued data-gathering. I think the grant programs are important, and we have seen some real progress, and I think this technology is another piece of where technology will be able to help us with block crossings. You have my commitment. We are going to be working on that right away.

Senator KLOBUCHAR. OK. Thank you very much. Thank you, and I will ask you, Mr. Gentin, questions in writing. Thank you.

Chairman CRUZ. Thank you. Senator Capito.

**STATEMENT OF HON. SHELLEY MOORE CAPITO,
U.S. SENATOR FROM WEST VIRGINIA**

Senator CAPITO. Thank you, Mr. Chairman, and thank all of you for being here, and thank you for the visits to my office. I very much appreciate that.

Mr. Gentin—you said it is a hard G; did I get that right?

Mr. GENTIN. It is Gentin, Senator.

Senator CAPITO. Gentin. Sorry. Several West Virginia companies are seeking rulings from Commerce on anti-dumping and countervailing duty orders to protect against unfair trade practices. Given the increased use of third-party countries to circumvent our trade laws, how will you ensure that the Department of Commerce effectively enforces anti-dumping and countervailing duty orders to protect our U.S. industries from unfair trade practices?

Mr. GENTIN. Thank you, Senator. I think the President and Secretary Lutnick have been very clear that one of their goals is to ensure that the United States is treated with fairness and respect in the global trade regime. If I am honored to be confirmed by this body I will certainly work with the leadership of ITA and BIS, along with counsel at the Department of Commerce, to ensure that West Virginians and other Americans are treated fairly by foreign companies.

Senator CAPITO. Thank you. I don't know if you know this in the depth that you will once you are confirmed, but what legal standards need to be met by the Department of Commerce when they are initiating a trade investigation?

Mr. GENTIN. Senator, that is not something I have delved into in my current situation, but I am glad to look into that and prioritize that if I am confirmed.

Senator CAPITO. Thank you. Mr. Fogel, welcome, and I know from your private sector background and prior public service you appreciate the need for more investment here, domestic investment, certainly on the emerging tech side. Cutting-edge technology requires infrastructure to support it. And I will put a plug in for my state, as an excellent place to make those investments.

What vetting steps would you take to ensure that bad actors or national security threats do not gain a foothold here while ensuring we are open for business? In other words, the vetting process of figuring out where the investment is coming from.

Mr. FOGEL. Right. Well, thank you, Senator. It was nice meeting with you. Absolutely, what you are talking about is really important. On the export side—I know you are asking about investment—I am a huge advocate for exports because the Global Markets team is responsible for exports. But, at the same time, we need to be careful that we are not just exporting for exports' sake. We need to be mindful that we are not sharing technology, proprietary technology, with bad actors, particularly China.

On the investment side, as well, although it is not really the responsibility of the Global Markets team, I would want to work with my interagency colleagues as well as my colleagues at Commerce to make sure that the foreign investment coming in is not being used for any kind of insidious purpose.

Senator CAPITO. Yes, thank you. I think that is an important aspect as we look to the future.

On rail safety, Mr. Fink, you and I talked about the accident that occurred in Ohio, or just outside the boundaries of West Virginia, and the impacts that it had on major railroads and major railroad safety. What can we do to make sure that the safety measures—we didn't pass a rail safety bill—but the safety measures that you

learn, lessons learned from NTSB and others are quickly and effectively implemented by the railroads to prevent future accidents?

Mr. FINK. Thank you for the question, Senator. The East Palestine derailment was an awful tragedy that really should not have happened, and with technology to stop it from happening, but it happened. I think the railroads have voluntarily put more sensors out there to see if certain bearings are heating up, and stop the train so we don't have the same thing happen in East Palestine.

And there are other things that I look forward to. You know, my job is the enforcer of the laws that you pass. So when you pass a law, we will look at it, and the FRA will enforce that law, whatever you come down with on what we should be doing on different items of rail safety. And I look forward to that happening, if confirmed.

Senator CAPITO. Thank you. And Mr. Gleason, thank you for the visit, as well, and we talked about the lines that go through West Virginia, the Cardinal, which only runs 3 days a week, which we would like to get that service up, going out to Chicago, and then the Capitol Limited, which a lot of West Virginians use to commute into D.C. quite frequently.

You know, I didn't tell you this. I actually forgot about this. But I do want to thank Amtrak because over the last several years they have improved the access into the boarding stations for folks with disabilities and modernized those, even in the couple, like in Montgomery, West Virginia, which is a smaller town, made it so that people could easily access. And that, I think, to me, is extremely important as you are looking on how you get more people to ride the rail. You have to make it accessible for all types of disabilities and ages of passengers.

But I did say to you, and I am going to say this publicly, that the last time I rode an Amtrak train, I found it was not maintained to what I think the standards of American passenger service should be maintained to. So I hope during your tenure on the Amtrak board that you put a heavy emphasis on that, as well. I know there are new trains coming on board, and I know some of it is because of the olden age of the particular cars. But I think we can do better here, and I think we need to.

Mr. GLEASON. Thank you. I agree.

Senator CAPITO. Thank you.

Senator CRUZ. Thank you. Senator Baldwin.

**STATEMENT OF HON. TAMMY BALDWIN,
U.S. SENATOR FROM WISCONSIN**

Senator BALDWIN. Thank you, Mr. Chairman. I have been seriously concerned about the role that the Department of Government Efficiency, otherwise known as DOGE, is playing in driving some of the chaos and upheaval in the Commerce Department, including shutting down the Minority Business Development Agency.

For example, as I raised in this Committee last week, Elon Musk and DOGE are playing an outsized and highly questionable role at the Department. So Mr. Gentin, since joining the Department in February, have you ever met with Elon Musk?

Mr. GENTIN. Yes, Senator. I attended a meeting, one meeting, where he was also there.

Senator BALDWIN. Who else was present?

Mr. GENTIN. This was, I would say, a casual meeting. People were walking in and out. It was also some time ago. I was there—

Senator BALDWIN. Where was it?

Mr. GENTIN. It was in the White House, Senator.

Senator BALDWIN. And what was discussed? Did you discuss any of the plans that DOGE had for the Commerce Department?

Mr. GENTIN. No. It was a very high-level discussion, a casual discussion.

Senator BALDWIN. Mr. Gentin, have you ever met any of the members of the Department of Government Efficiency while working at the Department of Commerce?

Mr. GENTIN. Senator, I was introduced to two members that I understood were associated with DOGE in the hallway, casual introduction, just a few seconds really.

Senator BALDWIN. Was one of them Nate Cavanaugh?

Mr. GENTIN. No.

Senator BALDWIN. OK. Do you know who the two DOGE members were?

Mr. GENTIN. I don't recall their names. I know it was not Mr. Cavanaugh. His name came up, I think, in a prior hearing. I don't recall that it was him.

Senator BALDWIN. And are these DOGE members now Department employees, the ones that you met?

Mr. GENTIN. I don't know, Senator.

Senator BALDWIN. OK. I want to just register my serious concern about the role that DOGE played in dismantling the Minority Business Development Agency. I also believe that they played a significant role in creating instability in the Manufacturing Extension Partnership. Are you familiar with that program?

Mr. GENTIN. I am not, Senator.

Senator BALDWIN. OK. So earlier this year, the Trump administration did not renew contracts for 10, it is referred to as MEP, the Manufacturing Extension Partnership. So they didn't renew contracts for 10 MEP centers, causing great alarm across the country, and in Wisconsin, at our MEP center. And while these contracts have now been restored until the end of the Fiscal Year, for a few more months, this jolt of instability for the Manufacturing Extension Partnership is both unwelcome and unnecessary.

Mr. Gentin, if Congress does its job and appropriates funding for the MEP centers, will you renew their contracts, as is standard practice, while you are serving in this position?

Mr. GENTIN. Thank you, Senator. I certainly recognize the importance of this issue for you and for Wisconsin. I am not familiar with it. If I confirmed, I will gladly prioritize this and look into it.

Senator BALDWIN. Mr. Fink, thank you for meeting with me. I was planning on asking some of the specific questions that Senator Peters just asked you, about the audit and the critical safety concerns with Pan Am's long-term safety record and apparent failure of Pan Am's leadership to take action to develop a positive safety culture. That is a read-out from the February 2022 FRA Chief Safety Officer's letter.

But I wanted to just draw some attention to another aspect of leadership at Pan Am that was cited by the railroad that acquired

Pan Am. When CSX acquired your railroad, their CEO testified that the track and infrastructure, in some cases, was in such poor condition that, “it was so overgrown with trees and weeds you didn’t even know there was a railroad there.”

Can you comment on what commitment to safety could have led to the condition of rails as the acquiring CEO testified?

Mr. FINK. Thank you for your question, Senator, and I enjoyed our visit yesterday.

As far as CSX purchasing our railroad, I spent several days taking their Chief Operating Officer over most of the railroad lines. Mr. Foote’s comments were on one specific piece of track that was in an area that was an overgrown wetland.

We strived every year to improve our capital and improve our railroad. When we gave the railroad over in June 2022, it was in the best shape it had been in in 20 years, and that is not just me talking. It is what we were doing as far as safety and train accidents. So our record versus our connecting railroads, we were as good or better. Our safety culture was there. We had done safety culture studies. We handed the railroad over to the CSX in good shape, and they knew exactly what they were getting. We cooperated with all of the states that we worked in, all of the time, did a lot of cooperative, joint ventures, allowing passengers running on our freight railroad. So, I mean, overall, I am proud of the work that we did over the 20 years.

There certainly were some issues. They have been raised. I have talked about my thoughts on those issues. My job at FRA will be the chief person to enforce the laws, and that is what I will be doing, and I will be certainly working with you and the Committee to make sure that you are happy with what we are doing at the FRA.

Senator CRUZ. Thank you. Senator Luján.

**STATEMENT OF HON. BEN RAY LUJÁN,
U.S. SENATOR FROM NEW MEXICO**

Senator LUJÁN.—President’s nominee for General Counsel for the Department of Commerce. I have a few yes-or-no quick questions for you, and I would appreciate a quick yes-or-no response.

Yes or no, are you familiar with the Bipartisan Infrastructure Law from 2021?

Mr. GENTIN. I am not sure I am, Senator.

Senator LUJÁN. Oh boy, Mr. Chairman. So we have someone before us to go to the Department of Commerce that is not familiar with one of the biggest pieces of legislation that this Congress enacted, in a bipartisan fashion, to build infrastructure in America. Is that correct?

Mr. GENTIN. Maybe there is an aspect of the law, Senator, you want me to ask about. I may not be familiar with that name.

Senator LUJÁN. It was called the Bipartisan Infrastructure Law, in 2021. It was referred to by other names, as well. That doesn’t sound familiar?

Well, nonetheless, are you familiar with something called the Digital Equity Act?

Mr. GENTIN. I am aware of the fact that there is a program, a grant program, by that name, Senator.

Senator LUJÁN. Can you tell me what that program is?

Mr. GENTIN. My understanding is that is a program that is designed to make the digital economy available to Americans.

Senator LUJÁN. So my question is, yes or no, is the purpose of the Digital Equity Act to help close the gap in broadband adoption and support programs that help provide children and seniors with the skills they need for the digital age?

Mr. GENTIN. I don't know the details of that program, Senator. I would defer to you if that is how the program is described.

Senator LUJÁN. I will stand by that description.

Yes or no, does Article III of the Constitution say that judicial power of the United States shall be vested in one Supreme Court?

Mr. GENTIN. Yes, Senator.

Senator LUJÁN. Yes or no, did *Marbury v. Madison*, a Supreme Court case from 1803, establish judicial review?

Mr. GENTIN. Ooh, you are taking me back to law school, Senator, but that sounds correct.

Senator LUJÁN. Yes or no, does the judicial branch have the sole power to declare a law unconstitutional?

Mr. GENTIN. Senator, certainly the judicial authorities have the right to review laws for their constitutionality.

Senator LUJÁN. Yes or no, did the President declare the Digital Equity Act, a bipartisan law passed by Congress, unconstitutional in a Truth Social post?

Mr. GENTIN. I am aware that the President issued a Truth Social post regarding the Digital Equity Act, Senator.

Senator LUJÁN. May 8, 2025, at 4:38 p.m.

Yes or no, does the Constitution grant the President the power to nullify entire sections of laws passed by Congress?

Mr. GENTIN. Senator, I have not looked into, in any way, the constitutional issues that you just flagged, relating to this. I have not done so.

Senator LUJÁN. In law school did they teach you that the President can nullify?

Mr. GENTIN. I don't recall that that was discussed when I was in law school. It was a long time ago.

Senator LUJÁN. Where did you go to law school?

Mr. GENTIN. Columbia Law School, Senator.

Senator LUJÁN. On Friday, this letter was sent out from the President of the United States, the Department of Commerce, to constituents in all of our states, nullifying this program based on what President Trump said, Secretary of Commerce Howard Lutnick and he, "we agree that this is totally unconstitutional."

I hope my colleagues from across the country whose constituents are depending on this program just to get connected to the internet, that is how this all happened, that we can work together to reverse that.

Mr. Fink, under your leadership the railroad you ran was found to have, "critical safety concerns, a culture of retaliation, high accident rates, and extremely poor track conditions which increased the risk of derailments." The FRA, the agency you are nominated to lead, attributed these to, "failure of Pan Am's leadership."

How can we trust you to hold this position and hold companies accountable to areas that were not met while you were there?

Mr. FINK. Thank you for the question, Senator. I would disagree, that we did meet the standards, and there was disagreement between our folks and FRA. And let me just say that any time we had issues with FRA we fixed things and we argued about them later. If they said something wasn't right we fixed it. So we had a safety audit. I disagreed. We had a safety culture. We did safety culture studies, and our incidents and accidents were at or below the industry standards.

Senator LUJÁN. Mr. Fink, two of my colleagues asked you questions about the nature of the track that was covered in trees and all the rest. You responded that you took their safety person out and did a walk and pointed it out.

Mr. FINK. Yes, we did.

Senator LUJÁN. My question is, are you contending that the CEO of CSX lied?

Mr. FINK. No, sir.

Senator LUJÁN. I appreciate that.

Every time Amtrak employees have come before this Committee I have pushed for robust funding and support for Amtrak to improve and expand our Nation's long-distance rail network. You may have heard from Senator Moran, but Kansas, Colorado, and New Mexico often get together when we start seeing attacks on the Southwest Chief.

Yes or no, are you committed to advocating for increased funding for the long-distance network to address outdated equipment and maintenance issues?

Mr. FINK. I am for Amtrak being a national network and us supporting Amtrak as a national network.

Senator LUJÁN. What about the Southwest Chief?

Mr. FINK. I do not have any information on the Southwest Chief. I am not sure where it goes. I will certainly work with the Committee on specific Amtrak issues. I am for the Amtrak national network.

Senator LUJÁN. I appreciate that. Before Senator Moran calls you into his office with the rest of us in there I would encourage you to learn about the Southwest Chief.

Mr. FINK. I will learn about everything I need to learn before I have to go to Senator Moran's office.

Senator LUJÁN. Well, especially the Southwest Chief. I am telling you, there will be a meeting. It happens every year. The CEOs come in, the person in your position is going to come in, and all the rest. So I hope we can find some commonality there.

