

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

*Full Committee  
Nomination Hearing  
February 20, 2025*

**DEMOCRATIC QUESTIONS FOR THE RECORD**

*Mr. Steven Bradbury*

**COVER PAGE**

## **SENATOR MARIA CANTWELL (D-WA)**

**Confidentiality Commitments to Project 2025.** Mr. Bradbury, you are listed as a “contributor” to Project 2025’s *Mandate for Leadership: The Conservative Promise* publication (“Mandate for Leadership”). You acknowledged in a February 18, 2025, addendum filed with the Committee that you “provided substantive input” into the Chapter on the Transportation Department (Chapter 19). However, the full extent of your involvement and exact contributions are unclear. During your staff interview on February 14, 2025, you refused to discuss the substance of much of your work on Project 2025, citing ambiguous “confidentiality commitments.”

*Question #1:* On what date did you enter this purported confidentiality commitment?

**Answer: I made a commitment of confidentiality as a condition of my involvement in the project. I first agreed to contribute to particular aspects of the chapter on the Department of Transportation in November 2022. I became a more active participant in the project when I joined The Heritage Foundation in December 2022.**

*Question #2:* To whom did you make this commitment?

**Answer: To the organizers of the project through The Heritage Foundation.**

*Question #3:* In what form is this commitment memorialized, if any? If there is a written memorialization, please provide a copy.

**Answer: I made a commitment of confidentiality as a condition of my involvement in the project. The commitment is binding on me.**

*Question #4:* Detail your basis for declining to answer questions from congressional staff regarding your relevant work experience with a private employer such as the Heritage Foundation’s Project 2025, including any privileges being asserted.

**Answer: Because I have a binding commitment of confidentiality to the organizers of the project through The Heritage Foundation, I am not free to disclose nonpublic details about my work on the project.**

*Question #5:* Does it remain your position that you are not permitted to discuss certain elements of your work on Project 2025 with Congress due to a “confidentiality commitment”?

**Answer: Yes, as explained in response to Q.4.**

**Contributions to Project 2025.** By its own terms, Project 2025 was comprised of four pillars: 1) the “Mandate for Leadership” publication; 2) a personnel database; 3) a training academy, and 4) 180-day Transition Playbooks. The American people deserve transparency and candor from someone seeking a position of public trust.

*Question #1:* Please describe your role working on or contributing to each of these pillars.

***Answer:*** With regard to pillar 1 of the project, I reviewed the Department of Transportation chapter and provided substantive input on particular aspects of that chapter; I also reviewed other chapters and provided mostly non-substantive input (line edits, etc.). With regard to pillar 2, I filled out a profile in the database and urged other individuals to fill out their own profiles. With regard to pillar 3, I recorded a single training video on executive orders, which has become public and a link to it is included in my CST Committee Questionnaire responses. With regard to pillar 4, I was involved in coordinating work on pillar 4 and in recruiting attorneys to work on it; I was involved in supervising work relating to the Department of Transportation; and I reviewed and commented on work relating to certain other departments or agencies.

*Question #2:* Please identify the specific proposals that you support in Chapter 19 of the “Mandate for Leadership” publication?

***Answer:*** I personally support several of the proposals contained in Chapter 19 relating to regulatory matters, including regulatory reform policies generally, the CAFE program in particular, and the proper approach to aviation consumer protection rulemaking in accordance with the law. If confirmed as Deputy Secretary, I would offer my suggestions and advice on these and other matters, but it will be the Secretary who determines the particular positions DOT will implement, subject to policy direction from the President. As I noted in my letter of February 18, 2025, responding to questions raised by your staff, there are many policy suggestions included in Chapter 19 that I do not subscribe to or that I would have articulated differently had I been a co-author of the chapter. Some of the proposals made in the chapter I disagree with, such as the proposals to separate the FAA’s safety regulatory function from DOT and to repeal the Jones Act. Others, which may have merit as a theoretical matter, are so unlikely to be embraced by Congress that I would not expect to advise the Secretary to push for them if I were confirmed as Deputy Secretary. Among numerous others, these include the proposals to privatize the Nation’s air traffic control operations, to end the Essential Air Service program, and substantially to eliminate the Department’s transit programs and its grant-making and lending functions, even for infrastructure projects of national importance.

*Question #3:* On March 2, 2023, you sent an email to an individual who also became a Project 2025 contributor. You told this potential recruit that his contributions to Project 2025 “are likely to carry influence with those who make personnel decisions for any future administration that embraces our policy proposals.” Please describe the basis on which you relied in making this representation.

***Answer:*** It was based on personal speculation on my part.

*Question #4:* How many individuals are you aware of that were recruited to contribute to Project 2025 and are now working in the Trump Administration?

***Answer:*** Many individuals were recruited to help, but only a subset of those recruited ended up making significant contributions to the project. I am not aware of all of the individuals who had significant involvement across the project, and so I cannot estimate how many of them may be serving in the administration.

*Question #5:* You conducted a training course for Project 2025 that taught participants how to draft executive orders. Were you involved in drafting or advising on any of the executive orders issued during the current Trump Administration? If so, please identify each such executive order and describe the nature of your involvement.

**Answer: I am not free to discuss what specific drafts I may have worked on.**

***Project 2025 180-day Transition Playbooks.*** The fourth pillar of Project 2025 is 180-day Transition Playbooks that contain “a comprehensive, concrete transition plan for each agency.” Curiously, Project 2025 does not appear to have made these playbooks public – despite their own website claiming, “Project 2025 is not partisan, nor is it secret.”

*Question #1:* Did you work on Project 2025’s 180-day Transition Playbook for the Transportation Department?

**Answer: Please see my answer to Q.1 under “Contributions to Project 2025” above.**

*Question #2:* Is the Trump Administration implementing the action items called for in this Playbook?

**Answer: President Trump sets the policy directions for his administration. The Senate-confirmed heads of the various executive departments and agencies decide what actions to approve for the new administration in accordance with their own statutory authorities and under the policy direction of the President. I am not free to discuss whether any particular actions approved by the administration are similar to draft proposals considered in the project.**

*Question #3:* Why has Project 2025 not made these Playbooks public?

**Answer: That was a decision made by the organizers of the project.**

*Question #4:* Will you provide a copy of this 180-day Playbook to the Committee?

**Answer: I am not free to do so.**

***Project 2025’s Impact on Aviation Safety.*** The Project 2025 agenda is both dangerous and the last thing we need at the Transportation Department in this moment, particularly when there has been an aviation accident every week under the Trump Administration. I am particularly alarmed by Project 2025’s call for weakening the safety requirement for commercial pilots to accrue at least 1,500 flight hours before they are certified. Americans deserve assurances that the pilots flying their planes are appropriately trained.

*Question #1:* Given the mounting aviation accidents we’ve witnessed in the past month, do you believe we should be weakening training requirements for commercial pilots?

**Answer: No.**

*Question #2:* Did you contribute to this Project 2025 proposal calling for rolling back this key aviation safety requirement?

***Answer: No.***

***Transition Team Confidentiality Commitment.*** During your February 14, 2025, staff interview, you also evaded answering questions regarding your work on the Trump-Vance Transition team, claiming you made a “binding commitment of confidentiality.” When you were asked whom the Committee would need to contact to seek a waiver of this commitment, you told us to “contact Susie Wiles,” the White House Chief of Staff.

*Question #1:* On what date did you enter this “binding commitment of confidentiality”?

***Answer: When I became involved in the Trump-Vance Transition in December 2024.***

*Question #2:* Did you enter this commitment with Ms. Wiles personally? If not, please identify to whom you made this commitment.

***Answer: No. I entered into the commitment with the Trump-Vance Transition Inc. I mentioned the Chief of Staff in my meeting with your staff only because I don’t know who else would currently represent the Trump-Vance Transition, now that the transition is over and the administration is in office.***

*Question #3:* In what form is this commitment memorialized, if any? If there is a written memorialization, please provide a copy.

***Answer: I am not free to disclose this information.***

*Question #4:* What is your basis for asserting this commitment is “binding” on your ability to answer relevant questions posed by congressional staff?

***Answer: I am under a binding obligation not to disclose nonpublic information about the transition to anyone who hasn’t been authorized by the Trump-Vance Transition to receive such information.***

*Question #5:* Why did you direct my staff to contact the White House Chief of Staff regarding this purported confidentiality commitment?

***Answer: Please see my answer to Q.2 above.***

*Question #6:* Following your February 14, 2025, staff interview, did you discuss this confidentiality commitment with anyone at the White House? If so, please identify all such individuals.

***Answer: No.***

*Question #7:* Does it remain your position that you are not permitted to discuss your work on the Trump-Vance Transition with Congress due to a “binding commitment of confidentiality”?

***Answer: Yes.***

***Work on the Transition Team.*** According to the responses in your Committee Questionnaire, you worked on the Trump-Vance Transition from December 2024 into January 2025.

*Question #1:* How did you get involved with the transition and who brought you on?

***Answer:*** I am not free to disclose this information.

*Question #2:* What was your portfolio on the Trump-Vance Transition?

***Answer:*** I am not free to disclose this information.

*Question #3:* Other individuals involved in the transition have shared their portfolios publicly. To the extent you are not providing a complete response to the above question, please explain why you believe you are restricted in your ability to respond fully.

***Answer:*** I am under a binding obligation not to disclose nonpublic information about the transition to anyone who hasn't been authorized by the Trump-Vance Transition to receive such information.

***Questionnaire Discrepancies.*** In both your responses to the Committee Questionnaire and your original OGE Form 278e submitted to the Committee, you incorrectly stated your gross employment income in 2023, 2024, and 2025. In your 5-day letter, you included a "Correction to Part 2 of OGE Form 278e" and a "Corrected Response to Question E.2" of the Committee Questionnaire. In so doing, you acknowledged that you underreported your Heritage Foundation salary, citing an "inadvertent mistake." These discrepancies are not insignificant.

*Question #1:* Please explain how these errors occurred.

***Answer:*** In preparing the original version of my OGE Form 278e, I mistakenly reported taxable or net employment income—for example, net of contributions to my Heritage retirement accounts. I failed to understand that the form was calling for the reporting of gross employment income. I made the same mistake in initially providing the income information requested in Question E.2 of the CST Committee Questionnaire. These mistakes were inadvertent. I discovered the mistakes in the course of preparing my five-day letter on February 17, and I provided the corrected employment income information to the Committee the very next day, in my letter of February 18, 2025.

*Question #2:* Are you aware of any other item in your corrected OGE Form 278e that is inaccurate?

