

March 21, 2023

The Honorable Joseph R. Biden, Jr.  
The President of the United States  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20006

Dear President Biden:

As former senior government officials and former Members of Congress who have worked to keep our civil aviation system operating safely and efficiently, we write to express our serious concerns with your nomination of Phil Washington to serve as FAA Administrator.

The FAA's primary mission is to keep the flying public safe. To achieve this vital mission, the FAA performs numerous specialized tasks from air traffic control to the certification of pilots and aircraft to issuing regulations governing the manufacture, operation, and maintenance of aircraft. The successful performance of these tasks helps to ensure that when passengers step onto an airplane it will safely get them where they need to go. In our experience, given the highly technical nature of the FAA's work, the agency's leader needs to have extensive aviation knowledge and expertise to carry out its safety mission effectively. There is simply too much at stake to have the FAA Administrator trying to learn the basics of aviation on the job.

Unfortunately, it is clear from Mr. Washington's record that he lacks the aviation knowledge and expertise required to lead the FAA. Unlike the vast majority of former FAA administrators, he is not a pilot. Nor has he ever worked for an airline, for a company that builds, maintains, or repairs aircraft, as an air traffic controller, or in any position of leadership dealing significantly with aviation safety. Over the course of his nearly 47-year professional career, Mr. Washington's only aviation-related experience consists of working for less than two years as the CEO of Denver's airport. It is no wonder that even the *New York Times* has stated that he has "a short aviation resume."<sup>1</sup> During his confirmation hearing, Mr. Washington repeatedly displayed his lack of aviation knowledge and expertise. Time and again, he could not answer questions about the FAA's most basic regulations, critical safety measures, and technical operations, including questions related to his current duties as an airport director.

Recent events have reminded us all that we cannot take safe air travel for granted. Since the start of the year, there have been a spate of close calls at airports where airplanes nearly missed hitting each other. In January, the meltdown of an important FAA aviation safety system—NOTAM—led to the first nationwide grounding of flights since September 11, 2001. History has shown us that when faced with such safety challenges the FAA needs a steady leader with a deep understanding of aviation safety. For example, in the aftermath of the tragic Boeing 737 MAX

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<sup>1</sup> Mark Walker, *Biden's Pick to Lead F.A.A. Faces Murky Road to Confirmation*, N.Y. Times (Dec. 26, 2022), available at <https://www.nytimes.com/2022/12/26/us/politics/phil-washington-faa-senate-confirmation.html>.

crashes in 2018 and 2019, FAA Administrator Steve Dickson would not recertify the 737 MAX to return to service until he personally flew the plane and deemed it safe. As a pilot and former airline executive with nearly 40 years of aviation experience, Mr. Dickson had the knowledge and expertise necessary to lead the agency through the recertification process and make that critical decision.

Fortunately for the American people and the FAA, there are multiple people with extensive aviation knowledge and expertise that you could nominate to lead the FAA instead of Mr. Washington. The current Acting FAA Administrator, Billy Nolen, is one example. He was appointed by your administration and has decades of aviation experience, including aviation safety experience, from his time as a military and commercial airline pilot, an airline executive, and the FAA's Associate Administrator for Aviation Safety (AVS). As Senate Commerce Committee Ranking Member Ted Cruz stated at a March 8th hearing, "a nominee like Acting Administrator Nolen would receive widespread bipartisan support and could get confirmed quickly."

The FAA has gone without a Senate-confirmed leader for almost a year due to bipartisan concerns that Mr. Washington is not qualified for the position. Now more than ever, the FAA needs an experienced leader with the aviation knowledge and expertise required to accomplish the agency's important mission beginning on day one. We urge you to withdraw Mr. Washington's nomination and select a qualified nominee who can hit the ground running to keep Americans safe when they fly.

Sincerely,

Steven G. Bradbury  
Former General Counsel and Acting Deputy Secretary of Transportation  
U.S. Department of Transportation

Diana Furchtgott-Roth  
Former Deputy Assistant Secretary for Research and Technology  
U.S. Department of Transportation

James H. Inhofe  
Former U.S. Senator

Todd Rokita  
Indiana Attorney General  
Former Member of Congress