Mr. Chairman, I have other questions for the record. I will submit them for a response, as well.

Thank you, and I yield back my time.

**STATEMENT OF HON. BERNIE MORENO,
U.S. SENATOR FROM OHIO**

Senator MORENO [presiding]. Well, thank you. See, this worked out well. I get to ask questions from the non-cheap seats. I can see you face to face. It is a lot better.

Mr. Fink, thank you for your willingness to serve, actually to all four of you. Thank you for your willingness to serve the country. It is very appreciated. I am sure there are a lot of other things that

you could be doing in your lives at this stage, but signing up to serve your country has got to be, I am sure, up there among the greatest honors. So thank you, and especially given your qualifications and what this means to your families and the sacrifice you are making.

Mr. Fink, you and I had a great meeting in my office and we talked about the East Palestine train derailment. What do you think went wrong?

Mr. FINK. An overheated bearing burned off and allowed the train to derail in East Palestine, releasing vinyl chloride and other chemicals into the air.

Senator MORENO. And we talked about the Norfolk Southern and the commitment they have made. And actually, I have got to give them accolades. A lot of times these companies get beat up a lot because of what happened. They deserve a lot of the press that they got. But they have stepped up. They have stepped up at East Palestine. One of the things they have done is created a training center for train derailments. It is the center of excellence in the country for how to handle these.

Do I have your commitment to support that training center with resources that make certain it actually becomes a world-class center for how to handle these disasters?

Mr. FINK. Yes, sir. We had a great conversation in your office. I am looking forward to that. Also in visiting with your colleagues from both Pennsylvania and from West Virginia, they also talked about the first responder situation and the center that you are going to be building. Some of the folks that are sitting in our audience right now are first responders, and also railroad employees that I spoke with before starting this conversation, and mentioned the center in East Palestine. I look forward to visiting it when it is open.

Senator MORENO. That is fantastic. Perfect. Thank you, Mr. Fink.

Shifting over to you, Mr. Fogel, the UAW, how do they feel about the tariffs? What is their viewpoint? And by the way, just to be clear, the UAW supported Joe Biden in this election, supported my opponent in this election. What is their general view of tariffs?

Mr. FOGEL. Senator, what I hear in the media is that they are supportive of the President's tariffs.

Senator MORENO. And why do you think that is, from your vantage point? Why do you think a union that has a heavy Democrat bias would be supportive of a Republican's plan and my plan, which is to reindustrialize this country?

Mr. FOGEL. Right. I don't look at the politics of it. I think simply the President is putting the middle class, the working class first with his trade agenda, so I think that is probably why they like it. And specifically for the auto industry, he is advocating for the U.S. auto manufacturers.

Senator MORENO. And give me a sense, in your mind, the scale of the problem over the last 25 years. What has happened to our industrial heartland as a result of Presidents that haven't stood up to make certain that we had a level playing field?

Mr. FOGEL. Well, I will mention, I have firsthand experience with this, Senator, just briefly. My current business is a data center

business, but we located in an old industrial area of northern New York, which I am sure, like parts of Ohio, have been decimated by the offshoring of manufacturing. And it has really hurt this community. The population level is down to 1950s levels. Income levels are down. Unemployment is high.

So I am very pleased to see the President prioritizing bringing back those types of communities by onshoring more manufacturing.

Senator MORENO. And right now I think the current number is somewhere around \$6 trillion—there is now another \$600 billion deal signed with Saudi Arabia—\$6 trillion and counting of new investment in America. What do you think that means for places like Ohio?

Mr. FOGEL. I think there is going to be a rejuvenation of America's heartland, frankly, as a result of the President's policies. As you mentioned, trillions of dollars of new investment, and I am very optimistic.

Senator MORENO. That is great. And I can count on you to make certain that Ohio manufacturers have a level playing field when they export their goods around the world.

Mr. FOGEL. Absolutely. Ohio and all states.

Senator MORENO. Well, I only care about Ohio.

[Laughter.]

Senator MORENO. Mr. Gentin, you, obviously, have to pay for these deals. What is the level of difficulty that some of these countries put on when making these trade deals? In other words, how tough of negotiators are they with the United States?

Mr. GENTIN. Thank you very much, Senator. The trade deals are really being handled by United States Trade Representative and colleagues in the Department of Commerce. I personally have not, in my current role, been involved in negotiating those trade deals. My sense is, just knowing Secretary Lutnick and certainly under the direction of the President, these are difficult discussions. But I think the Administration is committed to doing what is required to protect the American people so that the outcomes are favorable for our country.

Senator MORENO. And over the last 110 days, have you ever seen a President more committed to making certain that American companies and American workers have a level playing field than President Trump?

Mr. GENTIN. I have not, Senator, and it is a source of great inspiration for those of us in the Department of Commerce.

Senator MORENO. It almost makes you wonder what happened with Presidents before. Like why weren't they making certain that American workers were on a level playing field? Does that cross your mind, as well?

Mr. GENTIN. It does, Senator, and I think it dovetails a little bit with what you said earlier. I think that is actually why many of us have decided to come back into public service. You see those of us on this panel and many others. It is a time where we feel that this is an opportunity to do something good for the American people, for all Americans, and it is an inspirational time to do so.

Senator MORENO. I appreciate it. Thank Mr. Gentin. Mr. Gleason, I am out of time, but thank you for being here, as well.

And I will now recognize our Senator from New Jersey, oh, from Delaware. Delaware, the first state, and closer. So thank you.

**STATEMENT OF HON. LISA BLUNT ROCHESTER,
U.S. SENATOR FROM DELAWARE**

Senator BLUNT ROCHESTER. Thank you, Mr. Chairman. Two of the nominees today, if confirmed, will have a significant impact on freight and passenger rail development in the United States, which are vital to our economy.

Few, if any, rail corridors are as important as the Northeast Corridor, which includes Delaware and the Mid-Atlantic region. Any disruptions to these services would not only impact people, but it would cost millions of dollars a day.

But before I get to addressing the future of rail travel in the United States, Mr. Gentin, I need to address an issue that we have been experiencing with the Department of Commerce. Since February, you have been Secretary Lutnick's senior advisor. Is that correct?

Mr. GENTIN. Since mid-February. Yes, correct, Senator.

Senator BLUNT ROCHESTER. As you may know, Senator Lutnick told me directly, when he was here having his hearing for his confirmation earlier this year, that he would not dismantle the Minority Business Development Agency and turn back the clock of progress, bipartisan progress from many Presidents before him supporting these businesses. My colleagues and I have sent multiple letters seeking answers about the reversal of his promise to protect the agency and dismantle it.

Our first letter was March 24th, then another letter on April 17th, and most recently we sent a letter on April 30th, less than 2 weeks ago, and we have since not received any kind of meaningful response.

So I would like to know, is Secretary Lutnick aware of our letters about dismantling the MBDA?

Mr. GENTIN. Senator, I am not aware of those letters, and I don't know what Secretary Lutnick knows about those letters.

Senator BLUNT ROCHESTER. So again, you have been his senior advisor since February? I just want to confirm that?

Mr. GENTIN. I have been one of his senior advisors, Senator, which is a role—

Senator BLUNT ROCHESTER. Thank you. That is the question. Remind me. Did you attend Paul Dabbar's confirmation hearing to be Deputy Secretary?

Mr. GENTIN. Yes, Senator. I did attend that hearing.

Senator BLUNT ROCHESTER. Do you recall many members, just like today, raised these exact letters, our serious concerns about what is happening at MBDA? Do you remember that?

Mr. GENTIN. I recall the topic of MBDA coming up at the Deputy Secretary nominee's hearing, yes.

Senator BLUNT ROCHESTER. So I know you have said you have got a different role. Did you not feel this was important, even for this hearing, just even in preparation for this hearing, because it has come up before, to even mention it to the Secretary?

Mr. GENTIN. Senator, I am very well aware of the importance of this topic to you and to other members of the Committee. My understanding is that this matter is in litigation.

Senator BLUNT ROCHESTER. It is my understanding that because of 21 attorneys general fighting it, that it has been halted by a judge. But have you participated in any meetings, have any communication, anything regarding the letters at all?

Mr. GENTIN. No, I have not, Senator.

Senator BLUNT ROCHESTER. OK. We sent these letters in the past 2 weeks, and so it is hard for me to think that this is not something you would have prepared for, for this hearing. I assume you don't know of any plans to even answer the letters, and I would assume that you would say, as you have said before, you might prioritize it.

Who do we need to contact at the agency to get an answer to these letters?

Mr. GENTIN. Senator, I will, coming out of this hearing, certainly go back to the Department of Commerce and try to follow up and try to get those letters responded to.

Senator BLUNT ROCHESTER. So since you are the third person, my concern is, I don't like to use the term "gaslighting," but that is what it is kind of feeling like. We just need some answers to what is the priority. The Secretary said it was a priority. Past Presidents have said it was a priority, going all the way to Richard Nixon.

So I hope that we can get an answer on that, and I would like to switch gears right now to Amtrak and our stations in Delaware. This is a vital area for us. Our stations, our training facilities, the operations centers, the maintenance shops, services to Delaware alone have a combined yearly ridership of over 650,000 passengers, and growing.

Amtrak also directly employs over 1,300 Delawareans. Last week, we learned that Amtrak will be cutting about 450 management positions. Given the mass layoffs and reduction of force, I would like to ask Mr. Gleason, what is your plan for being able to deal with expanding ridership at the time when we are shrinking the number of folks working there?

Mr. GLEASON. Since I am not on the board now I don't know anything about that. But, I mean, certainly Delaware has been wonderful as far as passenger rail is concerned, so I would hope that that would continue.

Senator BLUNT ROCHESTER. I would hope—yield me two seconds—that I would have your commitment for full transparency on the positions, the rationale, and impacts to service that this might have on our constituents.

I am all for government efficiency. I believe in it. But we don't make things more efficient by breaking them.

Thank you, Mr. Chairman, and I yield back.

Senator MORENO. Thank you. And your Ranking Member has been very gracious, Senator Kim, and said that you are next. We are going from east to west.

**STATEMENT OF HON. ANDY KIM,
U.S. SENATOR FROM NEW JERSEY**

Senator KIM. Thank you. Thank you all for joining up. Mr. Gleason, I would like to just start with you. I guess I just wanted to get a sense from you, how is Amtrak doing? If you were to give it a grade, how would you grade it?

Mr. GLEASON. Well, again, I am not part of the Amtrak organization.

Senator KIM. I know, and neither am I, but I certainly have my opinions about how it is doing.

Mr. GLEASON. Oh, I think it is doing pretty good. I recently took the Auto Train to Florida. It went well. I ride the Acela. I have ridden the California Zephyr. I have ridden the trains all over. I think they are doing better, but they could probably do better. There is no question about that. I am a proponent of passenger rail. I think—

Senator KIM. I know, and I read your testimony and I appreciated the sentiments in there. I guess I am trying to get a sense of what you are going to be doing in this job. So I guess when you look at the budget, do you think the budget is at the appropriate level? Too high? Too low? I am just trying to get a sense of where your head is at right now.

Mr. GLEASON. Well, I will be one vote on the board, obviously.

Senator KIM. Correct.

Mr. GLEASON. But a lot will have to do with your support of Amtrak. So, I mean, you know, you are the ones who give us the money to operate Amtrak.

Senator KIM. We do so in consultation with the board.

Mr. GLEASON. Right. And I think that in the future that we could look into more private-public partnerships to get more revenue into Amtrak and expand it. I think there are a lot of ways to do it without just giving them taxpayers' money.

Senator KIM. But you are not, at this point, in a mindset that you want to come in and cut the budget 20, 30, 40 percent?

Mr. GLEASON. Absolutely not.

Senator KIM. Good. Especially when it comes to the Northeast Corridor, I will be honest with you, we are continuing to struggle. And there have been a lot of attacks over the years, a lot of proposals by colleagues of mine here as well as during the first Trump administration to cut budget for the Northeast Corridor. That is not something that is on your mind at this point?

Mr. GLEASON. No.

Senator KIM. I guess I would just be interested in a sense of your vision for Amtrak. I will quote a couple of things you said here. You said, "improve and expand passenger rail service across America in a fiscally responsible manner." You also said, "Passenger rail doesn't just move people, it drives prosperity." Do you agree that those statement you made are still right?

Mr. GLEASON. Absolutely. And if you read it in my statement it has been devastating to my community to lose passenger rail.

Senator KIM. Yes. I thought that was very powerful, how you talked about that.

Mr. GLEASON. And we have two trains a day. It is terrible. That is all we have coming through a town that has a main line of the

Norfolk and Southern Railroad go through it. And it has isolated our town from the rest of the world, and I am sure all over America there are towns like that.

So I think Amtrak and rail can be expanded a lot easier than building highways and a lot of other more expensive things. So I would like that hopefully the support comes from the Senate and the government to expand Amtrak. And we need to look at other ways that we can fund this expansion. Every Senator so far has talked about trains that are running now in their states, and they are very happy about it, and their people want it.

And I mentioned before, the younger people of America are riding trains a lot more. You know, the ridership in Amtrak is younger. And many people today, they don't have driver's licenses, they don't have cars. They want to use public transportation. They want to ride Amtrak.

Senator KIM. Well, I hope I can count on you, then, to work with me, because I feel like so often what happens here in Congress, in the years that I have been here, is we are just trying to tread water. You know, we are just trying to stop cuts from happening. But I would like someone to work with where we could actually lay out what a vision of this going forward would look like.

Mr. Fink, I wanted to just turn to you. If you could just explain to us, very clearly and succinctly, what is the main mission of FRA?

Mr. FINK. The main mission of FRA is to make sure that the safety in railroads for the public, freight passenger, that is it, safety.

Senator KIM. Yes, and I think that is something that I share with you. You know, we had a number of cases in New Jersey last summer where we had problems between New Jersey Transit as well as the Amtrak, and it was causing the entire system to short out. Does that sound like a safety concern to you?

Mr. FINK. It certainly does, and we had an excellent conversation about that in your office. Every day that we are not having these issues with the pantograph is important. I think a lot of people are studying it, hoping they are getting to the bottom of it so we don't have folks, including yourself, at Penn Station waiting for a train to get home.

Senator KIM. Yes. We just can't have the undermining—I mean, the reason people rely on these is they want something reliable in that way, and we certainly did not see that. But also it was a safety concern. FRA played an important role in trying to adjudicate this. Do you promise that you will work with me, as well as those involved, to make sure we get to the bottom of this? Because we can't have another summer, this summer, like we had last.

And I will be honest with you, I don't feel like I have the assurances yet to be able to look my constituents in the eye and tell them things are better.

Mr. FINK. You have my commitment. I have always worked cooperatively and collaboratively, support letters from our partner that we did with Amtrak up in Maine, when we started service, we were a preferred provider for Amtrak. The service we ran into Maine was always highly rated.

So how we did that was getting together and sitting in a room and discussing the issues and getting to a solution, so the passengers were able to travel, Amtrak was able to run, and our freights were able to run, in a safe manner.

Senator KIM. OK. Thank you. I yield back.

Senator MORENO. I recognize the Senator from Tennessee.