***Answer:*** No.

*Question #3:* In addition, the resume you submitted to the Committee has no employment listed from January 2021 through December 2022. Please describe in detail both this gap in employment and what you did during this time.

***Answer:*** I was semi-retired, focusing on spending time with my wife and devoting attention to writing pieces for publication online on my personal Substack and Medium sites, as

**listed in my responses to the CST Committee Questionnaire. During that period, I also considered potential opportunities to serve as in-house counsel with a number of corporations and non-profit or public entities.**

*Following the law.* In testimony before the Senate Judiciary Committee in 2006, you stated that the “President is always right.” You have since tried to walk back that testimony, stating it was made in jest. However, presidential overreach is no laughing matter, especially when we have a President who is bent on pushing the limits of Executive authority.

*Question #1:* Do you believe the Executive Branch must comply with lawful court orders?

**Answer: Yes. Concerning the statement made to the Senate Judiciary Committee on July 11, 2006, I clarified the very next day in a hearing before the House Armed Services Committee and in a follow-up letter to the Senate Judiciary Committee on July 14, 2006, that the statement “was intended only to be humorous” and was an “ill-considered attempt at humor,” that “Nobody is always right, and I certainly didn’t mean to say that, other than as in humor,” and that “I well understand that an actual belief that the President can never be wrong would be wholly inconsistent with my responsibilities as a legal adviser to the Executive Branch.” I am attaching a copy of that July 14, 2006, letter to these responses.**

*Question #2:* If the president ordered you to do something illegal, would you refuse?

**Answer: Yes.**

*Public Trust.* Mr. Bradbury, you have an extensive background in the law. And you have written about the importance of public officials not “betray[ing] the trust of the American people.” Promoting public trust starts with our leaders being unafraid to speak the truth.

*Question #1:* Did Donald Trump lose the 2020 presidential election?

**Answer: Joe Biden won the election for President in 2020 by receiving a majority of the certified electoral count in accordance with the Constitution.**

*ADS-B Exemption.* In 2010, the DOT under the Obama Administration issued a final rule to require all aircraft equipped with Automatic Dependent Surveillance-Broadcast (“ADS-B”) Out to operate in “transmit mode” at all times.

But in 2019 during your tenure, the DOT modified the rule to create an exemption from the ADS-B Out requirement for “sensitive operations conducted by Federal, State and local government entities in matters of national defense, homeland security, intelligence and law enforcement.”

We now know that, pursuant to this exemption, the Army Aviation Brigade at Fort Belvoir and Marine Helicopter Squadron One executed 100 percent of their missions with the ADS-B Out deactivated. And we also now know that the Black Hawk helicopter involved in the January 29,

2025 collision was operating without ADS-B Out activated even though it was a routine check ride.

*Question #1:* You were, in your own words, “responsible for overseeing the Department’s regulatory actions” during your prior tenure at DOT. As General Counsel, what oversight did you direct DOT to conduct of the exemptions granted to ensure that “non-transmission of ADS-B out [was] not . . . routinely used by agencies that have been granted this relief,” as the 2019 interim final rule states?

**Answer:** I believe the potential exemption for sensitive military and other operations was included in the 2019 final rule in response to requests from non-DOT components of the Executive Branch, and, as stated in the final rule, I believe the exemption was not intended to be routinely used. I do not recall what specific directions I may have given to ensure that the exemption was properly applied in accordance with the final rule, but I would have relied on the FAA in the first instance to monitor or communicate with DoD concerning use of the exemption and to bring to the attention of DOT leadership any concerns about the potential overuse of the exemption authority. I do not know when Army units began making routine use of the exemption in 100 percent of their operations.

*Question #2:* Does the deactivation of ADS-B Out for routine military helicopter flights without a sensitive mission component enhance aviation safety?

**Answer:** As indicated in the 2019 final rule, I would say it does not. As I indicated in my nomination hearing, I agree with the strong and clear statement on this point made by Chairman Cruz at the hearing.

*Question #3:* If confirmed, do you commit to swiftly re-assessing the interim final rule that DOT promulgated in 2019 under your leadership?

**Answer:** If confirmed, I will assist the Secretary in working with the FAA to review the rule and any potential need to amend it.

*Safety Management Systems & MAX Families.* A February 19, 2021 letter to Chairman Cruz signed by Javier de Luis on behalf of other Ethiopian Airlines flight 302 families asks you to “commit to rapid formalization and adopt of Boeing’s SMS plan without any further delays.”

*Question #1:* If confirmed, do you commit to doing so?

**Answer:** I am a strong proponent of safety management systems and plans for Boeing and for operators in aviation and in other transportation sectors, and I believe DOT needs to ensure greater effectiveness and accountability through SMS oversight. If confirmed, I will commit to supporting that goal, certainly including with respect to Boeing.

*Question #2:* If confirmed, do you commit to meeting to the Ethiopian Airlines flight 302 families as a group prior to meeting in your official capacity with any registered lobbyists or attorneys representing clients with interests before the Department?



***Answer:*** As I told the family representatives who attended my nomination hearing, I am deeply sorry for the loss of their loved ones and for the unbelievable anguish they have suffered. I have great respect and appreciation for their continuing commitment and dedication to ensuring that no other families experience the horrible loss they have suffered. As I also assured them at the hearing, if I am confirmed, I will meet with the families as a group early in my tenure and will listen with care, respect, and an open mind to their perspectives and to the information they have to present, and I will commit to follow up on their input with the FAA and with Boeing. I will remain available and accessible to these families as we further address aviation safety.

***10-for-1.*** During the first Trump Administration, you were in charge of effectuating the 2-for-1 Executive Order, meaning that for every one new rule or regulatory requirement, two had to go away. Now the Trump Administration has implemented a 10-for-1 Executive Order that you will help effectuate at DOT.

***Question #1:*** Can you commit that the implementation of 10-for-1 at DOT won't cause the Department to miss any of the deadlines set by Congress in the FAA Reauthorization for aviation safety rules? For instance, the Reauthorization Law requires FAA to finalize a rule for 25-hour cockpit voice recorders by May 2027.

***Answer:*** I am confident the President's regulatory reform agenda can be implemented without compromising the Department's safety mission. If confirmed, I will assist the Secretary in working with the FAA to ensure that all laws are faithfully executed and that statutory mandates are complied with.

***FAA Work Force Reduction.*** With any proposed workforce reduction in aviation safety, it's recommended to conduct a safety risk management analysis and consult with the workforce itself to determine any potential impacts on the ability to carry out safe operations. However, we know many of the affected workgroups at FAA were not consulted before approximately 400 FAA employees were fired beginning on February 14, 2025.

***Question #1:*** Mr. Bradbury, how is the FAA supposed to conduct its safety mission effectively if this Administration will not consult FAA's own workforce before making any significant changes?

***Answer:*** I believe the Secretary is committed to managing the staffing review and reduction efforts, as well as the ongoing audits of technical systems and funding, to ensure that all components of DOT, including the FAA, remain able to carry out their critical safety functions and, indeed, that their safety outcomes are improved through greater systems efficiencies and enhanced capabilities. I believe that that is what the President's directives contemplate, and it is what the American people demand. If confirmed, I would look forward to assisting and supporting the Secretary in these efforts and, if new legislation or appropriations are deemed necessary, in working with Congress.

***FAA and Conflicts of Interest.*** When I asked you at the hearing if you thought there was a possibility that Elon Musk has conflicts of interest related to the FAA, I did not receive a direct

answer. Even more concerning, you did not clearly affirm that Mr. Musk should sign a conflict-of-interest agreement that ensures he avoids such any such conflicts.

*Question #1:* On February 5, Secretary Duffy announced that Mr. Musk’s DOGE team was going to “plug in to help upgrade our aviation system” at FAA. Days later, Secretary Duffy said DOGE representatives would be visiting the Air Traffic Control System Command Center in Virginia on February 17 to “get a firsthand look at the current system.” In response, Mr. Musk indicated in a post on X that engineers from his SpaceX company—the very same company that the FAA fined in September 2024 for failing to comply with specific requirements in its launch license—received access to FAA systems and would “help make air travel safer.”

You are a lawyer who has advised on ethics and recusal matters. We know that Elon Musk’s SpaceX company has a direct and substantial financial interest related to FAA’s regulatory and enforcement activities. And we know that Elon Musk and his SpaceX engineers received access to FAA’s Air Traffic Control System Command Center on February 17. Based on your professional obligations as a barred attorney, shouldn’t these facts at least require Mr. Musk to submit to a conflicts review to ensure no law or regulation is being violated?

**Answer:** From what I understand, the Secretary’s decision to invite representatives of outside engineering organizations to visit the FAA Air Traffic Control System Command Center and to offer suggestions for potential improvements in the air traffic control system strikes me as an excellent idea and an example of good government in action. I do not see the potential for a conflict in these visits because, as I understand it from the public discussion of the visits, the outside engineering organizations would be known to the FAA, their visits would be subject to the FAA’s procedures for public engagement, and they would not exercise influence over the actions of the FAA. Furthermore, I don’t believe that this decision to invite input from outside engineering organizations is part of the DOGE Team effort. Rather, I understand from the President’s directives that any DOGE Team members at DOT would be employees of the Department, and, as such, they would be subject to ethics clearance requirements and would be prohibited from participating in activities at DOT that raise a conflict of interest under the ethics laws and regulations.

*Question #2:* With DOT as your former client and Secretary Duffy as your future boss, are you worried that these activities and actions by Mr. Musk and his SpaceX engineers create an appearance of impropriety or, at the very least, raise questions about whether DOT can be counted on to do what’s best for the public—and not SpaceX?

**Answer:** Not based on what I know, as discussed in my answer to Q.1 above.

*Question #3:* If confirmed, and you encounter a conflict of interest related to DOGE that is not being addressed properly, will you commit to promptly notifying Congress?

**Answer:** If confirmed, I would expect to address any potential for a conflict of interest with the Designated Agency Ethics Official of DOT and with the Secretary, and I would expect to assist and support the Secretary with any follow-up actions determined to be necessary to eliminate a conflict of interest, including the potential for notifications to Congress.

*Question #4:* If Mr. Musk received access to and manipulated the systems or data of FAA’s Office of Commercial Space Transportation—which specifically oversees SpaceX’s activities—or FAA’s Air Traffic Organization—which specifically operates the U.S. air traffic control system—to benefit his company, that would constitute a conflict of interest, correct? If your answer is not “Yes,” detail your rationale for why not.

***Answer:* Please see my answers to Questions 1 through 3 above. The President has made clear that he will not allow Mr. Musk to engage in matters for his administration that would involve a prohibited conflict of interest. And, in accordance with my reading of the President’s directives, any DOGE Team members operating at DOT would be employees of the Department and would be subject to ethics clearance requirements and would be prohibited from participating in activities at DOT that raise a conflict of interest under the ethics laws and regulations. The hypotheticals posed in your question are entirely speculative, and I do not believe they would be consistent with the President’s instructions.**

*Question #5:* You are the former General Counsel of DOT. What actions or conduct taken by Mr. Musk would cross the line and constitute a conflict of interest with regard to FAA?

***Answer:* I do not believe it would be fair or appropriate for me to engage in speculation about hypothetical situations.**

*Question #6:* Should Mr. Musk enter into and publicly release an ethics agreement concerning his involvement with DOT?

***Answer:* The President has made clear that he will not allow Mr. Musk to engage in matters for his administration that would involve a prohibited conflict of interest. The President and his advisers will determine the appropriate means for avoiding such a conflict.**

***Implement Open NTSB Recommendations.*** There are over 1,100 open recommendations from the National Transportation Safety Board (NTSB). This includes recommendations to DOT in response to the East Palestine derailment, airplane crashes, and autonomous vehicle incidents

*Question #1:* Will you work with NTSB Chair Homendy to address open recommendations directed towards the Department?

***Answer:* Yes, if confirmed, I will support the Secretary in working with NTSB to address open recommendations.**

***Roadway Safety.*** In 2023, over forty thousand people died on our roads. The most common causes of traffic accidents are impaired and distracted driving, and speeding. The National Highway Traffic Safety Administration (NHTSA) within DOT is responsible for setting and enforcing vehicle safety standards. The Bipartisan Infrastructure Law directed NHTSA to complete eleven roadway safety focused rulemakings, however the department has only finalized four. During your previous time at DOT, the agency did not issue a single new vehicle safety requirement.

*Question #1:* Will you continue to advance the bipartisan lifesaving safety measures required by the law?

***Answer:* If confirmed, I will assist the Secretary in advancing all safety measures required by law.**

*Question #2:* Can you commit that the implementation of the President's 10-for-1 Executive Order at DOT won't cause the Department to repeal, weaken, or delay the implementation of congressionally mandated vehicle safety requirements?

***Answer:* I am confident the President's regulatory reform agenda can be implemented without compromising the Department's safety mission. If confirmed, I will exercise my leadership in support of the Secretary to ensure that all laws are faithfully executed and statutory mandates complied with.**

*Question #3:* Do you believe that the United States should set a goal of having zero roadway fatalities? If not, what do you believe is an acceptable number of lives lost on our roadways each year?

***Answer:* The number of annual fatalities on America's highways is persistently high and unacceptable, and we must drive that number down toward zero. Automated driving technologies, including autonomous vehicle systems, hold great promise for realizing that objective.**

***Autonomous Vehicles.*** As new automated vehicle technologies are being deployed on roads across the country, transparency is essential to maintaining public trust both in new technologies and the Department's commitment to holding safety as a top priority.

*Question #1:* Will you continue the Department's policy requiring manufacturers and operators of automated driving systems and SAE Level 2 advanced driver assistance systems equipped vehicles to report crashes to the agency, including the specific location of those crashes?

***Answer:* If confirmed, I would expect to support the Secretary in working with NHTSA to review this requirement and other proposals for assessing the safety of automated driving technologies, including autonomous vehicle systems. I believe DOT should work to advance regulatory frameworks for the Nation that will help facilitate and accommodate the development, testing, and safe deployment of such innovative technologies and systems. If confirmed, I would plan to assist the Secretary in working toward this goal. If legislation is needed or deemed appropriate, I would expect to support the Secretary in working with Congress to advance federal policy in this important area.**

***Pipeline Safety.*** There are currently five open rulemakings sitting with PHMSA's Office of Pipeline Safety that were Congressionally mandated by this committee anywhere from 2011 to 2020. Many are well past Congress's statutory deadlines.

*Question #1:* Will you commit to rapidly finalizing the Leak Detection and Repair rule that received unanimous support for the Gas Pipeline Advisory Committee?

***Answer:* If confirmed, I would expect to assist the Secretary in working with PHMSA to review this rulemaking.**

*Question #2:* Will you advance safety standards for new types of infrastructure such as carbon dioxide pipelines?

**Answer:** If confirmed, I would expect to assist the Secretary in advancing safety standards for new types of infrastructure, including new types of pipelines.

*Question #3:* Will you commit that the implementation of the President's 10-for-1 Executive Order at DOT won't cause the Department to repeal or weaken pipeline safety requirements or delay the implementation of new congressionally mandated pipeline safety requirements?

**Answer:** I am confident the President's regulatory reform agenda can be implemented without compromising the Department's safety mission, including with regard to pipelines. If confirmed, I will exercise my leadership in support of the Secretary to ensure that all laws are faithfully executed and statutory mandates complied with.

**Regulatory Waivers.** Nearly every agency in the Department of Transportation has the statutory authority to provide waivers to safety requirements.

*Question #1:* What is your philosophy on providing waivers to safety requirements? When is it appropriate and when should it be avoided?

**Answer:** I do not approach this question with a preconceived or doctrinaire position. However, during my time as General Counsel of DOT, I saw the important role that waivers can play in achieving positive outcomes. Waivers can be useful in proving the efficacy of safety-enhancing technological innovations, such as automated rail and pipeline inspection systems. Waivers can also enable the controlled implementation of new use cases with the potential to support important new industries and economic growth, as seen with waivers granted for commercial drone use. And in the course of the Department's response to the COVID-19 public health emergency during the first Trump administration, we used waivers very effectively to keep the Nation's transportation systems working for the great benefit of the American people and our economy. I believe the proper and careful use of waivers can help promote safety, efficiency, and economic growth, consistent with the Department's authorities and with the interests of the Nation.

**Amtrak Long-Distance.** Thirteen communities in the State of Washington are served by Amtrak's Empire Builder and the Coast Starlight.

*Question #1:* Do you support all of Amtrak's long distances services? If not which ones?

**Answer:** If confirmed, I would expect to assist the Secretary in supporting Amtrak's operations. I would be prepared to help the Secretary review Amtrak's performance and the economics of its long-distance services and consider whether to propose changes to improve the efficiency of its operations. I would not come to this question with any pre-determined outcome in mind for any particular long-distance service or for Amtrak's network operations as a whole.

*Question #2* Do you think the long-distance service needs reforms? If so, how?

**Answer: Please see my answer to the preceding question.**

***Railway Safety Act.*** As you know, Vice President-Elect Vance was a lead author of the Railway Safety Act, and it was supported by President Trump, Russ Vought, rail workers, chemical shippers, governors, and local governments.

*Question #1:* Do you support S.576 the Railway Safety Act? If you cannot answer “yes,” why not?

**Answer: As the Secretary noted in his nomination hearing, the answer to this question is likely to be determined by the President for the Executive Branch. If confirmed, I would expect to assist the Secretary in supporting the President’s position.**

*Question #2:* Do you support requiring railroads to install hotbox detectors or other advanced safety technologies that can identify failed ball bearings like the one that caused the East Palestine derailment?

**Answer: Please see my answer to the preceding question. Speaking for myself personally, I would support requiring Class I railroads to have rigorous safety management systems in place throughout their networks to ensure they are able to detect and prevent the types of failures that can lead to disasters like the horrible derailment in East Palestine, and I would favor ensuring that such safety management systems are backed up with tough accountability for failures.**

*Question #3:* Do you support increased information sharing, funding, and training to better prepare our first responders to respond to hazardous materials incidents?

**Answer: If confirmed, I would expect to support the Secretary in working with FRA and PHMSA to review DOT’s authorities in this area and to determine whether DOT has appropriate provisions in place to ensure safe operation of trains carrying flammable and other hazardous materials. To the extent the changes described in this question would require enactment of legislation like the proposed Railway Safety Act, please see my answer to Question 1 above.**

*Question #4:* Do you support increasing inspections of railcars and locomotives by qualified mechanics to ensure trains are properly maintained?

**Answer: If confirmed, I would expect to support the Secretary in working with FRA to ensure that FRA’s requirements for train inspections are appropriate and adequate to ensure safety.**

*Question #5:* Do you support the NTSB’s recommendation that the DOT-111 tank car, which failed to hold combustible liquids in the East Palestine crash, be phased out of combustible liquid

service be transported in stronger rail cars like the DOT-117 that crude oil is currently transported in?

**Answer: Yes.**

*Question #6:* Do you support increasing the maximum civil penalty that DOT can impose on a railroad for violations of federal rail safety law?

**Answer: Please see my answer to Question 1 above. If Congress were to enact legislation to increase the maximum penalty, I would support the Secretary in vigorously enforcing the new penalty levels.**

**CRISI Grants.** Freight rail is critical to the movement of goods in the United States, shortline railroads are critical first and last mile connectors. Thanks to the Bipartisan Infrastructure Law, shortline freight railroads have received \$2 billion for over 128 projects across the country through the Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program. These improvements help goods get where they need to go more quickly and efficiently lowering costs to consumers.

*Question #1:* Should the next surface transportation reauthorization bill reauthorize and provide funding to rail programs like the CRISI grant program?

**Answer: I recognize that the CRISI grants can be important sources of funding for needed rail improvements. If confirmed, I would expect to assist the Secretary in reviewing the CRISI program and considering the potential for continuing CRISI as part of a proposed surface transportation reauthorization package.**

**Highway Trust Fund.** To cover shortfalls in the Highway Trust Fund (HTF), Congress has enacted legislation that, since 2008, has transferred over \$275 billion to the HTF, mostly from the Treasury's general fund.

*Question #1:* How should Congress address this shortfall?

**Answer: It will be up to Congress to answer this question for the Nation, and it will be up to the President to decide whether to propose a legislative solution to Congress on behalf of the Executive Branch. If confirmed, I would expect to assist the Secretary in developing potential recommendations for the President's consideration and in supporting the President's position.**

*Question #2:* Do you support reducing funding so that HTF revenues and spending are the same?

**Answer: Please see my answer to the preceding question.**

*Question #3:* Do you support raising revenues to address the shortfall?

**Answer: Please see my answer to Question 1 above.**

*Question #4:* If the HTF receives general fund revenues to fill its long-term shortfalls, do you think other modes of transportation should receive long term general fund revenues?

**Answer:** Please see my answer to Question 1 above.

*Question #5:* Do you support reauthorizing transit programs that currently receive transit funding from the HTF in the next surface transportation reauthorization?

**Answer:** Please see my answer to Question 1 above.

*Question #6:* Will you protect programs funded by the HTF from impoundment?

**Answer:** I am not aware of any factual basis for the suggestion of impoundment, and I am not in a position to speculate about hypothetical situations.