**STATEMENT OF HON. MARSHA BLACKBURN,
U.S. SENATOR FROM TENNESSEE**

Senator BLACKBURN. Thank you, Mr. Chairman. Thank you all. Congratulations on your nominations. I know you are ready to get today over with and then move forward with the process.

Mr. Fink, I want to come to you. Memphis. It is one of our Nation's logistic hubs. You have got all the railroads. You have got FedEx. You have got the river, the Port of Memphis. And I have heard so much from people in Memphis who work in the logistics arena, people that work with rail, they are very concerned about the intermodal railyards in Memphis. I have had a couple of businesses actually describe it, saying it looks like a war zone because of cargo theft, which is a terrible problem. It is an increasing problem with the gangs that are there.

But as Administrator, I would like to know how you are going to work with communities like Memphis and how you are going to address what is a growing problem nationwide, which is cargo theft?

Mr. FINK. Thank you for the question, Senator. I had not heard of the issues in Memphis. I have seen, over the years, particularly out in Southern California, where the trains were broken into while they were moving. So it is an issue that we need to sit down and talk with. I think the security folks from the railroads, our folks at FRA, we can sit down and find out what is going on and talk with the local communities. You have my word that, if confirmed, I will work on that and we will try to come up with something.

Senator BLACKBURN. Well, it is happening, and I would take the opportunity to highlight with you, this is happening, and it is a significant problem. And we would like to see some attention placed on solving this problem. Not a lot of time for talking. Action is past due. So an appropriate, timely assessment and action would be appreciated on that.

Mr. FINK. Yes, Senator.

Senator BLACKBURN. Thank you. Mr. Fogel, Tennessee is a growing place, and I was just talking about what I call the "Trump bump," that certainly our state has seen it. We have had, since the November election, 30 corporate announcements, companies that are landing their projects in Tennessee, about 1,900 new jobs, \$1.2 billion in capital projects since the November election. And about half of that investment is direct foreign investment. So it is important to our state that there be a participation and an awareness at the Federal level.

So when you are looking at handling global markets, what I would like to know is how are you going to work with states like Tennessee as they work to attract more direct foreign investment?

Mr. FOGEL. Yes, Senator, thank you for that question. As you are alluding to, the Global Markets Division of the Department of Commerce does focus on foreign direct investment into the United States, primarily through Select USA. In fact, their conference is going on right now, and unfortunately I can't attend as a citizen. Obviously, I wouldn't go in an official capacity because I am here.

But that is the mission of that team is every day to attract foreign direct investment and then help guide foreign investors to various states, based on what the investors are looking for and what the different states offer. I would be happy to work with you about Tennessee, specifically, and learn more.

Senator BLACKBURN. Well, we have got a great story to tell. One area—and Senator Cantwell and I were just chatting about this—we have got the American Music Tourism Act, and we are trying to get this run through the pipeline. Tennessee had 144 million visitors last year, and \$30.6 billion in direct spending in the state, and, of course, music and entertainment is an enormous part of that.

And I would love for you to talk for just a moment how you can partner up on the entertainment industry as we look at this global marketplace and bringing that tourism to the U.S.?

Mr. FOGEL. Absolutely, Senator. That is a big priority, that being tourism, travel and tourism into the United States. Global Markets does play a role in that, but separately there is an Office of Travel and Tourism that I am sure you are familiar with, within the Department of Commerce, and they are dedicated to interagency efforts and working with states, et cetera, to promote tourism. And I know with the World Cup and the Olympics and the events you are talking about in Tennessee, there is a lot to do, and it is a big priority of the President.

Senator BLACKBURN. Sounds good. Thank you.

Senator MORENO. I recognize the Ranking Member.

**STATEMENT OF HON. MARIA CANTWELL,
U.S. SENATOR FROM WASHINGTON**

Senator CANTWELL. Thank you, Mr. Chairman. I understand earlier Senator Cruz asked you, Mr. Gentin, about spectrum, so I wanted to go back to that if I could. Are you aware that the 2000 [National] Defense Authorization Act required the Secretary of Defense, the Joint Chiefs, the Secretary of Commerce to all work together—that is what we were trying to do—certify that spectrum auction includes use by DoD. Are you aware that no such certification was made by the Trump administration, that never happened; nobody worked together?

Mr. GENTIN. I wasn't aware of that, Senator. I am very happy to look into that.

Senator CANTWELL. Well, I think the reason I am bringing it up is because what happened is then some DoD radar spectrum was auctioned and there was a lot of confusion and interference. And so we obviously think that in the spectrum world you should have the test-bedding of important issues before moving DoD spectrum.

So are you also aware that, I think Senator Cruz mentioned relocation fund, but he claimed that these funds enabled users to up-

grade their capabilities, and that is not true. In fact, it only allows Federal users to maintain a comparable.

I am suggesting a legislation that we had last Congress that does give people the ability to upgrade, because I really do think that that is important.

But I just want to make sure that we have the record correct, that mission-critical systems were turned off and no replacement was provided. So that is a very important distinction, I think, in the debate, because I want to make sure that this doesn't happen again. We don't want to be in this vague area that somehow somebody thinks the law exists to protect DoD, when in reality, during the last Trump administration, it didn't, and we had some confusion, and we don't want to see it again.

OK, Mr. Fink, I hear five or so of my colleagues asked you about main line derailment issues, and you were mentioning that you think there were some other statistics there. But we are talking about FRA, the Federal Railroad Administration numbers, which they say that you had an 850 percent higher than the other Class II railroads. Do you dispute the FRA numbers?

Mr. FINK. Our train accident record, were in the middle of my peer group railroad, so I don't know of any 850 percent higher for that. I do not know that, and that number makes really no sense to me.

Senator CANTWELL. OK. Well, in fact, in every year in the decade before you sold Pan Am, the railroad, the main line derailment rate was double the average railroad. And the reason why the main line is so important is because we are talking about East Palestine. We are talking about areas that we think are critical for safety.

Also, do you think that Norfolk Southern's responsibility was to clean up the mess?

Mr. FINK. Absolutely.

Senator CANTWELL. OK. And your company was criminally convicted and sentenced for trying to cover up 90,000 gallon fuel in Ayer, Massachusetts?

Mr. FINK. It was 900 gallons.

Senator CANTWELL. Nine hundred gallons. So do you think you should have done that without the court decision?

Mr. FINK. We were cleaning it up. We did not properly report it, and we were fined and found guilty, yes.

Senator CANTWELL. So what do you think that we should be doing, moving forward, to make sure that we have better alignment on product, safety, cleanup, all of these responsibilities? What is your—

Mr. FINK. In that instance, we had an employee that didn't follow the procedure that they were supposed to follow. We were cleaning it up. We did not report it. We cleaned it up. We were found guilty of not reporting, and had a very substantial fine.

Senator CANTWELL. OK. Do you remember what that fine was?

Mr. FINK. Hundreds of thousands of dollars.

Senator CANTWELL. Do you think that is substantial, hundreds of thousands of dollars, given what some of these communities, the lives?

We will do more for the record on this, but I represent a very big port state and railroad state. We move a lot of product for the

United States, and oftentimes it is through very treacherous areas, where the response to this can take a long time, the Columbia River Gorge, for example.

So we want to see someone who is going to be aggressive about the continued evolution about information, involvement, first responders, plans for communities, and responsibilities, and certainly for follow up of the legislation that we have moved out of this Committee that would have, for very, very long trains, the staffing that is required to keep all of us safe.

Thank you, Mr. Chairman.

Senator CRUZ [presiding]. Thank you. Senator Duckworth.

**STATEMENT OF HON. TAMMY DUCKWORTH,
U.S. SENATOR FROM ILLINOIS**

Senator DUCKWORTH. Thank you, Chairman Cruz. Gentlemen, the Chicago Hub Improvement Program, or CHIP, is a once-in-a-lifetime, once-in-a-generation, transformative project that will enhance rail service across the Midwest and across the Nation. It will improve service in Minnesota, Wisconsin, Michigan, Indiana, and Missouri, not just in Illinois, which is why there is bipartisan support for it.

CHIP is making critical investments in rail infrastructure and facilities that will upgrade connectivity, enhance accessibility, reduce travel times, improve safety, and support good-paying jobs.

Chicago is Amtrak's busiest station, outside of the Northeast region, and more than 50 percent of Amtrak's long-distance services travel through Chicago Union Station. And trains that begin or end in Chicago Union Station make up more than 90 percent of Amtrak services outside the East and West Coasts.

In 2023, the FRA awarded Amtrak nearly \$50 million from the Federal-State Partnership for Intercity Passenger Rail, to improve passenger rail efficiency at Chicago Union Station to benefit the National Rail Network.

Mr. Fink, if you are confirmed, will you commit to working with Amtrak to ensure that all of those awarded funds get delivered to CHIP without undue delay?

Mr. FINK. Thank you for the question, Senator. I enjoyed sitting and going over many of the issues we talked about around Chicago.

I am not, right now, up to speed on that. I am going to, if confirmed, want to get down and hit the ground running and sit down and talk about these issues when I get to FRA, if confirmed, and we can get to the bottom of the issues that you came up with in the meetings I have had.

Senator DUCKWORTH. If there are no issues, will you ensure that all these awarded funds will get delivered without undue delay?

Mr. FINK. If there are no issues, yes.

Senator DUCKWORTH. All right. Thank you. Furthermore, Mr. Fink, Chicago is a national hub for freight rail, in addition to passenger rail. One out of every four freight trains in the United States passes through Chicago. That is about 500 freight trains per day. If you are moving anything via rail from coast to coast there is a good chance it will go through Chicago, which has more tracks radiating in more directions than any other city in North America.

But bottlenecks in Chicago causes delay in the shipment of goods across the country. That is why freight rail companies, passenger rail companies like Amtrak, Metra, the State of Illinois, and the City of Chicago are partnering on the Chicago Region Environmental and Transportation Efficiency Program, or CREATE project, which is unclogging the rail network for the Nation by building crucial underpasses and overpasses and upgrading tracks, switches, and signals.

The first Trump administration recognized the importance of CREATE to our Nation's economy and national security, which is why President Trump, in his first term, awarded \$132 million to the program.

Mr. Fink, if you are confirmed, will you commit to giving full and fair grant consideration for applications for projects like CREATE?

Mr. FINK. Thank you for the question, Senator. If confirmed, I will look and work toward making sure that these grants that are scored and for Chicago or other places are put out. That is one of my goals as FRA Administrator. There are a lot of grants. There are a lot of things that haven't gotten out. Let's get them out and let's get things built.

Senator DUCKWORTH. Thank you. Will you also commit that you will not delay funding that has been awarded to projects like CREATE if there are no extenuating circumstances?

Mr. FINK. Again, I am not there yet, so when I get there I am going to sit down and hopefully, I have heard a lot of these grants have been released in the last few weeks. Hopefully, by the time I get there, those issues will be behind us and we will be working on sending out new programs, if you authorize them, for grants in the future.

Senator DUCKWORTH. Will you commit to making yourself available to me to follow up on any of these questions?

Mr. FINK. Absolutely.

Senator DUCKWORTH [presiding]. Thank you. And I now recognize Senator Markey.

**STATEMENT OF HON. EDWARD MARKEY,
U.S. SENATOR FROM MASSACHUSETTS**

Senator MARKEY. And I thank you for that recognition. My first question is on Digital Equity Act grants. Last week, the Department of Commerce terminated grants to states under the State Digital Equity Capacity Grant Program. Congress specifically authorized and appropriated \$1.4 billion in formula funds for this program.

Mr. Gentin, were you involved in any meetings or conversations about terminating state digital equity grants?

Mr. GENTIN. I was not, Senator.

Senator MARKEY. So let me ask you this then. In your opinion as a lawyer, is the decision to cancel, to terminate state formula grant awards faithful execution of the law passed by Congress?

Mr. GENTIN. Senator, I think Senator Luján asked me about this, as well, and again, I think it is important we can all agree, I think, that everyone be able to participate in the Internet economy. In my role as a senior advisor at the Department of Commerce I have had no role in the digital equity issue. I am aware that the President

issued a Truth about it, but I have not looked into the legal issues associated with that program.

Senator MARKEY. Well, we passed the Digital Equity Act. We directed the Commerce Department to issue formula grants to the states, and we appropriated money for it. And now the Department is simply ignoring the law.

I am going to give you a chance, Mr. Gentin, just to answer, do you think the terminations of these grants are lawful?

Mr. GENTIN. It is something, Senator, that I committed to look into if I am honored to be confirmed. I do not have a view on that sitting here today.

Senator MARKEY. OK. In my opinion, the Administration must rescind these termination notices immediately. It is completely unlawful what they have done.

Mr. Fink, I want to turn to a rule issued by the Federal Railroad Administration last year, requiring two crew members on Class I freight trains. I have long supported this rule, and I was proud to work with current Vice President Vance to be able to include a similar provision in the Railway Safety Act.

At his confirmation hearing this year, I asked Secretary Duffy, sitting right where you are right now, Mr. Fink, whether he would stand by the Federal Railroad Administration's regulations. He said yes.

So Mr. Fink, do you agree with Secretary Duffy's position and intend to maintain this regulation?

Mr. FINK. Yes.

Senator MARKEY. You will?

Mr. FINK. Yes.

Senator MARKEY. Thank you. That is much appreciated. And now, Mr. Gentin, I want to turn to you. I know it is an issue that Senator Peters raised in his opening remarks. Mr. Gentin, during your staff interview with Committee staff I understand that you were asked whether Joe Biden lawfully won the 2020 Presidential election. And so I am going to ask you the same question. Yes or no, did Joe Biden lawfully win the 2020 Presidential election?

Mr. GENTIN. Senator, as I expressed to the staff in my interview, President Biden was the President for four years, he was certified as President, and then President Trump was elected and certified. He is our current President.

Senator MARKEY. So was Joe Biden lawfully elected as the President of the United States? That is what I am asking. Was he lawfully elected?

Mr. GENTIN. Again, Senator, what I can say is that he was certified and he served as President.

Senator MARKEY. In your opinion, was he lawfully elected President of the United States? This is not about what happened. It is about what you view as the legal status of Biden in winning that election. Did he lawfully win the election, or not?

Mr. GENTIN. Senator, I am not an investigator of elections. My understanding and my belief is that President Biden was legally certified as President, and he served as President.

Senator MARKEY. I know that. But you're nominated to be the General Counsel of the Department of Commerce for the United States of America, the top lawyer, and you are a seasoned attorney.

So this is just a yes-or-no question. Was he legally elected as the President of the United States, Joe Biden? And your opinion on this is very important as a lawyer, so we can understand how you will be looking at legal issues that will be presented to you.

Mr. GENTIN. Senator, again, I think I have tried to answer the question as best I can. I don't know that it makes a lot of sense to litigate the past. My purpose in being here today is to present my qualifications to serve as General Counsel of the Department of Commerce.