**Grant Awards.** Projects all over the nation have been languishing and at times waiting for decades to begin construction because they haven't had access to needed funding. Congress provided the Department of Transportation with five years of advanced appropriations so that projects could be notified of awards in advance and begin preparing to implement their projects. Thanks to the Bipartisan Infrastructure Law, projects across the nation now have been notified of the Fiscal Year 2026 funding they need to start construction. This includes large and complex projects that received funding over multiple years. Thanks to these awards, even communities without signed grant agreements are prioritizing staff and resources to projects in preparation to begin construction.

*Question #1:* When DOT announces a Notice of Funding Opportunity, and a project applies and receives an award after thorough vetting by DOT staff – a commitment has been made between the parties to advance a project. While there may be times an awardee violates their grant agreement requiring the Department to undertake adverse action, those instances are rare. With that exception in mind, will you honor the award commitments and work to quickly execute grant agreements for all projects that have received awards?

**Answer:** If confirmed, I would expect to assist the Secretary in managing DOT's discretionary grant decisions, consistent with the law, so as to ensure that taxpayer dollars are prudently obligated to achieve the intended results and the exercise of discretion in these programs is appropriate and consistent with the best interests of the American people.

**Ferries.** Washington State Ferries (WSF) is the largest operating public ferry system in the United States, and one of the largest ferry systems in the world. Nearly 20 million people used the Washington State Ferries in 2024. In my home state our ferry system is so integral to our overall transportation system ferry routes are designated as part of the state highway system.

States and rural communities rely on US Department of Transportation funding, through Federal-aid highway funds, Federal Transit Administration funds, and other sources that help build and improve these ferry operations. The Bipartisan Infrastructure Law included funding increases to



flagship ferry grant programs, such as the Passenger Ferry Program, Ferry Boat Program Grant, and created two new discretionary ferry programs including the Ferry Service for Rural Communities Program, and the Electric or Low-Emitting Ferry Pilot Program. This funding is instrumental in improving and modernizing Washington state's ferry system. Federal ferry funding is not only a lifeline in Washington state, but also states including Alaska, North Carolina, Louisiana, Texas, New York, New Jersey, Michigan, and California.

*Question #1:* If confirmed, will you commit to protect these programs from impoundment?

**Answer:** If confirmed, I would expect to assist the Secretary in supporting discretionary funding for ferries, in accordance with the authorizations and appropriations passed by Congress, so as to ensure that taxpayer dollars are prudently obligated to achieve the intended results of these programs and the exercise of discretion is appropriate and consistent with the best interests of the American people. I'm not aware of any factual basis for the suggestion of impoundment, and I'm not in a position to speculate about hypothetical situations.

*Question #2:* Do you think these programs should be reauthorized in the next surface transportation reauthorization?

**Answer:** It will be up to Congress to decide this question for the Nation, and it will be up to the President to decide whether to propose such funding legislation to Congress on behalf of the Executive Branch. If confirmed, I would expect to assist the Secretary in developing potential recommendations for the President's consideration and in supporting the President's position. I would not come to the job with a pre-determined position on this question; however, I know from personal experience how important ferries are in Washington State, and I appreciate the need to maintain economical ferry service.

**2026 World Cup.** Seattle will be host to six FIFA World Cup matches in 2026. Event organizers estimate 750,000 people will visit Seattle from all over the world for the six games it is hosting. As the World Cup brings travelers, tourists, and fans to the city, security risks and the threat of targeted terrorist attacks will increase for the event's affiliated facilities, eventgoers, and staff. Consequently, the U.S. Department of Homeland Security has determined that Seattle will have over 70 Special Event Assessment Rating (SEAR) events. To help address this challenge, Sen. Moran and I introduced the Transportation Assistance for Olympic and World Cup Cities Act.

*Question #1:* Will you work with Sen. Moran and me on our legislation?

**Answer:** If confirmed, I would welcome the opportunity to support the Secretary in working with you, Sen. Moran, and others in Congress and across the Executive Branch to ensure that all safety and security considerations are addressed and planned for in connection with the 2026 FIFA World Cup.

**Commercial Space Transportation Regulations.** Mr. Bradbury, you have some familiarity with the FAA Office of Commercial Space Transportation and the commercial space launch and

reentry licensing process, given that you played a role in approving an update to the regulations drafted in the previous Trump Administration. Industry stakeholders have expressed concern regarding the complexity of the new 14 CFR Part 450 rules, the lack of clarity in guidance on the implementation of the regulation, and chronic staffing and resource shortages within the Office of Commercial Space Transportation. This has resulted in delays in processing applications and approving licenses in a timely manner.

The previous Administration recognized the need to review part 450 and established an Aerospace Rulemaking Committee (SpARC) last November to review the new rule and recommend improvements.

*Question #1:* Given the critical need to both maintain rigorous safety standards and support the nation's leadership in commercial space activities, will you support the continuation of the Part 450 SpARC chartered to identify and recommend any necessary amendments to 14 CFR Part 450 and related regulations?

***Answer:* If confirmed, I would expect to learn more about the SpARC and become familiar with its work and recommendations. In my experience, the technical and rulemaking advisory committees of the FAA often provide valuable input into the decision-making process for new regulations and regulatory changes. If confirmed, I would support the Secretary in working with the FAA to review the need for further streamlining and updating of the commercial space rules. In general, I would welcome the opportunity to help develop and implement improvements in commercial space licensing without compromising the safety of the national airspace. I'm proud of the reforms made in this area during the first Trump administration, and I understand there is a pressing need for further reforms.**

*Question #2:* Will you also commit to ensuring that the workforce of the Office of Commercial Space Transportation is not cut by DOGE and remains sufficiently staffed to be responsive to the needs of the public and the commercial space launch industry?

***Answer:* If confirmed, I would assist the Secretary in working with the FAA to achieve greater efficiencies and productivity in the FAA's licensing of commercial space launches and reentries without compromising the safety of the national airspace.**

***Jones Act.*** The Jones Act requires that water-borne cargo carried between domestic ports must be carried on U.S. flag ships, U.S. built, and U.S. crewed ships. According to the American Maritime Partnership, the Jones Act supports 650,000 American family wage jobs and contributes more than \$150 billion to the national economy annually. The Jones Act also helps ensure the U.S. maintains the critical skills required to build and crew ships needed for national security purposes. The DOT, through MARAD, is formally consulted in the decision-making process to waive the Jones Act for non-Department of Defense requests. Further, a number of DOT programs support maritime infrastructure, grants, training, and financing necessary to support a Jones Act fleet for commercial and government (defense and food aid) cargo. Project 2025, which you helped author, calls for QUOTE: "repealing or substantially reforming the Jones Act."

*Question #1:* Do you support the Jones Act and believe it should be maintained?

***Answer:* Yes.**

*Question #2:* Do you support reforming the Jones Act? If so, how would you reform the Jones Act? How would those reforms impact the shipbuilding industry in the United States?

***Answer:* It would be up to Congress to enact any amendments to the Jones Act, and it would be up to the President to decide whether to propose any legislative change on behalf of the Executive Branch. If I am confirmed as Deputy Secretary, I would not come to the job with any pre-determined proposal for reforming the Jones Act. I would look forward to supporting the Secretary in reviewing the application of the Jones Act and evaluating any purported need for reform that might require consideration.**

*U.S. Maritime Administration.* The U.S. Maritime Administration (“MARAD”) was established to develop and support the United States merchant marine and domestic shipbuilding, shipping, and related industries. While previously housed within the Department of Commerce, MARAD has been a part of the Department of Transportation since 1981. Project 2025 calls for moving MARAD from the Department of Transportation to the Department of Homeland Security or to the Department of Defense to find “operational efficiencies.”

*Question #1:* Do you support maintaining MARAD as an agency within the Department of Transportation? If not, why not, and where would you propose addressing DOT and MARAD maritime authorities and activities directed under Title 49 and elsewhere?

***Answer:* If confirmed, I will support the continuation of MARAD’s mission within DOT. Any decision to move MARAD to another department would require legislation and would be up to Congress, and any decision to propose legislation to effect such a move on behalf of the Executive Branch would be made by the President. If such a decision were made, I would expect to assist the Secretary in supporting the decision, but I do not anticipate independently pushing for such legislation.**

*Question #2:* Given that you helped write Project 2025, what specific MARAD efficiencies do you intend to find?

***Answer:* If confirmed, I would expect to assist the Secretary in evaluating the potential need for improved efficiencies and greater productivity in all components of DOT, including MARAD, without compromising the critical safety mission of DOT, consistent with the statutory authorities of the Secretary and subject to the policy directions of the President.**

*Question #3:* Do you support MARAD’s ongoing work to build a U.S. flagged fleet, crewed by U.S. merchant mariners, that is available to help carry U.S. cargo and equipment – especially when needed for support of potential Department of Defense contingencies?

***Answer:* Yes.**

**Maritime Workforce.** According to the Department of Defense, the Department of Transportation, the Maritime Administration, the Coast Guard, and the maritime industry, there is a significant shortage of professional U.S. mariners – and this is a major economic and national security concern. We do not have enough mariners to crew our current fleet of commercial ships, nor a large enough commercial fleet to keep costs to consumers down, nor a large enough commercial fleet to support the Department of Defense during potential contingencies. This is a competitiveness issue, and it impacts the entire American supply chain. Additionally, this is a national security issue - mariners are needed both to help carry goods onboard U.S. vessels, and to ensure we have the logistical capacity needed to support the Department of Defense during an emergency or contingency.

*Question #1:* Do you consider the shortage of U.S. merchant mariners a national and economic security risk?

**Answer: Yes.**

*Question #2:* How do you intend to leverage Department of Transportation resources, including the United States Merchant Marine Academy, State Maritime Academies, and Military to Mariner Programs, to grow and develop the maritime workforce, including a sufficient quantity of U.S. mariners?

**Answer: If confirmed, I would look forward to partnering with the Secretary to advance these important goals in the most efficient and economical way practicable, as the American taxpayer would expect, consistent with the Secretary’s statutory authorities and subject to the policy directions of the President.**

**The MARAD Federal Ship Financing Program.** The MARAD Federal Ship Financing Program (known as “Title XI”) provides long term, low interest loans to certain maritime entities to promote growth and modernization of the U.S. Merchant Marine and U.S. shipyards. This program is vital to helping the modernization of U.S. shipyards and the construction of new U.S. built, U.S. flagged vessels.

*Question #1.* Would you support increased funding for Title XI for the purposes of construction of new U.S. built, U.S. flagged vessels economic and national security? Why or why not?

**Answer: If confirmed, I would expect to assist the Secretary in conducting a rigorous review of discretionary financial assistance programs like Title XI to evaluate the performance and results of the programs and to assess the potential need for improvements. I fully embrace the need for more domestic shipbuilding capacity and projects, and I recognize the important role Title XI can play in advancing that goal.**

*Question #2:* Commercial fishing vessels are currently not considered a vessel of national interest, even though investing in the domestic seafood supply chain is of great economic importance, particularly with respect to keeping costs down for consumers, protecting family wage fishing and seafood processing jobs, and improving competitiveness with China in the seafood sector. Would you support expanding Title XI to cover loans to include fishing vessels as a vessel of

national interest for the purposes of the Title XI Program? Would you support further expanding the program to include construction of seafood supply chain shoreside infrastructure modernization?

***Answer:*** I don't yet know enough to answer these questions, and I don't have a pre-determined inclination one way or the other. If confirmed, I would look forward to working with you and others in Congress to learn more about how Title XI might be used to serve this purpose and to assist the Secretary in addressing these questions.

**ATTACHMENT:**

**Letter of Steven G. Bradbury, Acting Assistant Attorney General, Office of Legal Counsel, U.S. Department of Justice, to Chairman Arlen Specter and Ranking Member Patrick Leahy, Senate Judiciary Committee (July 14, 2006)**



U.S. Department of Justice

Office of Legal Counsel

Office of the Assistant Attorney General

Washington, D.C. 20530

July-14, 2006

The Honorable Arlen Specter  
Chairman  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

The Honorable Patrick J. Leahy  
Ranking Minority Member  
Committee on the Judiciary  
United States Senate  
Washington, DC 20510

Dear Chairman Specter and Senator Leahy:

I write to clarify one aspect of the testimony I gave before the Committee on Tuesday, July 11, in the hearing addressing the implications of the Supreme Court's decision in *Hamdan v. Rumsfeld*.

Lest there be any doubt or confusion, I wish to make clear to the Committee that my statement, "The President is always right," made in response to a question from Senator Leahy, was intended only to be humorous. I clarified this point in my testimony the next day before the House Armed Services Committee, in response to a question from Congressman Cooper:

REP. COOPER: Mr. Bradbury, . . . [y]ou were quoted in the newspaper yesterday as saying that the president is always right. And I hope that's a misquote because I've never met an infallible human being yet—

MR. BRADBURY: Neither have I, Congressman.

REP. COOPER: —with the possible exception of the Pope.

MR. BRADBURY: Neither have I, Congressman. I'm glad you brought that up. I guess that just shows I shouldn't try to be humorous when I'm testifying. That was a tongue-in-cheek comment. Nobody is always right, and I certainly didn't mean to say that, other than as in humor.

I hope this clarification is helpful to the Committee, and I am sorry if my ill-considered attempt at humor caused any concern. Certainly, I well understand that an actual belief that the President can never be wrong would be wholly inconsistent with my responsibilities as a legal adviser to the Executive Branch.

Sincerely,

Steven G. Bradbury  
Acting Assistant Attorney General

## SENATOR AMY KLOBUCHAR (D-MN)

### Question Topic: Infrastructure Funding

The Administration has recently taken actions that have impeded the implementation of the Bipartisan Infrastructure Law — including delaying grants that have already been awarded but not disbursed — adding costs to projects across the country, including more than 60 projects in Minnesota alone.

- If confirmed, will you commit to supporting infrastructure funding through programs authorized by the Bipartisan Infrastructure Law?
- Will you prevent delays to grants that have already been awarded so that these projects can get started?

***Answer: If confirmed, I would expect to assist the Secretary in managing DOT’s discretionary grant decisions, consistent with the law, so as to ensure that taxpayer dollars are prudently obligated to achieve the intended results and the exercise of discretion in these programs is appropriate and consistent with the best interests of the American people.***

### Question Topic: NOTAM

Following the NOTAM system outage in 2023, I worked with Senators Moran and Capito to pass a bill directing the implementation of a modernized NOTAM system and backup system by September 2024. Earlier this month, the primary NOTAM system experienced an outage for several hours. While the backup system was successfully activated, I’m still concerned about the past due upgrade to the primary system.

- During the hearing, you said you would work to upgrade technical systems for the FAA and Air Traffic Control. Will you commit to ensuring a modernized NOTAM system is implemented in a timely fashion? How else will you work to upgrade technical systems?

***Answer: Yes, if confirmed, I would expect to assist the Secretary in working with the FAA to ensure that the NOTAM system is modernized and made more reliable. I would also expect to support the Secretary’s efforts to evaluate all of the FAA’s air traffic control systems and practices to identify areas for improvement and to explore new solutions for upgrading ATC operations more quickly and efficiently, in order to enhance the safety of our national airspace.***

### Question Topic: Air Traffic Control Infrastructure

You testified that you would assist Secretary Duffy in upgrading our nation’s air traffic control operations. I’ve been working across the aisle with Rep. Stauber to replace the air traffic control tower at the Duluth Airport—one of the oldest in the country.



- If confirmed, will you support funding to upgrade our air traffic control towers, particularly through the Federal Aviation Administration's Airport Terminal grant program?

***Answer:* If confirmed, I would look forward to assisting Secretary Duffy as he works with the FAA to review the need for tower upgrades and to evaluate the funding required for such upgrades.**

Question Topic: FAA Firings

Aviation safety assistants and maintenance mechanics that support aircraft safety inspectors and repair air traffic control facilities were among the 400 FAA workers fired last week.

- Will you work to rehire these safety roles?
- Will you commit to ensuring that safety workers will not be indiscriminately fired in the future?

***Answer:* I am confident the Secretary is committed to ensuring that any personnel cuts deemed necessary, including at the FAA, will not involve safety-critical staff and will not degrade DOT's ability to carry out its primary safety mission. If confirmed, I will assist the Secretary in managing this process with care, consistent with the law and subject to the policy directions of the President.**

## **SENATOR BRIAN SCHATZ (D-HI)**

### Department of Transportation Grants

Question One: In his confirmation hearing, Secretary Duffy assured me that the Department of Transportation would continue to outlay all Infrastructure Investment and Jobs Act obligations in accordance with the law. Do you commit to supporting the Secretary in executing all obligated DOT grants?

**Answer: I understand the Department is disbursing funds for valid expenditures under obligated DOT grants. If confirmed, I would expect to assist the Secretary in managing DOT's discretionary grant decisions, consistent with the law, so as to ensure that taxpayer dollars are prudently obligated to achieve the intended results and the exercise of discretion in these programs is appropriate and consistent with the best interests of the American people.**

Question Two: President Trump and Secretary Duffy have both stated that investing in large transportation infrastructure projects is among their priorities at DOT. This cannot be done without robust funding for DOT discretionary grants. Do you pledge to continue robust funding for discretionary grants?

**Answer: Please see my answer to Question One.**

Question Three: What are your priorities for infrastructure investment?

**Answer: DOT's mission is exceptionally important in no small part because the liberty and prosperity of the American people depend on the safe and efficient operation of the Nation's transportation systems and infrastructure. If confirmed as Deputy Secretary of Transportation, I would expect to prioritize federal funding for cost-beneficial infrastructure projects of national importance in accordance with the authorizations and appropriations provided by Congress and the policy directions of the administration. Infrastructure investment is a major priority for President Trump and for Secretary Duffy, and I look forward to being a strong partner to the Secretary in helping to advance transportation projects of importance to the Nation.**

Question Four: Do you support considering birth and marriage rates when determining DOT awards?

**Answer: Consistent with the policy directions of the President and the Secretary, if confirmed, I would expect to support the consideration of birth and marriage rates as one among several factors potentially useful in identifying growing communities where the future need for discretionary infrastructure investment may be especially important.**

Question Four, Subquestion One: If so, how do you plan to ensure that rural places or areas with aging populations have paved roads, sidewalks, and reliable bus service?

**Answer: I expect that birth and marriage rates would likely not be the determinative factor in most discretionary grant awards and that DOT will direct an appropriate portion of discretionary grants to rural communities and areas with aging populations, where and as consistent with law.**

Question Five, Subquestion Two: If so, please explain your rationale behind why areas with higher marriage rates need more transportation funding compared to those with lower rates.

**Answer: Please see my answers to the preceding questions.**

### Road Safety

Question One: On average, 116 people were killed every day on roads in the U.S., totaling just over 42,500 fatalities in 2022. This is a 26 percent increase in deaths in a decade. If confirmed, how would you address the road safety crisis facing our country?

**Answer: The numbers of fatalities and serious injuries on America's highways are persistently high and unacceptable, and we must drive those numbers down toward zero. One way to improve highway safety is to ensure that new cars and trucks are affordable, so that American families are not stuck driving older used vehicles, which are much less safe in a highway crash. Another is to focus on better ways to discourage and to punish drunk driving and drugged driving, which are a national scourge on our highways. In addition, automated driving technologies, including autonomous vehicle systems, hold great promise for reducing highway deaths and injuries dramatically. I believe DOT should work to advance regulatory frameworks for the Nation that will help facilitate and accommodate the development, testing, and safe deployment of such innovative technologies and systems. If confirmed, I would plan to assist the Secretary in working to keep new and safer vehicles affordable for the average American, in addressing the challenge of drunk and drugged driving, and in working toward the realization of a safety framework for automated driving technology and AVs. If legislation is needed or deemed appropriate to achieve these goals, I would expect to support the Secretary in working with Congress to advance federal policy in this important area.**

Question Two: Pedestrian and cyclist fatalities have risen disproportionately in recent years. If confirmed, what specific actions will you take to achieve this goal?

**Answer: Here again, automated driving-assist technology can be effective in avoiding crashes involving bikes and pedestrians. At the same time, I believe we need to support the efforts of States and local governments in separating pedestrians and cyclists from busy traffic lanes. I do not believe, however, that it is the appropriate role of the federal government to dictate these projects to the States. Rather, I would favor funding structures that empower the States and local communities to control these decisions at the local level and that give them flexibility they need to make local investments with local dollars, provided**

**such projects do not interfere with the federal goal of preserving or expanding the capacity and efficiency of federal-aid highways.**

Question Three: In your confirmation hearing, you stated that if confirmed you will prioritize advancing the safety of our transportation system. What role do vehicle safety regulations like AEB mandates and impaired driving technology play in improving the safety of our streets?