Senator MARKEY. Again, I don't know how we can trust you as a sound legal voice, pushing back on this Administration's lawlessness, when you can't even answer a basic question as to whether or not Joe Biden was legally elected. I mean, we are four and a half years since that day, and you have had plenty of time to reflect upon it, but you are still absolutely unwilling to say that Joe Biden was elected. And that, unfortunately, is the position which Donald Trump is still taking, and that casts a very bad cloud over the electoral process in our country. You know, he was the clear winner. To the extent to which you are unwilling to say that that is absolutely, legally accurate is a very dangerous place for our country to be, especially given your legal background and the job that you are being asked to take, which is as Chief Counsel for the Department of Commerce.

So we are standing now, awaiting for the arrival of Senator Fetterman, and he will be here presently. We have a roll call, which is on the floor of the Senate right now, and I will have to go over to make that roll call. But we will have, at the same time, an ability to have time for recognition for Senator Fetterman from Pennsylvania, so that he will be able to ask a round of questions of this panel.

And with that I will recognize Senator Fetterman.

**STATEMENT OF HON. JOHN FETTERMAN,
U.S. SENATOR FROM PENNSYLVANIA**

Senator FETTERMAN. Hi. Hello. Welcome. Hi, everybody.

A hundred Amtrak trains run through Pennsylvania every day, including maybe 100 feet just away from where I live, in Braddock, Pennsylvania, serving almost 7 million total passengers in my state. I don't see passenger rail as a political issue. I mean, you know, everybody rides it—red, blue. This is about getting people where they need to be.

As a member of this Committee I will always fight to support and defend vital Federal service, and I have made very clear that I will work with anyone as long as they are willing to do that. Since being sworn into the Senate, I have been working to expand passenger rail service through and across communities across Pennsylvania. One of the projects I am pushing and want to expand was passenger rail to Reading, Pennsylvania.

Mr. Gleason, you made clear in your testimony that you understand the importance of passenger rail for both big cities and small towns in our state of Pennsylvania. Can you commit to working with my office and the Schuylkill River Passenger Rail Authority to get this service operational by 2029?

Mr. GLEASON. Absolutely. I have talked to those people in Reading for years. They are just like Johnstown. We lost our trains. We have two trains a day. We need more train service, and I appreciate your support for passenger rail, and I understand the whole Schuylkill thing needs to be supported. Absolutely.

Senator FETTERMAN. Does anyone else have anything? We feel like sometimes it might feel like it is under siege right now. I mean, is that accurate? Do you feel better after the new Administration, or like what do you think?

Mr. GLEASON. You mean about passenger rail?

Senator FETTERMAN. Yes.

Mr. GLEASON. Yes, I feel good about it. I feel very good about it. I think that there seems to be a lot of support amongst the Senators and a lot of people I have talked to. Younger people want to ride the rail now. The ridership of Amtrak is younger, and more and more people are looking forward to riding trains. So the support of the Senate is very important as we try to expand passenger rail.

Pennsylvania, outside the Philadelphia area, needs a lot more support, so I am looking forward to working with you for this support.

Senator FETTERMAN. OK. So now let's talk about safety. Over two years ago, of course we were aware what happened in East Palestine, in Ohio, just very close to our border. My colleagues and I immediately got together and wrote the Railway Safety Act. The bill made sure tragedies like this don't happen again. That was a strong bill, very, very bipartisan. The Vice President was one of the leads on it, and President Trump now said he supports it. In fact, it might be the only thing that Trump, Vance, and Biden, we can all agree on, on many of these things.

But now it is stalled, and I truly don't understand why that is the case. I mean, I think we should all be on the same, and be rowing in the same direction. I mean, I live 100 feet away from an active rail. So I don't know why we want to prevent all these kinds of derailments.

Mr. Fink, can you commit to helping to get this across the line, because all of America deserves this? And this has always been a very, very bipartisan piece of legislation.

Mr. FINK. Thank you for the question, Senator. We met with your staff last week, and the issues that you talked about with Mr. Gleason were also discussed with me. So I heard that and look forward to working on those issues.

As far as legislation, my job is the person that executes the laws that you pass. I am the FRA Administrator. If you pass the law, we are going to make sure that those laws are properly carried out. That is what I am looking forward to. Right now I am waiting for folks to talk to me about the specific legislation, talking with FRA safety people. Once you pass it, we will enforce it.

Senator FETTERMAN. Yes. I mean, I think we should all agree. And I ask even my friends on both sides, like, we are not really sure why we still don't have that passed. But regardless, thank you all for your time.

[Pause.]

Senator FETTERMAN. Mr. Fink, Mr. Fogel, Mr. Gentin, and Mr. Gleason, my final question is required of all nominees. If confirmed, do you pledge to work collaboratively with the Committee to provide thorough, timely responses to the Committee's requests and to appear before the Committee, when requested?

Mr. FINK. Yes, Senator.

Mr. FOGEL. Yes, Senator.

Mr. GENTIN. Yes, sir.

Mr. GLEASON. Yes.

Senator FETTERMAN. All right. Thank you. I have letters of support from various organizations for Mr. Fink's and Mr. Gentin's nominations that I ask unanimous consent to be inserted into the hearing record.

Without objection, so ordered.

[The information referred to follows:]



Texas Shortline and Regional Railroad Association
14951 Dallas Parkway, Suite 800
Dallas, TX 75254

info@tslrra.org
www.linkedin.com/company/tslrra/
www.x.com/tslrra

April 6, 2025

The Honorable Ted Cruz
Chairman
US Senate Committee on Commerce, Science and Transportation
Dirksen Senate Office Building 554
Washington, DC 20510

Dear Chairman Cruz:

The Texas Short Line and Regional Railroad Association (TSLRRA) represents over 40 of the state's short line rail railroads and industry-related businesses. We proudly share the economic development benefits of a robust interconnected rail network in the state while tirelessly sharing our dedication to making our safe industry even more safe, every day.

We are writing to express our collective support for the nomination of David Fink as Federal Railroad Administrator and to encourage his timely confirmation. Mr. Fink's extensive experience in short line industry, and the larger rail network across the country, will serve him well as the FRA fosters safety and a commitment to efficiency, consistent with the Administration's priorities.

We look forward to Mr. Fink taking office as our Texas railroads continue to work with FRA teams on CRISI projects, pushing them towards obligation and the notice to proceed. We are eager to get this vital work underway. If there is any further information we can provide or support we can offer in this process, please let us know.

I can be reached at: jevans@tnw-rr.com or (214) 912-7114. Thank you for your continued service to the state of Texas.

Sincerely,

A handwritten signature in cursive script that reads "Joey Evans".

Joey Evans
President





April 30, 2025

Hannah Matesic
Deputy Assistant Secretary for Congressional Affairs
US Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Ms. Matesic,

I am writing to express strong support for the nomination of David A. Fink as Administrator of the Federal Railroad Administration (FRA). I worked collaboratively with Mr. Fink for more than 20 years to plan and deliver numerous projects, administered by the Northern New England Passenger Rail Authority (NNEPRA), to initiate, improve and expand Amtrak Downeaster passenger rail service on infrastructure owned by Pan Am Railways.

Mr. Fink has a vast array of hands-on experience in freight railroad management, operations, and infrastructure as well working knowledge of the complexities associated with the mixed-use corridors shared with Amtrak and commuter rail services. He is results-oriented, always looking to find efficient and effective ways to get things done, while maintaining a strong commitment to safety. During Mr. Fink's tenure as President of Pan Am Railways, we worked in partnership to reduce the travel time and increase the frequency of the Amtrak Downeaster, and to expand service thirty miles. This was achieved with the mutual goal of maintaining and supporting the operation and growth of freight service through the region as well.

Mr. Fink has strong leadership qualities and communication skills and is able to make both strategic and tactical decisions. He has a demonstrated ability to maintain productive working relationships with a variety of partners and stakeholders and to successfully navigate difficult situations.

David Fink understands the opportunities and challenges faced by the railroad industry, the important role rail plays in our economy by connecting goods and people in rural areas to centers of commerce, and the value of productive public/private partnerships. He is an exceptional candidate for the FRA Administrator position.

Sincerely,

A handwritten signature in cursive script that reads "Patricia Quinn". The signature is written in a dark ink and is positioned above the printed name.

Patricia Quinn
Executive Director
Northern New England Passenger Rail Authority



National Grain and Feed Association
TRANSFORMING AMERICA'S HARVEST™

1400 Crystal Drive, Suite 260
Arlington, VA 22202
(202) 289-0873
ngfa.org

May 13, 2025

The Honorable Ted Cruz
Chairman
Committee on Commerce, Science &
Transportation
U.S. Senate
Washington, D.C. 20510

The Honorable Maria Cantwell
Ranking Member
Committee on Commerce, Science &
Transportation
U.S. Senate
Washington, D.C. 20510

Dear Chairman Cruz and Ranking Member Cantwell:

The National Grain and Feed Association (NGFA) writes to express support for David Fink to become Administrator of the Federal Railroad Administration (FRA).

The NGFA, established in 1896, consists of grain, feed, processing, exporting and other grain-related companies that operate facilities handling U.S. grains and oilseeds. Its membership includes grain elevators; feed and feed ingredient manufacturers; biofuels companies; grain and oilseed processors and millers; exporters; livestock and poultry integrators; and associated firms that provide goods and services to the nation's grain, feed and processing industry. The NGFA also has 27 affiliated State and Regional Grain and Feed Associations.

We believe Mr. Fink's considerable experience would help bring safety and technological innovation in a manner that is consistent with FRA's mission to enable the safe, reliable, and efficient movement of people and goods. Mr. Fink was president of Pan Am Railways from 2006 until its acquisition by CSX Transportation in 2022.

Given the important work of the FRA, we urge swift movement to appoint David Fink as Administrator.

Respectfully,

A handwritten signature in black ink, appearing to read "Michael J. Seyfert".

Michael J. Seyfert
President and Chief Executive Officer
1400 Crystal Drive, Suite 260
Arlington, VA 22202
msefert@ngfa.org
202-289-0873



American Association of Private Railroad Car Owners, Inc.
aaprc.com
Ross Capon, Vice-President/Washington Representative
9220 Shelton St., Bethesda, MD 20817-2410 – Telephone: 301-385-6438
rcapon3@gmail.com

May 13, 2025

The Honorable Ted Cruz and The Honorable Maria Cantwell
Senate Committee on Commerce, Science and Transportation

Dear Chairman Cruz and Ranking Member Cantwell:

The American Association of Private Railroad Car Owners (AAPRCO) strongly supports the nomination of David Fink to be Federal Railroad Administrator. To quote American Short Line and Regional Railroad Association President Chuck Baker, “As the CEO of short line railroad Pan Am Railways prior to its sale, David was an active and respected participant in our Association...He has extensive experience interacting with all of the relevant stakeholders in the rail industry. We know him as a high energy, solution-minded strategist...”

Mr. Fink, in a businesslike and professional way, enabled AAPRCO’s special train, “The Pine Tree Limited,” to run to Portland, Maine, over Pan Am tracks in 2014.

When I led what is now the Rail Passengers Association, I was tangentially involved in the establishment of Amtrak’s successful *Downeaster* route linking Boston with New Hampshire and Maine. Within the constraints of Pan Am’s resources, Fink ensured that Pan Am was a good partner of the *Downeaster*. He was a tough negotiator but worked closely and well both with NNEPRA (Northern New England Passenger Rail Authority) and Amtrak.

It is notable that both of President Trump’s nominees to head the Federal Railroad Administration – Ronald Batory in the President’s first term and now David Fink – are two of the best qualified leaders/nominees in the agency’s history. Thank you for considering our views.

Sincerely,

Ross B. Capon
AAPRCO VP/Washington Representative



2001 K Street NW | Third Floor North | Washington, DC 20006 | phone (202) 367-1126 | fax (202) 367-2210 | www.rsweb.org

May 13, 2025

The Honorable Ted Cruz
Chairman
Senate Committee on Commerce, Science, and Transportation
254 Russell Senate Building
Washington, D.C. 20510

The Honorable Maria Cantwell
Ranking Member
Senate Committee on Commerce, Science, and Transportation
254 Russell Senate Building
Washington, D.C. 20510

Dear Chairman Cruz and Ranking Member Cantwell:

As the Senate Committee on Commerce, Science, and Transportation considers the nomination of David Fink to be Administrator of the Federal Railroad Administration, I write on behalf of the Railway Supply Institute (RSI) in support of Mr. Fink's nomination and urge swift confirmation by the Senate.

As the unified voice of rail suppliers across all 50 states, RSI serves the diverse ecosystem supporting the nation's rail networks. RSI members range from small parts manufacturers to the largest builders and lessors of locomotives and railcars, working together to enable the safe and efficient movement of freight and passengers across the country. The railway supply sector plays a vital role in the U.S. economy, supporting approximately 240,000 direct jobs in fields like manufacturing, technology, engineering, and logistics. These jobs are the backbone of a network that spans every corner of the country, enhancing U.S. competitiveness and sustainability. RSI is excited to support infrastructure investment initiatives that will modernize rail systems, strengthen supply chains, and promote American-made products and technologies.

We will work closely with Mr. Fink and the administration to ensure the rail sector remains resilient, adaptable, and prepared for the challenges of the future. Additionally, we will continue collaborating with the Federal Railroad Administration, the Pipelines and Hazardous Materials Administration, and the Federal Transit Administration. Rail is a core component of our nation's transportation infrastructure, and our members are essential to its success. By investing in rail, we strengthen our economy, reduce emissions, and connect communities to benefit all Americans.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "James T. Riley". The signature is written in a dark ink and is positioned centrally below the word "Sincerely,".

James T. Riley, Esq.
President
Railway Supply Institute

Michael J. Walsh, Jr.
500 Eighth Street, NW 20004
(202) 476-9625
mike.walsh@us.dlapiper.com

13 May 2025

Senator Ted Cruz
Chairman, Senate Committee on Commerce and Transportation
United States Senate
Dirksen Senate Office Building 554
Washington, DC 20510

Dear Chairman Cruz:

I'm writing to support the nomination of Pierre Gentin to be the General Counsel of the U.S. Department of Commerce. I served as Deputy General Counsel and Chief of Staff and I performed the duties of the General Counsel of the Department in the first Trump administration. I met Pierre at the end of last year, and had the pleasure of spending time with him during the transition and in connection with this hearing. Pierre is a consummate professional, and he will be a strong addition to the Department. He is thoughtful, careful, and he gets results. Since I first met him, it was clear to me that Pierre is service-minded and has a deep respect for the position he's been nominated to fill.

Pierre's professional accomplishments speak for themselves. While Pierre could easily have continued his illustrious private sector career, he chose to serve the country. I have no doubt Pierre will work every day to advance the mission of the Department of Commerce and implement the President's priorities to make America the best place in the world to do business.

I strongly support Pierre's nomination to be General Counsel and I know he will do a fantastic job. Please feel free to reach out if there is any further information I can provide.

Sincerely,

A handwritten signature in black ink, appearing to read 'mjt', written in a cursive style.

Michael J. Walsh, Jr.



Republican Jewish Coalition

50 F Street N.W., Suite 100, Washington, D.C. 20001
(202) 638-6688 • Mail@RJCHQ.org • www.RJCHQ.org

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April 3, 2025

The Honorable Ted Cruz
Chairman, Senate Committee on Commerce
Washington, D.C. 20510

Dear Chairman Cruz,

We are writing on behalf of the Republican Jewish Coalition in support of the nomination of Pierre Gentin for General Counsel at the Department of Commerce.