**Answer: Vehicle safety standards can, of course, play an important role in advancing the goal of improved safety outcomes. As Congress has instructed, such standards must be reasonable, practicable, and appropriate, which includes a balancing and assessment of cost versus benefit. We must advance safety with an eye toward maintaining the affordability of new vehicles. If many American families are unable to afford new vehicles that meet their needs, the safety outcome we all desire will not be realized. In addition, new technology must be acceptable to the driving public. The federal government cannot force Americans to embrace new technologies through regulatory mandates.**

Question Three, Subquestion One: If confirmed, do you commit to retaining and advancing vehicle safety regulations that are proven to improve safety for drivers and pedestrians?

**Answer: Automated driving-assist technologies have great potential to improve safety, including for pedestrians and cyclists. At the same time, vehicle safety rules must be reasonable, practicable, and appropriate, which includes a balancing and assessment of cost versus benefit. We must advance safety with an eye toward maintaining the affordability of new vehicles. If many American families are unable to afford new vehicles that meet their needs, the safety outcome we all desire will not be realized. In addition, new technology must be acceptable to the driving public. The federal government cannot force Americans to embrace new technologies through regulatory mandates.**

### Oversight

Question One: In 2020, Senator Wicker, then Chair of the Senate Commerce Committee released findings concluding that your DOT General Counsel office failed to produce relevant documents, obstructing committee investigations. If confirmed, do you commit to responding to requests for information in a timely and complete manner, and having open communication with all committee and member offices?

**Answer: Yes, if confirmed, I intend to facilitate open and candid channels of communication with Congress concerning the effectiveness, capabilities, and resource needs of DOT. I do not believe it is fair or accurate to say that I as General Counsel of DOT or OGC obstructed Congress's investigations into the Boeing 737-MAX disasters. As General Counsel, my effort was to assist the Secretary and the FAA in facilitating the FAA's responses to those congressional investigations, not at all to impede the investigations.**

Question Two: What specific steps will you take to ensure the transparency and accountability of the department?

**Answer: I believe that a fair review and assessment of my career in government service will show that I have consistently prioritized transparency and accountability in my decision making and in explaining and justifying the grounds for decisions I have made. My strong personal inclination is to ensure that the Department as a whole will meet those same expectations.**

### Aviation

Question One: For the past four years, I served as Chair of the Senate Appropriations Subcommittee on Transportation, Housing and Urban Development. As Chair, I worked in a bipartisan fashion to annually increase funding to expand air traffic controller hiring. Do you agree that federal investment in our air traffic controller workforce is critical to maintaining the safety of our nation's airspace?

**Answer: Yes.**

Question Two: If confirmed, how do you plan to address the air traffic controller shortage?

**Answer: If confirmed, I will support the Secretary's efforts to evaluate all of the FAA's air traffic control systems and other safety-critical systems and practices to identify areas for improvement in efficiency and productivity and to explore new solutions for upgrading operations more quickly and economically, in order to enhance the safety of our national airspace. I will also support the Secretary in working with the FAA to ensure we hire the best and brightest air traffic controller candidates and that we expand the pipeline and training capacity for new air traffic controllers, consistent with the resources provided by Congress.**

Question Three: As General Counsel of the Department under the previous Trump Administration, you oversaw activities in the Department of Transportation Office of Aviation Consumer Protection. As such, you should understand how vital this office is to ensuring that the regulations intended to protect American air travelers are enforced. What is your view of this office's role in protecting air travelers?

**Answer: Congress has authorized the Secretary to prohibit "unfair and deceptive practices" in the airline industry after holding hearings to gather evidence to support any such prohibition. I support renewal of the Trump administration's rule setting forth a clear definition of these terms, in line with the parallel authority of the Federal Trade Commission, and providing for appropriate procedures and evidence-based analysis to support rule-making in this area. Furthermore, if confirmed, I would favor focusing the Department's aviation consumer protection authority on making air travel more affordable and accessible to Americans, increasing safety, preserving competition in airline service to benefit the public, and incentivizing private investment to facilitate the deployment of emerging aviation technologies that can enhance safety, stimulate stronger competition, and lead to greater economic growth and prosperity for the Nation.**

## Project 2025

Question One: You are identified as a key contributor to the transportation chapter of Project 2025. What was your role in authoring the proposal?

**Answer: I reviewed the chapter and provided substantive input on some of the regulatory aspects of the chapter.**

Question Two: Project 2025 endorses many policies that would be harmful to Hawaii residents and others across the country, as well as our national security, including repealing or substantially modifying the Jones Act, ending the Essential Air Service Program, and abolishing DOT discretionary grants. Do you support these proposals?

**Answer: As I noted in my letter of February 18, 2025, to the Chairman and Ranking Member of the Committee responding to questions raised by the Ranking Member's staff, there are many policy suggestions included in the Department of Transportation chapter of the Project 2025 policy book that I do not subscribe to or that I would have articulated differently had I been a co-author of the chapter. Some of the proposals made in the chapter I disagree with, such as the proposals to separate the FAA's safety regulatory function from DOT and to repeal the Jones Act. Others, which may have merit as a theoretical matter, are so unlikely to be embraced by Congress that I would not expect to advise the Secretary to push for them if I were confirmed as Deputy Secretary. Among numerous others, these include the proposals to privatize the Nation's air traffic control operations, to end the Essential Air Service program, and substantially to eliminate the Department's transit programs and its grant-making and lending functions, even for infrastructure projects of national importance.**

Question Three: Project 2025 endorses separating the Federal Aviation Administration—or “at minimum” separating the function that includes air traffic control—from the Department of Transportation as well as “operating FAA more like a business”. The role of DOT and FAA is to prioritize safety, not profit as a business would. Do you support this proposal as outlined in Project 2025?

**Answer: Please see my answer to the preceding question.**

## SENATOR TAMMY DUCKWORTH (D-IL)

Question Topic: Accessible Air Travel

*Question 1:* The bipartisan FAA Reauthorization Act of 2024 includes several provisions focused on improving the air travel experience of passengers with disabilities. Specifically, the law requires DOT to promulgate several rules, including those related to boarding and deplaning of aircraft and inflight entertainment.

- A. If confirmed, what specific steps will you take to ensure that the department complies with the law in light of the administration's firing of hundreds of personnel and its deregulatory efforts?

***Answer:* I am confident the President's directives on improving government efficiency and his regulatory reform agenda can be implemented without compromising the Department's safety mission, including with regard to the requirements set forth in the recent FAA Reauthorization Act. If confirmed, I will exercise my leadership in support of the Secretary to ensure that all laws are faithfully executed and statutory mandates complied with.**

*Question 2:* On December 16, 2024, the Department of Transportation published a final rule ensuring safe accommodations for air travel passengers who use wheelchairs. The safety of air travel passengers who use wheelchairs is not on par with the overall safety of commercial air travel. Numerous passengers have been physically injured, and their wheelchairs and other assistive devices have been damaged or destroyed. The promulgation of the final rule fulfilled some of the requirements in the FAA Reauthorization Act of 2024 to improve training requirements for those who assist wheelchair users and those who handle their assistive devices. It also requires airlines to provide more information to passengers about when their devices are mishandled and expands their options for repair. If confirmed as Deputy Secretary:

- A. Will you work with the stakeholders, including the disability community, to ensure that this rule is properly implemented and enforced?

***Answer:* I appreciate and share the national commitment to ensuring that disabled travelers have access to air service and that their wheelchairs and other assistive devices are handled with care and respect by the airlines. The Aviation Consumer Protection Office of DOT has an important role to play in ensuring that this commitment is upheld and enforced. I support that role. If confirmed, I would look forward to working with the staff of this Office on behalf of the Secretary to advance these mandates.**

- B. What actions will you take to ensure there are enough personnel at the Department to monitor the implementation of the rule?

***Answer:* If confirmed, I will assist the Secretary in his efforts to ensure that staffing levels at DOT are adequate to carry out the essential functions of the Department efficiently and effectively.**

*Question 3:* On January 20, 2025, President Trump issued an executive order terminating diversity, equity, inclusion and accessibility programs, policies and activities in the Federal Government. However, multiple laws require prohibit discrimination on the basis of disability, including the Rehabilitation Act of 1973, the Air Carrier Access Act of 1986 and the Americans with Disabilities Act of 1990.

- A. As Deputy Secretary, what specific actions will you take to ensure that Federal laws providing access for people with disabilities are upheld and enforced?

***Answer:*** I appreciate and share the national commitment to ensuring that disabled Americans have access to the transportation services necessary to conduct their lives productively and with dignity, just as all Americans should be able to do. The Aviation Consumer Protection Office of DOT has an important role to play in ensuring that this commitment is upheld and enforced, as does the Deputy Secretary and all other leadership offices of DOT. If confirmed, I would intend to uphold that commitment. Several of the laws referenced in the question are enforced by the U.S. Department of Justice, and, if confirmed, I would intend to work in collaboration with DOJ to ensure effective enforcement of all federal laws guaranteeing the accommodation of persons with disabilities in our transportation systems.

Question Topic: Accessible Train Travel

*Question 1:* Amtrak serves over 28 million riders per year—however, the Americans with Disabilities Act (ADA) requirement that intercity passenger rail become accessible within a 20-year time frame is not yet implemented across all Amtrak stations. As of July 2023, Amtrak has only made 30 percent of its 385 stations accessible to those with disabilities. In December 2024, the bipartisan Think DIFFERENTLY Transportation Act, which requires the rail agency to submit annual reports to Congress on its compliance with accessibility standards set by the ADA, became law.

- A. If confirmed as Deputy Secretary, what specific steps will you take to ensure that the Think DIFFERENTLY Transportation Act – and by extension the ADA – is fully implemented so that stations are made accessible on time?

***Answer:*** I appreciate and share the national commitment to ensuring that disabled Americans have access to the transportation services necessary to conduct their lives productively and with dignity, just as all Americans should be able to do—including on Amtrak-operated trains, as contemplated in the Think DIFFERENTLY Transportation Act. DOT does not control Amtrak, but it has an important role in influencing Amtrak’s compliance with the directions of Congress. If confirmed, I would intend to exercise that influence to advance the goal of improved access to Amtrak for persons with disabilities. To the extent the requirements of the ADA are enforced with regard to Amtrak by the U.S. Department of Justice, I would, if confirmed, intend to work in collaboration with DOJ to ensure effective enforcement.



Question Topic: Aviation Safety

*Question 1:* As Ranking Member of the Subcommittee on Aviation, Space & Innovation – and as a pilot – I take aviation safety very seriously. Our aviation system is at a crossroads. Our margin of safety has been diminished – both in operations and in manufacturing. We need to restore our safety margin, not diminish it further. A big part of that involves growing our aviation workforce. We lost a lot of experience during the pandemic, and we need to chart a course to build that back over the next several years. We need more air traffic controllers and other specialists. We passed a strong, bipartisan FAA Reauthorization bill last year to do that. But President Trump is undercutting these bipartisan efforts. One of his first acts back in office was to invite air traffic controllers to retire early. Then, he fired hundreds at FAA. That's not helpful for safety. Based on your prior work at the Department of Transportation, I am concerned that you, too, will not make safety your top priority. During this committee's investigation into the Boeing 737 MAX crashes – you failed to fully cooperate. Your actions were so troubling, then-Chairman Wicker specifically called you out in his final report for failing to produce relevant documents. The House Transportation & Infrastructure committee voiced similar frustrations with DOT's level of cooperation during its 737 MAX investigation. DOT is going to need to cooperate with Members of this committee – so we can continue our oversight of Boeing certification and production issues.

- A. Will you commit to providing complete and timely responses to requests from me – or any of my colleagues on this committee -- for documents and information regarding Boeing certification and production issues?

***Answer:* If confirmed, I will support the Secretary in working with the FAA and its dedicated career staff to improve and strengthen the FAA's air traffic control functions and its critical role as the Nation's aviation safety regulator while maximizing its efficiency. And I intend to facilitate open and candid channels of communication with Congress concerning the effectiveness, capabilities, and resource needs of FAA and the other vital components of DOT. I do not believe it is fair or accurate to say that I played a role in obstructing Congress's investigations into the Boeing 737-MAX disasters. As General Counsel of DOT, my effort was to assist the Secretary and the FAA in facilitating the FAA's responses to those congressional investigations, not at all to impede the investigations.**

*Question 2:* Last year Boeing got caught quietly asking FAA to waive safety regulations to allow a new 737 MAX variant to enter commercial service with a known safety defect. That defect posed a potentially catastrophic risk. In the face of public outrage, Boeing ultimately withdrew its application.

- A. Will you ensure that FAA will NOT certify any new Boeing aircraft unless new aircraft meet all applicable safety regulations and Boeing has demonstrated to FAA that such aircraft is safe to carry commercial passengers?

***Answer:* If confirmed, I will support the Secretary in working with the FAA to ensure that new Boeing aircraft are only certified for service when all safety requirements are met and**

**when the FAA is convinced that the aircraft is safe to carry passengers in commercial air service.**

*Question 3:* Following the 737 MAX 9 door plug blowout, FAA began enhanced oversight of Boeing aircraft production, including a cap on production and a review of Boeing's Key Performance Indicators to enable FAA to evaluate the soundness of Boeing's production practices in real time.

- A. Will you commit to maintaining FAA's enhanced oversight over Boeing's aircraft production?

***Answer:* I support tougher and more rigorous and effective oversight over the safety of Boeing's manufacturing processes and the airplanes it produces. Boeing must improve its safety record, and the FAA must ensure effective oversight of Boeing's processes and products.**

Question Topic: Federal Funding

*Question 1:* President Trump's freeze on transportation funding has caused chaos and confusion across the country and is putting important projects at risk. The Bipartisan Infrastructure Act is law -- and the Department of Transportation must implement it on time and without delay.

- A. If you are confirmed, will you commit to disbursing all obligated grant funding from the Department of Transportation on time, without delay?

***Answer:* I understand the Department is disbursing funds for valid expenditures under obligated DOT grants. If confirmed, I would expect to assist the Secretary in managing DOT's discretionary grant decisions, consistent with the law, so as to ensure that taxpayer dollars are prudently obligated to achieve the intended results and the exercise of discretion in these programs is appropriate and consistent with the best interests of the American people.**

*Question 2:* It is not just attempts to freeze obligated funding that is sowing chaos. When DOT awards funding, that spurs actions and commitments from stakeholders. Casting doubt on funding that has already been awarded leaves stakeholders in the lurch and puts projects at risk. Some of these projects are critically important for our nation's economy. For example, the Chicago Region Environmental and Transportation Efficiency Program, or CREATE, is a public-private partnership working to eliminate notorious bottlenecks in Chicago so that passenger and freight rail can move across the country quicker. Chicago is our nation's busiest freight rail hub. The first Trump Administration recognized how critical this project is to our national supply chain and awarded \$132 million to it. In October, the Department of Transportation awarded an additional \$291 million. However, this latest funding has been frozen.

A. Will you commit to disbursing all funding the Department of Transportation has awarded pursuant to the Bipartisan Infrastructure Act in full and without undue delay?

***Answer:* Please see my answer to the preceding question.**

## **SENATOR BEN RAY LUJAN (D-NM)**

### Question Topic: DOT Grants

*Question 1:* Do you commit that the Department will follow through on grants that have already been promised to communities across the country, but have not yet been finalized?

**Answer: If confirmed, I would expect to assist the Secretary in managing DOT's discretionary grant decisions, consistent with the law, so as to ensure that taxpayer dollars are prudently obligated to achieve the intended results and the exercise of discretion in these programs is appropriate and consistent with the best interests of the American people.**

### Question Topic: Tribal Consultation

*Question 1:* Will you commit to maintaining the Office of Tribal Government Affairs at DOT, formalizing Tribal Consultation requirements for Department officials, and holding regular Tribal Transportation Summits to increase awareness and technical assistance for Tribes so Tribes can access competitive agency funding?

**Answer: Yes, this is a personal commitment of mine.**

### Question Topic: Air Traffic Control

*Question 1:* As you know, there is a significant shortage of air traffic controllers across our aviation system. At the end of Fiscal Year 2024, the Federal Aviation Administration (FAA) had 1,020 fewer Certified Professional Controllers (CPCs) than at the end of Fiscal Year 2012.

Last year, I was proud to work with my colleagues to include language in the FAA Reauthorization package that mandates maximum hiring of air traffic controller trainees for five years, so long as there is adequate funding.

Will you commit to supporting the implementation of maximum hiring targets, including ensuring that there is sufficient funding to meet those targets?

**Answer: Yes.**

### Question Topic: FAA Staffing

*Question 1:* Do you believe that maintenance mechanics, aeronautical information specialists, and aviation safety assistants at the Federal Aviation Administration play an important safety role?

**Answer: Yes.**

*Question 2:* Do you believe the FAA should be investing more in aviation safety in light of recent safety incidents across the country?

**Answer: If confirmed, I will support the Secretary's efforts to evaluate all of the FAA's safety-critical systems and practices to identify areas for improvement and to explore new solutions for upgrading operations more quickly and efficiently, in order to enhance the safety of our national airspace. I will also support the Secretary in working with the FAA to ensure we hire the best and brightest air traffic controller candidates and other technical staff for the FAA and that we expand the pipeline and training capacity for new air traffic controllers, consistent with the resources provided by Congress.**

Question Topic: Rail Safety

*Question 1:* Last Thursday morning, there was a train derailment near the Valencia/Socorro county line in New Mexico. Thankfully current reports show no one was injured, but New Mexico State Police say multiple train cars carrying both hazardous and non-hazardous materials derailed.

Last April, there was a derailment on the border of Arizona and New Mexico in which six tank cars each hauling 30,000 gallons of liquefied petroleum gas derailed.

Yes or no, do you believe safety inspectors play an important role in our rail system?

**Answer: Yes.**

*Question 2:* Do you think now is a good time to fire rail safety inspectors?

**Answer: I am confident the Secretary is committed to ensuring that any personnel cuts deemed necessary, including at the FRA, will not involve safety-critical staff and will not degrade DOT's ability to carry out its primary safety mission. If confirmed, I will assist the Secretary in managing this process with care, consistent with the law and subject to the policy directions of the President.**

*Question 3:* Do you commit to keeping these FRA inspectors on the job who are responsible for protecting our rail system?

**Answer: Please see my answer to the preceding question.**

Question Topic: Truck Safety

It is a priority for me to put an end to trucking fatalities—and in particular, underride crashes. In 2015, 16-year-old Riley Hein was killed in a collision with an 18-wheeler in Tijeras, New Mexico. Because the truck did not have side underride guards, Riley's car became wedged underneath it during the collision and was dragged for half a mile. Eventually, the car caught fire and Riley burned to death.

Underride crashes are extremely dangerous, and often result in serious injuries or death. But they are preventable, and the technology to prevent them already exists.

*Question 1:* Do you commit to working with industry, advocacy, and other safety partners to address underride crashes and stop preventable deaths on our roadways?

**Answer: Yes, I look forward to assisting the Secretary in examining these issues carefully, in consultation with the experts in NHTSA and all interested stakeholders.**

*Question 2:* In addition, underride crashes are severely underreported. The Fatality Analysis Reporting System (FARS) is a nationwide census providing NHTSA, Congress and the American public yearly data regarding fatal injuries suffered in motor vehicle traffic crashes. However, the data is often inaccurate due to differences on how each state collects and reports this data. For example, many states do not have an Underride/Override checkbox on their electronic State Police Crash Report Forms, making it difficult to accurately report these crashes and represent them in the system. When data is inaccurate, the Department is unable to make informed decisions about how to address fatalities and mitigate and prevent specific types of crashes, including underride crashes.

If confirmed, do you commit to addressing inaccuracies in the FARS system and working with states to standardize reporting?

**Answer: Yes.**

Question Topic: NHTSA Staffing & Funding

*Question 1:* Yes or no, do you believe it is important for NHTSA to invest in developing new technologies to make our roads safer?

**Answer: I believe NHTSA plays a critical role in assessing and validating test methods for new automotive safety systems. NHTSA also supports some of these efforts through grant funding. If confirmed, I would expect to support the Secretary in working with NHTSA to review the need for and effectiveness of NHTSA's grant-making programs, consistent with the laws and appropriations enacted by Congress. I believe private investment is the main driver of technological innovation in the U.S., including for new safety-enhancing transportation systems. To maximize safety and save more lives, we need to preserve incentives for private investment in innovative new technologies.**

*Question 2:* Yes or no, do you commit to maintaining NHTSA's current investments in technology development, including maintaining staff who are essential to executing that work?

**Answer: If confirmed, I would expect to support the Secretary's efforts to maintain NHTSA's safety functions, including with adequate staffing, funding, resources, systems improvements, and authorities.**

*Question 3:* According to Politico, several categories of workers at DOT are ineligible for this administration's deferred resignation offer and "will not be subject to a reduction-in-force or other premature separation" because they fall within "public safety." No NHTSA positions were included in the publicly reported list. Do you believe that NHTSA plays a public safety role within DOT by preventing needless deaths on our roadways?