Mr. Gentin is a respected expert in corporate law, regulatory affairs, and corporate management. He is a visionary leader who has transformed corporate consulting management and whose advice is sought by legal and consulting professionals. He has lectured and spoken at top law and business schools around the world.

After years of success in the private sector, which include three decades providing legal counsel regarding financial services, commercial litigation, and the broad scope of business law, Mr. Gentin brings a wealth of experience, a reputation for integrity and innovation, and a commitment to public service to everything he does.

We ask you to support Pierre Gentin's swift confirmation as General Counsel of the Department of Commerce. He will be an asset to President Trump's strong economic team.

Sincerely,

Norm Coleman
National Chairman

Matthew Brooks
Chief Executive Officer

McKinsey
& Company

McKinsey & Company, Inc. United States
555 California Street, Suite 4800
San Francisco California 94104
United States
Telephone +1 (415) 981 0250
Fax +1 (415) 318 5200

To:

Chairman Sen. Cruz

From:

Bob Sternfels
Global Managing Partner
McKinsey & Company

Re:

Dear Chairman Cruz:

I am writing to express my strong support for Pierre Gentin as he is considered for the role of General Counsel at the U.S. Department of Commerce. Having had the privilege of working closely with Pierre during his tenure as McKinsey & Company's Global General Counsel from 2019 to 2025, I can attest to his exceptional professionalism, leadership, and contributions to our firm.

Pierre joined McKinsey as the first senior partner in our 96-year history not to have served as a management consultant—a testament to his unique perspective and expertise. From the moment he arrived, Pierre demonstrated an unwavering commitment to excellence, transforming our legal function into one of the most respected in the corporate world. Under his leadership, the legal team doubled in size, gained a more prominent voice within the firm, and became a model of innovation and collaboration.

A hallmark of Pierre's leadership was his ability to address complex and often sensitive issues with a steady, balanced, and impartial approach. He consistently offered guidance grounded in the facts of the law, thoughtfully evaluating both the impact to the Firm and to our clients—without allowing personal beliefs to influence the decision-making process. His clarity, integrity, and principled judgment earned him widespread respect and trust.

Pierre's approach to leadership is also deeply rooted in humility, intellectual curiosity, and a genuine care for people. He has an extraordinary ability to inspire those around him, fostering a culture of integrity, creativity, and purpose. Through initiatives like McKinsey Legal's blog, In the Balance, and his efforts to integrate personal passions with professional growth, Pierre showed that great leadership is about more than just achieving results—it's about building a meaningful and sustainable community.

Yet, Pierre's impact extended far beyond the legal function. He was a trusted advisor to our leadership team (C-suite), bringing thoughtful insights and a steady hand during times of complexity and change. His ability to navigate challenging issues with clarity and integrity made him an invaluable partner and leader across the Firm.

In short, Pierre Gentin is a consummate professional whose contributions to McKinsey have been both profound and lasting. I have no doubt that he will bring the same level of dedication, vision, and excellence to the Department of Commerce.

Please do not hesitate to contact me if I can provide further information or support.

Senator FETTERMAN. Senators will have until close of business on Thursday, May 15, to submit questions for the record. The nominees will have until close of business on May 19 to respond to all of those questions.

That concludes today's hearing. The Committee stands adjourned.

[Whereupon, at 11:59 a.m., the hearing was adjourned.]

A P P E N D I X

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JOHN THUNE TO
DAVID FINK

Question 1. South Dakota relies on short line railroads to transport agricultural products and other goods to market. Do you agree short line railroads are critical to our Nation's freight corridors, and if confirmed, how will you ensure short line railroads can continue to provide the crucial services that benefit the national transportation system?

Answer. Yes. Short lines are the arms and the legs of the freight rail system, and they play a critical role in moving freight across our rail network. I am familiar with the CRISI program from my time with Pan Am Railways. It is a great tool that Congress has given FRA to support short line railroads.

Question 2. Unfortunately, transportation infrastructure investments—especially in rural areas—have been curtailed by burdensome regulatory requirements put in place over the past four years. Short line freight railroads in South Dakota and across the country are critical to moving goods and services in domestic and global markets. Burdensome regulatory requirements slow their ability to operate efficiently. How will you work to ensure that the FRA prioritizes reducing regulatory and administrative burdens?

Answer. Safety is my number one priority. If confirmed, I also look forward to streamlining and refreshing our regulatory regime. It's important that we maintain rigorous safety standards, while supporting short line rail growth and efficiency.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. JERRY MORAN TO
DAVID FINK

Question. The CRISI Program is an incredibly important tool for improving rail infrastructure, particularly for short line railroads that still face the burden of past deferred maintenance. The CRISI Program also funds locomotive projects that "significantly reduce emissions." FRA has awarded several innovative projects that upgrade locomotives to use newer diesel engines or to run on battery power. Since so many small and rural customers can only be served by four-axle locomotives and there is a finite supply of four-axle switchers, these projects are an important tool for railroads to upgrade and extend the life of their four-axle fleets.

If confirmed, will you commit to reviewing locomotive CRISI awards—now currently under review by the FRA—based on the merit of the business decisions involved and without regard to any outside pressures to consider the chosen technology favorably or unfavorably?

Answer. If confirmed, I look forward to learning more about these projects and working with you and your team. I agree that it is important that short lines have the tools to maintain safety, implement technology, and grow business.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. DAN SULLIVAN TO
DAVID FINK

As a former railroad executive, no doubt you are aware of rail safety projects being needlessly delayed due to required sign-offs by state historic preservation officers (SHPOs) during the NEPA process. Delays in bridge rehabilitation and other essential rail safety projects have been a particular problem for the Alaska Railroad.

In the 2015 FAST Act, Congress passed a requirement to give railroads the same streamlining protection as Congress earlier passed for the Interstate Highway System. Specifically, individual elements such as historic train stations and bridges can be given special protection, but an entire railroad (like the law for the Interstate Highway System) cannot be treated as a gigantic "historic district."

However, the 2015 streamlining provision for railroads has not been properly implemented to the same extent as the provision for the Interstate Highway System, so the same problems of needless delays continue 10 years late after Congress thought it solved the problem.

Question 1. If confirmed, will you pledge to do all you can as FRA Administrator to make the SHPO process less cumbersome for FRA rail safety grants to railroads?
Answer. Yes.

Question 2. Further, if you find that the Federal law passed in 2015 is inadequate, will you recommend changes to improve it?
Answer. Yes.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO
DAVID FINK

Poor safety record running Pan Am Railways. Mr. Fink, your former company, Pan Am Railways, had a mainline track derailment rate that exceeded your peers nearly every year. In fact, the mainline derailment rate was nine times the national average in 2021, when you were in charge of the railway. As you know, mainline track derailments generally pose the greatest risk to the community, as we saw in East Palestine in 2023.

As part of a 2022 Federal Railroad Administration (FRA) safety audit, the Chief Safety Officer found, quote, “significant safety issues are not receiving the serious and thoughtful consideration by railroad leadership that Pan Am’s employees, and the public, deserve.”

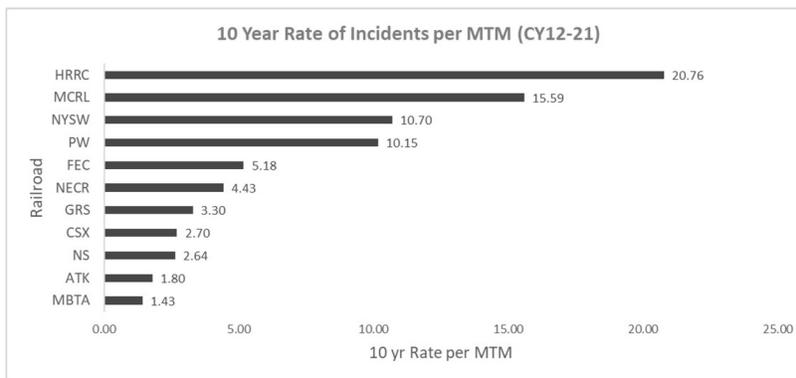
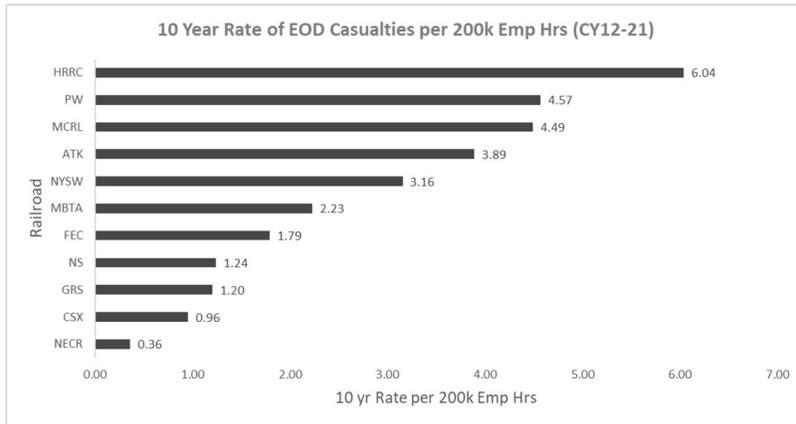
It’s not just safety concerns themselves—it’s how your company handled them. In 2014, an Administrative Law Judge (ALJ) found Pan Am Railways had a “culture of intimidating employees” who reported injuries. In fact, the ALJ found, “99 percent of injuries at Pan Am that were reportable to the FRA triggered formal charges” against the injured employee.

Question 1. Why should we trust you to ensure the safety of the Nation’s railroads when the FRA found your own railroad had “significant safety issues” which you failed to give “serious and thoughtful consideration” to addressing?

Answer. I believe FRA’s number one mission is safety, and it was also my number one focus when I ran Pan Am Railways. During my tenure, we were at the forefront of short line safety culture assessments, piloting the process with two voluntary assessments through the Short Line Safety Institute, one in 2015 and another in 2018.

I also believe when you look at Pan Am’s safety record and the data, including in the two charts below, you can see our dedication to safety and our safety record was as good or better than the railroads we connected with and/or hosted ¹.

¹Railroads in the chart are: New England Central Railroad (NECR); CSX; Guilford Railroad System also known as Pan Am Railways (GRS); Norfolk Southern (NS); Florida East Coast Railway (FEC); Massachusetts Bay Transportation Authority (MBTA); New York, Susquehanna & Western Railway (NYSW); Amtrak (ATK); Massachusetts Coastal Railroad (MCRL); Providence and Worcester Railroad (PW); and Housatonic Railroad (HRRC).



If confirmed, I will continue to put safety first, follow the data, and work collaboratively to make a very safe industry even safer.

Question 2. Do you respect the FRA's findings about Pan Am Railway's safety failings?

Answer. I respect the work of the FRA and FRA's safety experts.

Question 3. Do you believe it is ever acceptable to retaliate against a worker for reporting an injury on the job?

Answer. No.

Question 4. How do you explain the ALJ's findings about Pan Am Railway's "culture of intimidating employees"?

Answer. I recognize that our industry, including Pan Am Railways, was slow to adjust to FRA and OSHA rule and process changes regarding incident investigations. We made mistakes, learned from them, and strived for continuous improvement in our safety record and culture.

Question 5. Do you think the ALJ was wrong?

Answer. My experience and recollection over the course of my time leading Pan Am Railways does not align with the ALJ's findings in 2014.

Question 6. Do you dispute the ALJ's 2014 finding that "When there is a reportable injury at Pan Am, 99 percent of the time formal charges are brought against the injured employee"?

Answer. I recognize that our industry, including Pan Am Railways, was slow to adjust to FRA and OSHA rule and process changes regarding incident investigations. We made mistakes, learned from them, and strived for continuous improvement in our safety record and culture.

Question 7. Do you dispute the ALJ's 2014 finding that Pan Am Railway's charges of dishonesty against the injured employee constituted "unlawful retaliation"?

Answer. I accept the findings of the ALJ.

Railway Safety Act. Mr. Fink, the Railway Safety Act would have set new safety requirements for advanced technologies that could have prevented the East Palestine derailment.

Vice President Vance helped write this bill when he was on the Commerce Committee, and President Trump endorsed the bill on May 8, 2023.

Question 1. As the President's pick to be the leader on rail safety, do you support the Railway Safety Act? If not, please explain why not.

Answer. Rail safety is FRA's primary mission. If confirmed, I will implement any legislation passed by Congress and signed into law by President Trump that is under FRA's jurisdiction.

Pan Am's criminal record of environmental safety violations. Mr. Fink, I asked you at the hearing about your company, Pan Am, being convicted in 2009 for failing to report a hazardous material spill to the Massachusetts Department of Environmental Protection. Investigators discovered that Pan Am employees had paved over a 900-gallon diesel oil spill in their rail yard in Ayer, Massachusetts, instead of reporting the spill immediately. Without the anonymous caller who reported this spill, it may have never come to public light at all.

Question 1. Are you aware of any other hazardous material spills that Pan Am did not report to authorities as legally required?

Answer. Yes, please refer to listed consent agreements in my questionnaire addendum submitted to the Committee.

Question 2. Are you aware of any other hazardous material spills that Pan Am employees tried to pave over or otherwise illegally cover up?

Answer. No.

Department of Transportation (DOT) Inspector General report on improving FRA's inspection and oversight of worker protection regulations. On May 14, 2025, the DOT's Office of Inspector General released a report, "FRA Needs to Improve Its Inspection and Data Collection Processes to Effectively Oversee Compliance with the Roadway Worker Protection Regulation," that made 13 recommendations. FRA concurred with all 13 recommendations.

Question 1. If confirmed, will you commit to ensuring FRA implements the Inspector General's 13 recommendations to improve worker protection?

Answer. If confirmed, I will work with our safety experts to take appropriate action to ensure the safety of all rail employees and those who come in contact with our Nation's rail network.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. GARY PETERS TO
DAVID FINK

Question 1. I mentioned in my opening remarks Michigan Central Station and efforts to expand and improve passenger rail service across Michigan's three passenger lines. The Bipartisan Infrastructure Law's Corridor ID Program has been integral to our state doing the ridership analysis they need to support future expansion. But Corridor ID grants don't mean much if we don't follow them up with investment.

a. If confirmed, do you commit to ensuring that Amtrak sees the additional funding and support it needs to follow up on Corridor ID work to expand passenger rail where appropriate—including in Michigan?

Answer. If confirmed, I will oversee the implementation of authorized programs and appropriated funds under FRA's jurisdiction, in accordance with law. I look forward to learning more about the Corridor ID program, funding needs, and Michigan's vision.

b. Do you think cuts and additional barriers to Amtrak's expansion will harm the ability to serve more folks in the Midwest?

Answer. I support Amtrak's national network and, if confirmed, I look forward to ensuring that funding for Amtrak is being used effectively to serve Americans across the country, including in the Midwest.

Question 2. Mr. Fink, in your time running a Class II railroad, you were required to work with F-R-A and Amtrak to host passenger service on your line. The main driver of Amtrak delays in 2023 was freight rail train interference—meaning companies are not living up to their statutory duty to ensure on-time passenger service.

a. Do you agree that freight rail operations are a main driver of lack of on-time performance?