**Answer: I agree that NHTSA has an essential role in furthering DOT's critical safety mission. Most travel in the U.S. is by highway, and the persistently high number of annual highway fatalities is unacceptable. We must find solutions to drive that number down toward zero, and NHTSA is at the center of that effort for DOT.**

Question Topic: Impaired Driving Prevention

*Question 1:* Secretary Duffy committed to providing an update in writing on the current status of the impaired driving prevention rulemaking, including a timeline to complete it, within 6 months of his confirmation. Do you commit to working with him to provide an update in writing to my office by July 28, 2025?

**Answer: If confirmed, I will assist the Secretary in following up on his commitments to you and the other Members of the Committee.**

*Question 2:* Do you commit to issuing a rulemaking for the impaired driving provision of the Bipartisan Infrastructure Law that protects drivers' privacy, ensuring that driver data is not collected, stored, shared, or sold?

**Answer: If confirmed, I will assist the Secretary in working with NHTSA to review the information collected in response to the recent advance notice of proposed rulemaking and to consider carefully the next steps in this rulemaking proceeding.**

*Question 3:* When seatbelts and airbags were new technologies, both the auto industry and the Department of Transportation invested in public acceptance campaigns to ensure these technologies were widely adopted and could save the most lives possible. Yes or no, do you believe a similar strategy is necessary as we move forward with the impaired driving prevention rulemaking?

**Answer: Yes, it may be. Certainly, I have concerns about the public's willingness to accept new technologies that may be viewed as invasive. If confirmed, I would intend to assist the Secretary in working with NHTSA to explore these questions carefully.**

*Question 4:* Not only does this impaired driving prevention technology make us safer, but it also makes economic sense. According to NHTSA, in 2019, the economic costs of alcohol-involved and distracted-driving crashes alone totaled \$167 billion in a single year. The highest estimate I've heard for hardware-based solutions to address impaired driving are \$200 per car, with software-based solutions coming in at a negligible cost, since new cars are already being equipped with the technology that makes drunk driving detection possible. Do you believe this information

should be carefully considered in moving forward with a rulemaking on impaired driving prevention technology?

**Answer: Yes.**



## **SENATOR LISA BLUNT ROCHESTER (D-DE)**

### **Question Title: Flight 5342 Response**

*Question 1:* After the recent devastating crash of Flight 5342 on approach at Reagan National Airport, there have been numerous reports that ATC staffing or obsolete infrastructure could have played a role in the crash. President Trump and Secretary Duffy have committed to upgrading and modernizing our ATC infrastructure as a result.

Will you commit to moving aggressively to upgrade our nation's ATC infrastructure as well as maximum ATC controller hiring?

***Answer:* Yes.**

*Question 2:* Can you elaborate on your vision – and what tactics you would employ – to speed up modernization of this critical technology?

***Answer:* If confirmed, I will support the Secretary's efforts to evaluate all of the FAA's air traffic control systems and other safety-critical systems and practices to identify areas for improvement and to explore new solutions for upgrading operations more quickly and efficiently, in order to enhance the safety of our national airspace. I will also support the Secretary in working with the FAA to ensure we hire the best and brightest air traffic controller candidates and that we expand the pipeline and training capacity for new air traffic controllers, consistent with the resources provided by Congress.**

*Question 3:* The recent devastating crash of Flight 5342 highlighted a major concern when it comes to helicopter routes in extremely close proximity to Reagan National Airport. While I agree with Secretary Duffy's move to temporarily suspend those routes, I believe more action must be taken to permanently suspend helicopter traffic near DCA as it is a high traffic area. Do you believe helicopter traffic near Reagan National Airport should be permanently suspended? If not, what steps should be taken to ensure the safety of operations near the airport?

***Answer:* From what I understand based on public information, I believe the horrible collision of the Army Blackhawk helicopter with Flight 5342 and the devastating loss of life were entirely avoidable and should never have happened. I believe we need to ensure that the FAA has the systems, capabilities, expert staff, and authorities needed to exercise firm control and management over all aviation operations in and near the flight paths of DCA. Given the military presence and security requirements of the national capital region, I expect that it will continue to be necessary for military helicopters to fly up and down the Potomac near DCA. But I believe the Secretary of Transportation, the FAA, and the Secretary of Defense can effectively coordinate operations to ensure that all necessary helicopter traffic on the Potomac is routed through low-altitude corridors that avoid interference with DCA flight paths.**

## **Question Title: Economic and Workforce Development**

*Question 1:* As you are aware commercial aviation is vital to the U.S. economy, driving 5% of U.S. GDP—the equivalent of \$1.45 trillion in 2024 – and supporting approximately 10 million jobs across the United States. Every day, U.S. airlines operate more than 27,000 flights carrying 2.7 million passengers to/from nearly 80 countries and 61,000 tons of cargo to/from more than 220 countries. Alliances between U.S. and foreign airlines have expanded access to global markets and enabled job growth here in the United States. According to recent data from the Department of Transportation (DOT), leading U.S. airlines employ more than one million people worldwide, with U.S. passenger airlines alone employing their largest workforce in nearly 23 years. The U.S. aviation sector is critical to driving U.S. growth, ensuring good jobs for our communities, connecting global markets, and advancing technological innovation.

Please describe your vision for strengthening the United States' global aviation leadership. Please include your plans for exercising leadership at the International Civil Aviation Organization on behalf of the United States.

***Answer:* I agree completely that America's aviation sector, both the U.S.-flagged commercial airlines and our domestic aviation manufacturing base, is critical to the strength and vitality of our Nation and to our leadership position in the world. The FAA must reestablish itself as the recognized world leader and standard setter in the safety certification of new aircraft systems. Among other things, FAA leadership enables America to maintain and grow its vital domestic manufacturing base in aviation, an important component of our national economy. If confirmed, I will assist the Secretary in working to ensure that the FAA continues to engage with major foreign certification authorities and other cooperative aviation partners around the world toward the goal of achieving consistent state-of-the-art standards and practices for the development and manufacture of aircraft. And we cannot ignore ICAO's important role in promoting safe and secure worldwide air travel. I believe America needs to remain an active and effective participant and partner in ICAO proceedings.**

*Question 2:* What steps can the Department of Transportation take to enhance the competitive position of U.S. airlines and their skilled workforce?

***Answer:* I believe the Department needs to be a leader in standing up for U.S. airlines in international discussions. We should insist on firmly maintaining reciprocity in air service, in addressing and eliminating unfair subsidies and regulatory distortions by foreign nations that often advantage their government-owned or government-influenced carriers versus private U.S. carriers, and in vindicating the principles of our Open Skies policies. I would also favor pursuing new Open Skies agreements where they make sense for America.**

*Question 3:* Aviation manufacturing is a major economic driver in the United States, with the largest trade balance (exports minus imports) among all U.S. manufacturing sectors. A global

network of manufacturers and suppliers provides the aircraft and components that airlines in the United States rely on to support their operations. In December the General Accountability Office issued a report documenting how U.S. airlines have had to make changes to scheduled flights and develop ways to safely extend the life of some parts, among other actions, due to the difficulty obtaining new aircraft or the parts needed to maintain their current fleet. As U.S. airlines respond to the post-pandemic rebound in air travel demand, aviation manufacturers' ability to provide new aircraft and parts is key to airlines' efforts to maintain and grow their operations.

Supply chain resiliency remains one of my top priorities. What actions can the Administration take to strengthen aerospace supply chains to ensure future and continued growth of the U.S. airline industry?

***Answer:* I believe we need to gear the actions of DOT and all other parts of our government toward incentivizing producers to invest in domestic U.S.-based production of critical components needed for aviation and other transportation systems. I fully share Congress's commitment to Buy America policies and the President's strong emphasis on growing U.S. jobs and our domestic industries, especially in critical sectors like aviation. Among other things, we must protect Americans and the U.S. economy from the dangers of dependence on unfriendly foreign suppliers and producers.**

Will you commit to briefing my office in 90 days with recommendations that both congress and executive branch can take to strengthen the supply chain?

***Answer:* If confirmed, I will support and assist the Secretary in working with you to address these needs.**

### **Question Title: 737 MAX**

*Question 1:* As Deputy Secretary of Transportation, you will once again play an outsized role in the government's operation of vital safety programs. There are numerous public reports detailing your role in obstructing the Boeing 737 MAX investigation conducted by this committee. The safety of our families should be non-partisan. Our aviation safety industry is suffering and over-worked, and privatizing the FAA is not the answer.

How will you ensure that we learn from past aviation mistakes and support our FAA workforce to meet the needs of tomorrow?

***Answer:* If confirmed, I will support the Secretary in working with the FAA and its dedicated career staff to improve and strengthen the FAA's air traffic control functions and its critical role as the Nation's aviation safety regulator while maximizing its efficiency. And I intend to facilitate open and candid channels of communication with Congress concerning the effectiveness, capabilities, and resource needs of FAA and the other vital components of DOT. I do not believe it is fair or accurate to say that I played a role in obstructing Congress's investigations into the Boeing 737-MAX disasters. As General Counsel of DOT, my**

**effort was to assist the Secretary and the FAA in facilitating the FAA's responses to those congressional investigations, not at all to impede the investigations.**

*Question 2:* I also understand that there could be more safety technologies deployed that could potentially save lives. What is your plan to find, fund, and deploy lifesaving technologies that could save lives?

***Answer:* I believe we need to have strong performance-based safety management systems with clear benchmarks in place with Boeing and other critical manufacturers as well as operators to incentivize investments in safety-enhancing technologies and to ensure that the regulated entities know they will be held accountable for safety lapses and failures. Preserving and stimulating incentives for private investment in the latest safety-improving technologies and for deployment of these technologies for the benefit of the flying public and all Americans who rely on the safety and efficiency of our transportation systems is, in my view, the surest way to save lives.**

**Question Title: ATC Privatization**

*Question 1:* Given the significant role the FAA plays in regulating air traffic, ensuring safety standards, and overseeing airspace management, privatizing the agency could have profound implications for public safety and accessibility. The current model ensures that aviation policy and airspace management are in the hands of a government body with the sole mission of public safety, not profit.

With this in mind, can you provide a clear commitment to preserving the FAA as a public, government-run entity?

***Answer:* If confirmed, I will support the Secretary in working to improve and strengthen the FAA's air traffic control functions as well as its critical role as the Nation's aviation safety regulator. Any decision to privatize air traffic control could only be made by Congress through legislation, and any decision to propose such legislation on behalf of the Executive Branch would have to be made by the President. I am well aware that Congress has already considered and rejected proposals to privatize the FAA's air traffic control operations, including in connection with the recent FAA Reauthorization Act, and I would not expect to push the Secretary to recommend such legislation.**

*Question 2:* Will you actively work to ensure that privatization efforts will not be pursued under your leadership at the Department of Transportation?

***Answer:* Please see my answer to the preceding question.**