Answer. During my time at Pan Am Railways, we hosted 12 Amtrak trains a day. I understand the difficulties of running passenger and freight on the same line. It was not easy at the beginning, but I worked closely with the state-sponsor for the route, Northern New England Passenger Rail Authority (NNEPRA), on agreements and to identify targeted investments that allowed us to become a preferred Amtrak host.

b. If confirmed, do you commit to taking a firm stance on on-time Amtrak performance, including by holding railroad operators to account?

Answer. I commit to working collaboratively with all necessary stakeholders—including you and your staff, as appropriate—to improve Amtrak on-time performance.

Question 3. Mr. Fink, you have referenced your support for safety at FRA. Would you support increasing the number of safety inspectors at FRA to expand inspection capacity?

Answer. Safety inspectors are vital because rail safety is FRA's primary mission. I would not support reducing the number of safety inspectors. If confirmed, I will prioritize looking into this, making sure we have the right number of safety inspectors, and that they have the tools to get the job done.

Question 4. Mr. Fink, you have discussed your desire to work on blocked and unsafe railroad crossings. I agree this is a huge issue impacting communities—in my state from Manistee to Romulus, Michigan. That's why we created the Railroad Crossing Elimination Grant Program in the Bipartisan Infrastructure Law. It's important that a program specific to this problem exists, since it was getting overlooked as an eligible use of other programs like CRISI. If confirmed, will you commit to supporting the continuation of a separate funding stream for the Railroad Crossing Elimination Grant Program so we can tackle this issue directly?

Answer. Blocked crossings are a priority for me and the Secretary of Transportation. I have heard very positive things about the Railroad Crossing Elimination grant program. If confirmed, I will ensure that enacted legislation, including the existing authorization and funding for the Railroad Crossing Elimination program, is implemented in accordance with law.

Question 5. Will you continue FRA's work with Amtrak and interagency partners as necessary to establish cross-border Amtrak service from Detroit to Windsor via Michigan Central Station?

Answer. If confirmed, yes.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. TAMMY BALDWIN TO
DAVID FINK

Question. Track defects are one of the top causes of train derailments. Federal safety regulations currently require railroads to inspect their railroad track twice a week for 27 types of track defects, including broken rails, rotten ties, drainage issues including where the roadbed has washed away, and track geometry flaws.

The railroads are actively seeking to reduce visual track inspections by upwards of 75 percent to twice a month and instead rely solely on a technology that's been around since the 1970s called Track Geometry Measurement Systems, also known as Automated Track Inspection (ATI). ATI can only detect track geometry flaws and thus can only inspect for 26 percent of the track defects that a human track inspection does. It cannot fully replace human track inspectors.

Mr. Fink, will you commit to protecting the current level of visual track inspections and deny any railroad waivers seeking to reduce those visual inspections?

Answer. If confirmed, I commit to ensure we have appropriate Federal oversight of track inspections to keep our railroads safe.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. JACKY ROSEN TO
DAVID FINK

The FRA's Railroad Crossing Elimination Grant Program and the FHWA's Section 130 programs are critical funding streams that allow communities to tackle grade crossing safety challenges, whether through rail crossing closures or the installation of safety devices. The Nevada Department of Transportation partnered with the Union Pacific Railroad to successfully streamline and improve project implementation and approval process for Section 130 projects, which has led to improved safety at rail crossings in our state.

Question 1. Mr. Fink, if confirmed, would you continue to support these critical programs and ensure any funding Congress appropriates for them is quickly and efficiently distributed, in line with the law?

Answer. From my time with Pan Am Railways, I understand the importance of the Section 130 program; however, if confirmed as Administrator of the FRA, I will not have jurisdiction over this program. I have heard very positive things about the Railroad Crossing Elimination grant program. If confirmed, I will ensure that enacted legislation, including the existing authorization and funding for the Railroad Crossing Elimination program, is implemented in accordance with law.

Nevada is the Nation's leader in tourism and hospitality service, a sector that heavily relies on freight trains to bring in goods from out-of-state and from ports to support the industry. The Interstate 15 corridor, which runs from California to Nevada, is heavily crowded on a regular basis, leading to slower speeds and longer traveling times. This makes it difficult for trucks to move along the interstate efficiently, making reliable freight rail service along the corridor all the more important.

Question 2. Mr. Fink, if confirmed, how do you plan to support a more reliable freight rail system that moves goods quickly and efficiently to states that rely on imports like Nevada, but still promotes safety as its core priority?

Answer. Our country's freight rail system is the envy of the world. I intend to continue the trend of safety improvements we've seen throughout history. A safe railroad is a reliable railroad, and, with balanced regulation and the use of proven safety technology, we can ensure both safety and efficiency are achieved.

I am so proud that one of the highest profile rail projects in the country is headquartered in my home state of Nevada. Brightline West received a \$3 billion grant from the Federal-State Partnership for Intercity Passenger Rail program. Secretary Duffy has publicly singled out this project and mentioned that Brightline West has his support. Nevada DOT is the grant recipient and Brightline West is building and will operate the system. It is a great public-private partnership.

Question 3. Mr. Fink, I would like to understand your views on how Brightline is changing the way we think of implementing passenger rail projects and your commitment to making sure that any FRA approvals are made a top priority to keep Brightline West on schedule, and how you plan to work with stakeholders to ensure any implementation issues are addressed.

Answer. Brightline West is an innovative public-private partnership using an existing transportation corridor. Brightline has a proven track record with their service in Florida, and I look forward to learning more about this exciting high-speed rail project, if confirmed.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BEN RAY LUJÁN TO
DAVID FINK

Question 1. Under your leadership, the railroad you ran was found to have “critical safety concerns,” a culture of retaliation, high accident rates, and extremely poor track conditions, which increased the risk of derailments. The FRA, the agency you are nominated to lead, attributed these to “failure of PanAm’s leadership.” What makes you qualified to hold other companies accountable to standards that your company could not meet?

Answer. I believe FRA’s number one mission is safety, it was also my number one focus when I ran Pan Am Railways. During my tenure, we were at the forefront of short line safety culture assessments, piloting the process with two voluntary assessments through the Short Line Safety Institute, one in 2015 and another in 2018.

I also believe when you look at Pan Am’s safety record and the data, including in the two charts below, you can see our dedication to safety and our safety record was as good or better than the railroads we connected with and/or hosted².

If confirmed, I will continue to put safety first, follow the data, and work collaboratively to make a very safe industry even safer.

Question 2. Did Joe Biden lawfully win the 2020 presidential election?

Answer. Joe Biden was the certified winner of the 2020 presidential election.

Question 3. Did Donald Trump lawfully win the 2024 presidential election?

²Railroads in the chart are: New England Central Railroad (NECR); CSX; Guilford Railroad System also known as Pan Am Railways (GRS); Norfolk Southern (NS); Florida East Coast Railway (FEC); Massachusetts Bay Transportation Authority (MBTA); New York, Susquehanna & Western Railway (NYSW); Amtrak (ATK); Massachusetts Coastal Railroad (MCRL); Providence and Worcester Railroad (PW); and Housatonic Railroad (HRRR).

Answer. Donald Trump was the certified winner of the 2024 presidential election.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. LISA BLUNT ROCHESTER TO
DAVID FINK

Question 1. As President of Pan Am Railways, you helped facilitate the expansion of Amtrak's Downeaster service, which received \$38 million in Federal grants and improved Pan Am-owned tracks. Do you agree that federally backed passenger rail expansions are mutually beneficial to passenger railroads, freight railroads, and their surrounding communities? Please detail any benefits.

Answer. Yes, with appropriate infrastructure investments determined in collaboration with host railroads, like those carried out on Pan Am Railways as part of hosting 12 Amtrak trains per day sponsored by the Northern New England Passenger Rail Authority (NNEPRA), I agree that passenger rail expansion can be mutually beneficial.

Question 2. Delaware received a Corridor ID grant in December 2023 to work towards implementing a service similar to Amtrak's Downeaster. Will you commit to working with me to do everything possible to ensure we restore rail access to Southern Delaware?

Answer. If confirmed, I look forward to learning more about this project and working with you.

Question 3. In October 2024, the University of Delaware received a CRISI grant to create a program to educate the next generation of railroad technical professionals using the HTL track at the Transportation Technology Center. Will you uphold and expand on FRA's previous commitments to rail workforce development programs led by universities?

Answer. If confirmed, I look forward to learning more about this project and efforts to train the next generation of railroad workers.

Question 4. As you know, the American rail industry is a symbol of American ingenuity that successfully connected our coasts. Across the globe, China has been leveraging its high-speed rail investments to build influence and forge strategic partnerships, from Southeast Asia to Europe, with its Belt and Road Initiative (BRI). I believe that we should use our rail industry as a beacon of connectivity to counter China's BRI. Our rail industry should be the "iPhone" for rails across the world. But we can't do that without investment. And the fact is, before the historic funding levels of the Bipartisan Infrastructure Law, this Congress failed to adequately invest in the rail transformation we so desperately need to match our competition across the globe.

Do you support the historic funding levels and advanced appropriations included in the last surface reauthorization for freight, Amtrak, and passenger rail, so that we can counter China's BRI?

Answer. I want to make sure our freight rail network remains the envy of the world and ensure that our intercity passenger rail services are safe, reliable, and efficient.

Question 5. Will you advocate to the President to maintain these funding levels in his budget request to Congress?

Answer. If confirmed, I will dive into the numbers to better assess current funding levels and needs of the freight and passenger rail industry.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. DAN SULLIVAN TO
DAVID FOGEL

I cannot stress enough that Alaska is the superpower of seafood, supporting 1.6 million jobs and providing 10 billion meals each year. However, we still have critical issues affecting the stability of our seafood trade. We are being taken advantage of in the global market. Russia and China are employing unfair trade practices and predatory pricing to cheat the markets and undercut our hardworking American fishermen.

America can compete—and win—if we are given a fair chance in the markets. For that, we need *reciprocity* in our trade deals with China and Russia. And we need *enforcement*. We need you to hold these countries to their word, particularly China. During President Trump's first term, we worked with them to strike a pretty decent deal. Under Phase One of that agreement, China was supposed to purchase \$80 billion of American agriculture, and it was a priority for us for that to include seafood.

These numbers were aimed to be above a 2017 baseline of purchases, but China continues to operate well below even that baseline—including 44 percent below the

year after the agreement was signed. But guess what, they haven't. We need you to get China to hold up their end of the agreement, and I promise you, Mr. Fogel, that our fishermen will return to being the seafood powerhouse that they can be. There is a reason that the National Marine Fisheries Service is within the Department of Commerce, and in recent years we have been forgotten in the trade space.

Question 1. I would even encourage you to work with Ambassador Greer at USTR on opening a Section 301 unfair trade investigation on Russia and China with regard to seafood, which was in the President's recent Seafood Executive Order. I am confident that you all would uncover plenty of ways they are cheating the markets and it will give you the leverage you need to impose meaningful sanctions. *Will you prioritize fisheries when you are thinking about trade deals?*

Answer. If confirmed, I look forward to working with you to ensure that America's critical industries are competitive.

Mr. Fogel, I know we have not had a chance to meet yet one-on-one yet, but I want to bring up the current reciprocal ban on Russian Seafood. I have talked with Secretary Lutnick and just about every other Cabinet Secretary about this. It is the easiest first step you can take in advancing the President's Executive Order on Restoring American Seafood Competitiveness.

Russia has banned U.S. seafood from its markets since 2014. However, for many years, Russia was not subject to any special import duties in the U.S. Meanwhile, Russia has drastically increased seafood production since 2022 and is openly working to flood both U.S. and global markets with cheap seafood to push out U.S. product.

All the while, our hardworking fishermen could not export a single fish to Russia. For nearly 10 years we allowed them to do this and for years, I advocated to address this asymmetrical and very unfair trade relationship. I was finally successful in getting the last Administration to roll out a couple of executive orders to put a stop to this and restore reciprocity. If we can't enter the Russian market, they shouldn't be able to flood ours, too.

EO 14068 in 2022 banned imports of Russian seafood. However, Russia began laundering their seafood through China to circumvent the ban. EO 14114 in 2023 closed this loophole and made it abundantly clear that any seafood harvested in Russia is banned from import into the U.S.—even if it goes through processing in another country.

We are finally beginning to see this ban have effects on the market. American importers are beginning to buy Alaskan "Freedom Fish" instead of Russian "Communist Fish" and prices are beginning to stabilize for our fishermen. There has been a lot of concern with ongoing negotiations over Ukraine that this ban could be lifted as part of a peace agreement. However, I want to be very clear that this is about fair trade and reciprocity—not the war in Ukraine.

Question 2. *Mr. Fogel, will you commit to keeping these reciprocal executive orders—EO 14068 and EO 14114—in place?* They are critical to keeping our seafood trade fair.

Answer. If confirmed, I look forward to working with you to ensure that America's critical industries are competitive.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO
DAVID FOGEL

CHIPS and Science Act. At our last confirmation hearing, I was pleased to see Mr. Paul Dabbar, nominee to serve as Deputy Secretary of Commerce, reaffirm his support for the CHIPS and Science Act, which I believe is essential to U.S. national security and economic leadership.

Mr. Fogel, you have also voiced support for the CHIPS Act in the past, writing in an April 2023 piece for the *Atlantic Council*, "The actions taken to cut off China's external supply chain for semiconductors, combined with the attempt to bolster U.S. semiconductor manufacturing under the CHIPS Act, represents the complex nature of how best to combat China."⁵

Question 1. Mr. Fogel, why do you believe the CHIPS and Science Act is so important to these efforts?

Answer. I agree with President Trump and Secretary Lutnick that the semiconductor industry is essential to our national and economic security as well as our technological competitiveness.

Question 2. Yes or no: Do you oppose getting rid of the CHIPS Act? If not, please explain.

Answer. If confirmed, I will support the efforts of President Trump and Secretary Lutnick to ensure America's technological competitiveness.

Tariffs. Mr. Fogel, the Trump Administration's start-and-stop approach to tariffs is giving American families and businesses economic whiplash. American companies—especially small-and-mid sized businesses—need certainty and predictability in order to survive and thrive.

During your Senate Banking hearing, you made clear that you support this Administration's tariffs agenda. But you acknowledged that even in the best-case scenario, it will, quote, "take time" for U.S. companies to adjust.

Mr. Fogel, let me tell you: American small businesses don't have the luxury of "time."

Question 1. Mr. Fogel, as someone who supports this Administration's tariffs agenda, how much "time" are you willing to force American businesses to endure before there is certainty around these misguided tariffs?

Answer. If confirmed, I will support the efforts of President Trump and Secretary Lutnick to rebalance our trading relationships.

Question 2. Do you acknowledge that this Administration's current tariffs agenda risks undermining U.S. exports and the ability for U.S. firms to access foreign markets, which you would be tasked with promoting if confirmed?

Answer. If confirmed, I will support the efforts of President Trump and Secretary Lutnick to ensure America's competitiveness.

Question 3. Do you agree that retaliatory tariffs on American goods—which countries have already threatened—would make your job harder? If no, please explain.

Answer. See above.

Question 4. Senator Grassley and I recently introduced the Trade Review Act of 2025, a bill that would reassert Congress's constitutional control over tariffs. This bill would require Congressional approval for tariffs and help dial back Trump's unilateral trade war. Do you support this bill?

Answer. I believe President Trump and Secretary Lutnick have done a remarkable job of highlighting the staggering trade deficit and insidious non-tariff trade barriers we have with the rest of the world. If confirmed, I look forward to working with Congress on efforts to help combat decades of unfair trade practices that have harmed American workers and businesses.

Question 5. As a lawyer, do you agree that Congress has constitutional authority over trade policy, including tariffs?

Answer. If confirmed, I look forward to working with Congress, including on potential legislation and efforts to help combat decades of unfair trade practices that have harmed American workers and businesses.

Question 6. Are you aware of whether the Administration intends to use tariffs primarily as a revenue generating tool or for leverage as a negotiating tool? If yes, please detail your basis for this understanding.

Answer. The Administration has made clear that tariffs imposed by President Trump serve multiple strategic purposes, including protecting our national and economic security, combatting large and persistent trade deficits that have harmed American workers, businesses, and communities, and supporting negotiations for more fair and reciprocal trade agreements. This strategy has already shown clear results.

Question 7. Even Secretary Lutnick has acknowledged that tariffs will cause prices to increase for consumers. Given that, do you think retailers should be required to disclose the portion of their list prices reflecting the additional cost from tariffs?

Answer. If confirmed, I look forward to advising the Secretary on matters within my portfolio.

Secretary Lutnick's Statements regarding Elon Musk. Mr. Fogel, serious concerns have been raised regarding Secretary Lutnick's compliance with Federal ethics laws. On March 19, 2025, Secretary Lutnick went on national television and urged Americans to "buy Tesla" stock and said anyone who doesn't buy a Tesla robot "is going to be silly."

As I'm sure you know from your prior Federal service, Federal ethics rules generally prohibit Federal officials from using their public office to endorse any product or service.

Question 1. Yes or no: If confirmed, will you pledge not to publicly call for Americans to buy stock in any of Elon Musk's companies? If not, why not?

Answer. I will follow all ethics laws and regulations.

Question 2. Yes or no: If confirmed, will you commit not to favor Elon Musk's companies or products while you promote U.S. trade internationally?

Answer. I will follow all ethics laws and regulations.

Question 3. Yes or no: Will you commit to fully complying with all Federal ethics rules?

Answer. Yes.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. GARY PETERS TO
DAVID FOGEL

Question 1. If confirmed, you will play a key role at the Department of Commerce crafting trade agreements with foreign governments to ensure our Nation's economic and national security. From polysilicon for solar panels to finished steel products to dried tart cherries, I've heard from stakeholders in my state that have been severely disadvantaged due to unfair dumping and countervailing practices by Chinese companies. My fear is that given this President's desire to continue to push this chaotic tariff strategy—coupled with the Administration's efforts to reduce the Federal workforce—the enforcement mission of agencies like the I-T-A will be decimated and overlooked. Yes or No—if confirmed:

a. Do you commit to carrying out investigations and imposing duties in a fair and transparent manner?

Answer. If confirmed, I look forward to advising the Secretary on matters within my portfolio.

b. Do you commit to working with members of this committee, including myself, on trade issues raised by our domestic companies?

Answer. If confirmed, I look forward to working with Congress on efforts to help combat decades of unfair trade practices that have harmed American workers and businesses.

Question 2. President Trump's tariffs have rattled trade relationships with our allies and partners like Canada and others. These allies and partners have historically worked with us to counter unfair Chinese trade practices. This will be especially important as it relates to Chinese electric and other vehicles, which are flooding other major markets at artificially low prices.

a. Do you agree that we must maintain tariff and non-tariff trade barriers against Chinese connected and electric automobiles?

Answer. If confirmed, I will support the efforts of President Trump and Secretary Lutnick to ensure America's competitiveness.

b. Do you believe we must cooperate with partners and allies to counter China's quest for dominance in the automotive and other key manufacturing industries and what actions would you take in your role to ensure that occurs despite Trump's current tariff disputes?

Answer. If confirmed, I will support the efforts of President Trump and Secretary Lutnick to ensure America's competitiveness.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BEN RAY LUJÁN TO
DAVID FOGEL

Question 1. A small business in New Mexico wrote to my office and said, "We serve a worldwide market. Globalized businesses like ours create a large trade surplus for the United States and New Mexico. While we spend hundreds of thousands of dollars in China each year, we bring in millions to the U.S. from Asia, Europe, Japan, and Canada. These tariffs will force us to raise our prices significantly and are likely to put us out of business." How is the U.S. Commercial Service going to help New Mexican small businesses export their goods and services abroad, especially when their bottom line is harmed by retaliatory tariffs and tariffs on component goods?

Answer. The U.S. Commercial Service plays an important role in helping all American businesses—including those in New Mexico—navigate foreign markets, identify opportunities, and overcome trade barriers. If confirmed, I will assess the Commercial Service's ability to meet these goals and will look to continue and improve its efforts to support American exporters and workers.

Helping businesses diversify export destinations, understand market conditions, and access Federal resources can strengthen the global competitiveness of exporters and ensure that more communities benefit from expanded trade opportunities.

Question 2. Did Joe Biden lawfully win the 2020 presidential election?

Answer. President Biden was sworn in as President on January 20, 2021.

Question 3. Did Donald Trump lawfully win the 2024 presidential election?

Answer. President Trump was sworn in as President on January 20, 2025.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. DAN SULLIVAN TO
PIERRE GENTIN

Mr. Gentin, you may have seen or heard last week some of my frustration about making sure that NOAA gets the staff and funding that it needs to do fisheries surveys. I was glad to see that the Secretary did get the contract for the *Oscar Dyson* signed, and I very much appreciate that.

However, I want to take this opportunity to ensure that you, too, are aware of how important some of NOAA's basic functions are to support Alaska's fishermen. NOAA needs to complete fisheries surveys so that we have a robust view of our stocks so that we can fish sustainably. Without timely surveys, it shortens our fishing seasons and people's ability to make a living.

It is not as simple as just jumping on a boat and doing these surveys. Particularly in Alaska, the weather only cooperates for a small window of time each year and contracts and staff have to be in place on time, or you miss the whole season.

I really appreciate the Secretary and this administration's efforts to make sure we are being fiscally responsible, but I do want to stress the importance of timing to kick these surveys off.

Question 1. Mr. Gentin, I'm glad you'll be helping the Secretary accomplish his very important work. Can you commit to staying on top of all of the various minutiae of logistics necessary for NMFS to do fishery surveys?

Answer. I appreciate the importance of NOAA fisheries to Alaskans. If confirmed, I will work diligently with the Secretary to ensure NMFS has all the resources it requires to conduct fishery surveys.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. MARIA CANTWELL TO
PIERRE GENTIN

Congressionally mandated programs and agencies. Mr. Gentin, as a lawyer, I presume you are familiar with our Constitution and separation of powers. So you know that, under our Constitution, Congress has the power to pass laws, and the Executive Branch executes the laws as Congress enacted.

Question 1. Do you agree that the President must comply with the law?

Answer. Yes.

Question 2. If you are confirmed as General Counsel at the Department of Commerce (DOC, Commerce, Department), will you advise the Secretary to comply with the law?

Answer. Yes.

Question 3. Do you agree that the Executive Branch cannot lawfully eliminate an agency unilaterally that Congress authorized and appropriated funding for?

Answer. The Executive Branch is required to faithfully execute the law. If confirmed, I commit to advising the Department to adhere to the law.

Question 4. Do you agree that the Department has a legal obligation to comply with its contractual commitments?

Answer. The Department has an obligation to follow the law.

CHIPS and Science Act. At our last confirmation hearing, I was pleased to see Mr. Paul Dabbar, nominee to serve as Deputy Secretary of Commerce, reaffirm his support for the CHIPS and Science Act, which I believe is essential to U.S. national security and economic leadership.

Question 1. Mr. Gentin, you have been serving at the Department as a senior advisor in the Office of the Secretary since February 2025. Are you aware of any effort to get rid of the CHIPS Act?

Answer. I am unaware of any efforts to get rid of the CHIPS Act.

Question 2. Mr. Gentin, if confirmed, will you commit to ensuring the Department's contractual obligations to companies under the CHIPS Act are honored?

Answer. If confirmed, I commit to advising colleagues in the Department to follow the law.

Secretary Lutnick's Absent Leadership. I fear one reason we have seen so much chaos at the Commerce Department is that Secretary Lutnick appears to be focused on priorities that fall outside the Department's core mission.

According to reports from the *Wall Street Journal* on April 7 and the *New York Times* on April 28, Secretary Lutnick is at the White House more than any other Cabinet Secretary, and he is telling people that he plans to spend most of his time at the White House moving forward—not at the Commerce Department. Meanwhile, inside the Department, employees say morale has plummeted as leadership has left them rudderless.

Question 1. Mr. Gentin, how many hours per week is Secretary Lutnick working at the Commerce Department?

Answer. The Secretary works tirelessly and is fully focused on the Department's mission to create the conditions for economic growth and opportunity for our country.

Question 2. Has Secretary Lutnick ever told you that he plans to spend most of his time at the White House?

Answer. No.

Question 3. We have all seen Secretary Lutnick regularly on TV and at the White House. If confirmed, how will you help fill this leadership void at the Department?

Answer. There is no leadership void at the Department. The Secretary is fully focused on the Department's mission to create the conditions for economic growth and opportunity for our country.

Question 4. If confirmed, will you commit to spend the majority of your time at the Commerce Department working on the programs and policies that fall squarely in its remit?

Answer. If confirmed, I commit to focusing on the Department's mission to create the conditions for economic growth and opportunity for our country.

Senior Advisor. Mr. Gentin, you have been working at the Department of Commerce since February 2025.

Question 1. How often do you meet with Secretary Lutnick?

Answer. I meet with the Secretary on a regular basis.

Question 2. I understand you told my staff that your current job consists of spending time familiarizing yourself with programs and bureaus at the Department. Which programs and bureaus have you focused on?

Answer. I have been focused on developing an understanding of each of the bureaus in the Department.

Question 3. As of May 14, 2025, you still have not completed your financial disclosure information as specified in the Committee's questionnaire—even after my staff identified these omissions in an e-mail on May 2, 2025, and reiterated these omissions in subsequent e-mails and raised them with you in person on May 8, 2025. When were you first made aware that your questionnaire was incomplete?

Answer. I submitted my questionnaire in March 2025 and understood it to be a complete submission. In response to questions from your staff in May, I submitted addenda on May 12 and May 16, 2025.

Question 4. You had well over a week to address the omissions in your questionnaire identified by my staff before your confirmation hearing. Why didn't you submit a complete questionnaire by your hearing, as is expected of all nominees?

Answer. I submitted my questionnaire in March 2025 and understood it to be a complete submission. In response to questions from your staff in May, I submitted addenda on May 12 and May 16, 2025.

Question 5. Do you think fully responding to the items in the Committee's questionnaire is optional?

Answer. I submitted my questionnaire in March 2025 and understood it to be a complete submission. In response to questions from your staff in May, I submitted addenda on May 12 and May 16, 2025.

DOGE. During your confirmation hearing, you stated that you attended a meeting with Elon Musk at the White House. You also stated that you met two DOGE representatives at the Commerce Department. I have serious concerns about the extent to which Elon Musk and DOGE are driving the chaos we're seeing at the Department.

Question 1. Please describe what you discussed with Elon Musk at the White House.

Answer. I attended an informal meeting at which Mr. Musk was present. I did not speak with anyone during that meeting.

Question 2. Are you aware of other DOGE members, beyond the two individuals you met, working at the Department? If so, please identify these individuals and describe their portfolios as you understand them.

Answer. I was introduced in passing to two individuals affiliated with DOGE. I do not recall their names and do not know what, if any, their portfolios are in the Department.

Question 3. At the hearing, you testified that you did not know the names of the two DOGE members you were introduced to. You also testified that neither of these individuals was Nate Cavanaugh, who also is a member of DOGE working at the Department. However, you told my staff that you have never met or spoken with Mr. Cavanaugh. So, how do you know that neither of these two DOGE members was Mr. Cavanaugh?

Answer. I was introduced in passing to two individuals affiliated with DOGE. My best recollection is that neither of them was introduced as Mr. Cavanaugh.

Question 4. Please confirm whether you have met or spoken with Mr. Cavanaugh. If you have, please provide details of any such encounter.

Answer. I have no recollection of meeting or speaking with Mr. Cavanaugh.

Question 5. Yes or no: If confirmed, will you commit not to allow members of DOGE to access systems or information at the Commerce Department that they are not legally permitted to access?

Answer. If confirmed, I will advise colleagues in the Department to follow the law when making decisions regarding access to its systems and information.

Minority Business Development Agency (MBDA). Congress statutorily authorized MBDA in 2021. We passed a law appropriating money to fund the agency. But the Administration acknowledged “fully eliminated” the agency in its recommendations on discretionary funding levels for Fiscal Year (FY) 2026.

Question 1. Where in the Constitution does it give the Commerce Department the authority to overrule laws passed by Congress?

Answer. There is a Presidential Executive Order directing various Federal departments to take action regarding certain subagencies, including MBDA. My understanding is that Executive Order is currently the subject of ongoing litigation to which the Department is a party.

Question 2. My Commerce Committee colleagues and I have sent three letters to the Department regarding the dismantling of the MBDA. You were present at Mr. Dabbar’s confirmation hearing where these letters were raised. Nonetheless, you testified that you were “not aware of those letters.” How is this possible?

Answer. I have no awareness of the detail of any letters that have been sent to the Department regarding MBDA or of the Department’s responses.

Question 3. You testified that you would “go back to the Department of Commerce” after your hearing and “try to get those letters responded to.” What specific steps have you taken to accomplish this?

Answer. It is my understanding that the Department of Commerce previously responded in a letter dated April 24, 2025.

Question 4. Who at the Department is responsible for responding to these letters?

Answer. It is my understanding that responding to Congressional letters is a collaborative effort involving multiple offices within the Department.

Question 5. If confirmed, will you commit to examining the legality of the Department’s actions to “fully eliminate” the MBDA unilaterally and advise Secretary Lutnick on any illegalities you identify?

Answer. If confirmed, I will advise colleagues in the Department to follow the law.

Question 6. If you identify any illegalities with the Department’s actions toward MBDA, do you believe Congress should be notified?

Answer. If confirmed, I will advise the Department to follow the law with respect to any required Congressional notifications.

National Oceanic and Atmospheric Administration (NOAA). The Trump Administration is pursuing a FY 2026 budget proposal that would reduce NOAA’s budget by more than 25 percent, eliminate Congressionally mandated programs, and transfer part of the National Marine Fisheries Service to the Interior Department.

During his confirmation hearing, Secretary Lutnick told me that he has, “no interest in separating” NOAA and that breaking up NOAA, “is not on my agenda.” Yet, that is exactly what the Administration is trying to do.

Question 1. Yes or no: Have you been to any meetings where NOAA was discussed? If so, what was the topic of the meeting?

Answer. Yes. I have attended meetings to educate myself about the various bureaus in the Department, including NOAA.

Question 2. Yes or no: Have you discussed any plans to break up NOAA with Secretary Lutnick or anyone else?

Answer. No.

Question 3. Do you agree it would be illegal for the Administration to eliminate or transfer part of NOAA outside the Commerce Department without Congress's approval? Why or why not?

Answer. If confirmed, I will commit to advising the Department to follow the law with respect to any required Congressional notifications.

Bipartisan Infrastructure Law. During your confirmation hearing, you indicated that you were not aware of the Bipartisan Infrastructure Law (BIL), which is one of the most consequential bipartisan laws in modern history. This is deeply concerning for any nominee, especially one vying to be the General Counsel of the Commerce Department.

Question 1. If confirmed, will you familiarize yourself with the BIL and faithfully execute the law as Congress intended?

Answer. If confirmed, I will commit to familiarizing myself with legal authorities relevant to the advice I am being called upon to deliver.

Digital Equity Act. On Thursday, President Trump posted on Truth Social that he and Secretary Lutnick were ending the Digital Equity Act (DEA) "IMMEDIATELY." Congress passed the DEA in 2021 as part of the Infrastructure Investment and Jobs Act and appropriated \$2.5 billion for the program, including \$1.4 billion to be distributed to all 50 states according to a statutorily determined formula.

Despite the clear words of the law, last Friday (May 7, 2025) state broadband offices across the country, including in Washington, received letters telling them their grants had been canceled.

Question 1. You testified at your confirmation hearing that you would follow the law. Yes or no: Is DEA the law?

Answer. The Digital Equity Act is a statute that was passed by Congress in 2021.

Question 2. What provision of the DEA allows the President and the Secretary to ignore its statutorily determined formula?

Answer. I have not been confirmed as General Counsel of the Department and have not conducted a legal analysis of the Digital Equity Act. If confirmed, I will advise colleagues in the Department to follow the law.

Question 3. Do you believe it is lawful for the government to withhold formula-funded grants to states even where Congress has expressly set out the amount of money a state is to receive?

Answer. If confirmed, I will advise colleagues in the Department to uphold the U.S. Constitution.

Question 4. Can you commit not to leave any of the statutory "covered populations" outlined in the DEA behind and implement the Act fully, as intended by Congress?

Answer. If confirmed, I will advise colleagues in the Department to uphold the U.S. Constitution.

Spectrum. Section 1062 of the 2000 National Defense Authorization Act requires that before the Department of Defense is required to turn over spectrum that it uses, the Secretary of Defense, Chairman of the Joint Chiefs, and Secretary of Commerce must jointly certify the alternative band of spectrum "provides comparable technical characteristics to restore essential military capability that will be lost as a result of the band of frequencies to be so surrendered."

Question 1. Mr. Gentin, as General Counsel of the Commerce Department, will you ensure that the DOC complies with this law?

Answer. If confirmed, I will advise colleagues in the Department to follow the law.

Question 2. Are you aware that no such joint certification was made by during the first Trump Administration when Department of Defense spectrum was identified for auction?

Answer. I am not aware of what certifications were or were not made during the first Trump Administration.

Question 3. Did the lack of a joint certification during the first Trump Administration violate the law?

Answer. I am not aware of what certifications were or were not made during the first Trump Administration.

BEAD Program. The BIL requires that after the Assistant Secretary of Communications and Information approves a state's final proposal in the BEAD Program, the Assistant Secretary "shall make available to the eligible entity the remainder

of the grant funds allocated to the eligible entity.” Three states have had their final proposals approved but no funds have been released.

Question 1. What provision of law allows DOC not to follow the clear text of the BIL and “make available” BEAD funds to the three states with approved plans?

Answer. If confirmed, I look forward to working with the Secretary, the leadership of NTIA, and counsel at the Department, to effectively implement the BEAD Program in an efficient and effective manner.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. AMY KLOBUCHAR TO
PIERRE GENTIN

Question 1. For years, I’ve worked to combat the unfair dumping of foreign steel into the U.S. market—a persistent threat to Minnesota’s iron ore industry and the communities that depend on it. While duties have been imposed on countries like China, we’re now seeing exporters shift to third-party countries to transship or lightly process steel products in order to evade those trade remedies. To maintain a level playing field, our enforcement tools must keep pace with these increasingly sophisticated circumvention tactics.

- How would you ensure that the Department of Commerce robustly enforces anti-dumping and countervailing duty orders in cases where steel products are being routed through third countries to evade existing duties?

Answer. While this is not an issue I will directly oversee, if confirmed as General Counsel, I agree that we must defend U.S. businesses and workers, including the U.S. steel industry, against unfair trade practices. If confirmed, I will work with my colleagues at Commerce to help ensure that our antidumping and countervailing duty laws are enforced and that third countries are not being used to avoid existing trade requirements through transshipment schemes.

- Would you support strengthening the Department of Commerce’s use of circumvention findings, including expanding investigations where there is credible evidence of transshipment or minor alterations to avoid duties?

Answer. Yes.

Question 2. Last month, the U.S. Department of Commerce notified Manufacturing Extension Partnership (MEP) programs in 10 states that their grants would not be renewed. Additionally, the Department notified MEP programs with contracts up for renewal later in the year—including the Minnesota MEP partner, Enterprise Minnesota—to not submit applications for renewal until future notice.

a. Do you commit to ensuring that congressionally appropriated funding for MEP is spent properly and in accordance with Congress’s intent?

Answer. If confirmed, I commit to looking into the legal issues associated with the Manufacturing Extension Partnership programs.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. GARY PETERS TO
PIERRE GENTIN

Question 1. Were you aware of the decision to cancel the Manufacturing Extension Partnership renewals due April 1 before it was made?

Answer. No.

a. Will you commit to advising the Secretary to provide certainty to MEP programs if confirmed?

Answer. If confirmed, I commit to looking into the legal issues associated with the Manufacturing Extension Partnership programs.

Question 2. Were you aware of or did you provide any advice related to the decision to cancel the State Digital Equity Grants?

Answer. No. I was not aware of and did not provide any advice related to State Digital Equity Grants.

Question 3. Without input from Congress, is it legal for the administration to simply cancel funding for authorized and appropriated programs like these?

Answer. If confirmed, I commit to looking into the legal issues associated with the Digital Equity Grants and I will advise my colleagues in the Department to follow the law.

Question 4. If confirmed, will you advise the Secretary that it is legal to withhold funds from entities once a grant agreement has been signed and the funds are obligated?

Answer. If confirmed, I will advise colleagues in the Department of Commerce to uphold the U.S. Constitution.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. TAMMY DUCKWORTH TO
PIERRE GENTIN

Question Topic: Refired Probationary Employees

Question 1. In March, the Department of Commerce reinstated a number of probationary employees after a temporary restraining order issued by the U.S. District Court of Maryland. However, after the temporary restraining order was lifted in April, the Department of Commerce refired many probationary employees.

A. Last month, when the Department of Commerce refired probationary employees, did the Department of Commerce follow all applicable statutes and laws?

Answer. I have had no role in advising on or implementing Department actions regarding probationary employees.

B. Last month, when the Department of Commerce refired probationary employees, did the Department of Commerce conduct any review of prior performance to determine whether employees should be refired?

Answer. I have had no role in advising on or implementing Department actions regarding probationary employees.

C. Last month, when the Department of Commerce refired probationary employees, did the Department of Commerce review whether the firings would be detrimental to any essential functions of the department?

Answer. I have had no role in advising on or implementing Department actions regarding probationary employees.

D. Last month, when the Department of Commerce refired probationary employees, were any supervisory employees consulted on whether to fire each probationary employee?

Answer. I have had no role in advising on or implementing Department actions regarding probationary employees.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BEN RAY LUJÁN TO
PIERRE GENTIN

Question 1. The Bipartisan Infrastructure Law (BIL), also known as the Investment Infrastructure and Jobs Act (IIJA), or Public Law 117—58 was passed in 2021 on a bipartisan basis.

a. Will you commit to implementing this law as written?

Answer. If confirmed, I will advise colleagues in the Department to follow the law.

Question 2. Yes, or no, does Article III of the Constitution say, “[t]he judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish”?

Answer. Yes.

Question 3. Did *Marbury v. Madison*, a Supreme Court Case from 1803 establish the principle of judicial review? Explain the principle of judicial review.

Answer. Yes. Judicial review permits courts to review the lawfulness of actions of the legislative and executive branches of government.

Question 4. Yes or no, does the judicial branch have the sole power to declare a law unconstitutional?

Answer. Judicial review permits courts to review the lawfulness of actions of the legislative and executive branches of government.

Question 5. The Digital Equity Act provides \$2.75 billion to establish three grant programs that promote activities consistent with the Act. They aim to ensure that all people and communities have the skills, technology, and capacity needed to reap the full benefits of our digital economy. President Trump declared these funds unconstitutional on Truth Social on Thursday May 8, 2025. The next day, on May 9, 2025, the states received notices that the Digital Equity Act was unconstitutional and their grants were terminated. Yes or no, does the President have the power under the United States Constitution to nullify entire sections of laws passed by Congress?

Answer. I have not been confirmed as the General Counsel for the Department, and I have not conducted a legal review of the Digital Equity Act. If confirmed, I will advise colleagues in the Department to follow the law.

a. Yes or no, if confirmed, will you commit to reversing this unlawful action and release and distribute these funds?

Answer. If confirmed, I will advise colleagues in the Department of Commerce to follow the law.

Question 6. Sec. Lutnick is calling on states to use the lowest cost option when building out broadband under the BEAD Program. Although satellite is cheaper and quicker to deploy in the short-term, it will be more expensive in the long-term. Fiber is considered the gold standard in internet connection. Yes or no, do you support deprioritizing fiber in favor of fixed wireless or LEO satellites?

Answer. If confirmed, I look forward to working with the Secretary, the leadership of NTIA, and counsel at the Department, to effectively implement the BEAD Program in an efficient and effective manner

a. Are you aware of any small LEO operators that satisfy IIJA's 100/20 mbps speeds and low latency conditions?

Answer. I am not familiar with the specific capabilities of small LEO operators.

Question 7. Earlier this month, Secretary Lutnick put out a statement saying that the Commerce Department is "revamping the BEAD program to take a tech-neutral approach that is rigorously driven by outcomes, so states can provide Internet access for the lowest cost." Yes or no, do you support requiring states to overhaul and re-submit their BEAD plans?

Answer. I have not been involved in discussions or decisions related to revamping the BEAD program.

Question 8. Did Joe Biden lawfully win the 2020 presidential election?

Answer. President Biden was sworn in as President on January 20, 2021.

Question 9. Did Donald Trump lawfully win the 2024 presidential election?

Answer. President Trump was sworn in as President on January 20, 2025.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY MARIA CANTWELL TO
ROBERT GLEASON

Elon Musk on Privatizing Amtrak. In March 2025, Elon Musk publicly called Amtrak a "sad situation." He went on to suggest that Amtrak must be privatized in order to be saved.

This misguided proposal would fundamentally undermine Amtrak's dedication to nationwide service and America's future in high-speed rail.

Question 1. Yes or no: Do you agree with Elon Musk that Amtrak should be privatized?

Answer. If confirmed, my top priority will be to see Amtrak succeed.

Question 2. Yes or no: If confirmed, will you vocally oppose any efforts by Elon Musk or others in this Administration to privatize Amtrak?

Answer. If confirmed, my top priority will be to see Amtrak succeed. That includes exploring the possibility of public-private partnerships and expanded state partnerships.

Amtrak CEO Pushed Out. Amtrak's former CEO, Stephen Gardner, abruptly resigned in March 2025. He was reportedly pushed out as someone deemed not sufficiently loyal to the White House, five days after he issued a statement supporting the FY 2025 \$2.42 billion appropriated to Amtrak. Mr. Gardner's resignation also happened two weeks after Elon Musk publicly called for Amtrak to be privatized.

Question 1. If confirmed, will you be an independent voice for Amtrak and not simply defer to the White House?

Answer. If confirmed, I will be an independent voice for Amtrak.

Question 2. Yes or no: If confirmed, and the White House directed you to take action that would undermine Amtrak's success, would you refuse?

Answer. It will be my top priority to see that Amtrak succeeds.

Role in 2020 Presidential Election. Mr. Gleason, in some press reports, you are listed as a false elector for the Trump campaign in Pennsylvania in connection with the 2020 presidential election. I understand you told Committee staff you did not sign a false election certificate.

Question 1. Did you attend any meetings of the Pennsylvania false electors after the 2020 presidential election? If so, please describe the meetings.

Answer. I did not attend any meetings in question.

Question 2. Did you in any way support or participate in the effort to submit false election certificates after the 2020 presidential election?

Answer. No.

Question 3. In a December 2024 interview with *ABC27 News* commenting on the last two presidential elections, you stated: “We lost last time, we won this time, and here we are.” To confirm: Do you believe Joe Biden was lawfully elected President of the United States in 2020?

Answer. President Biden was sworn in as President on January 20, 2021.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. GARY PETERS TO
ROBERT GLEASON

Question 1. I mentioned in my opening remarks Michigan Central Station and efforts to expand and improve passenger rail service across Michigan’s three passenger lines. The Bipartisan Infrastructure Law’s Corridor ID Program has been integral to our state doing the ridership analysis they need to support future expansion. But Corridor ID grants don’t mean much if we don’t follow them up with investment.

a. If confirmed, do you commit to ensuring that Amtrak sees the additional funding and support it needs to follow up on Corridor ID work to expand passenger rail where appropriate—including in Michigan?

Answer. If confirmed, I commit to supporting the Corridor ID program and investments to expand passenger rail where appropriate, including in Michigan.

b. Do you think cuts and additional barriers to Amtrak’s expansion will harm the ability to serve more folks in the Midwest?

Answer. My top priority, if confirmed, is to see Amtrak succeed.

RESPONSE TO WRITTEN QUESTIONS SUBMITTED BY HON. BEN RAY LUJÁN TO
ROBERT GLEASON

Question 1. In 2023, the Southwest Chief had the second lowest on-time performance rate of all long-distance routes, getting customers to their destinations only 34 percent of the time. In 2024, there was a modest improvement to on-time performance of 45 percent. Yes or no, are you committed to advocating for increased funding for the long-distance rail network to address outdated equipment and maintenance issues?

Answer. Yes.

Question 2. Did Joe Biden lawfully win the 2020 presidential election?

Answer. President Biden was sworn in as President on January 20, 2021.

Question 3. Did Donald Trump lawfully win the 2024 presidential election?

Answer. President Trump was sworn in as President on January 20, 2025.

RESPONSE TO WRITTEN QUESTION SUBMITTED BY HON. LISA BLUNT ROCHESTER TO
ROBERT GLEASON

Question. While Amtrak ridership numbers have rebounded on the Northeast Corridor, I am deeply concerned about potential cuts to commuter rail service that depends on access to Amtrak-owned infrastructure, especially SEPTA.

If confirmed, how will you work with commuter rail tenants on the Northeast Corridor to ensure regional rail stability?

Answer. If confirmed, I look forward to learning more about this issue. I believe it’s important that we have safe and reliable passenger service throughout the country, including in and around Delaware.